

# Meeting Minutes



**Date & Time:** 10am, May 11<sup>th</sup>, 2023  
**Purpose:** Special Meeting of the OPEH&W Health Plan Board of Trustees  
**Location:** ACCO Building, 429 NE 50<sup>th</sup> St, Oklahoma City, Oklahoma

## Trustee Attendance:

|                   |                    |         |
|-------------------|--------------------|---------|
| CJ Rose           | Beaver County      | Present |
| Tina Newton       | Cimarron County    | Absent  |
| Tammy Malone      | Craig County       | Present |
| Lynn Smith        | Ellis County       | Absent  |
| Steve Stinson     | Grady County       | Present |
| Gary Nielsen      | Harper County      | Present |
| Kathy Ross        | Johnston County    | Present |
| Heath Dobrovolsky | Kingfisher County  | Absent  |
| Matt Jacobson     | OMAG               | Present |
| Kristen Moles     | Pawnee County      | Present |
| Mike Brittingham  | Pushmataha County  | Absent  |
| Jymay McLeod      | Roger Mills County | Present |
| Lisa Turpin       | Seminole County    | Absent  |
| Dolan Sledge      | Texas County       | Present |
| Mike Bouvier      | Washington County  | Present |

## Guests Attending:

|                    |                            |
|--------------------|----------------------------|
| Ross Naylor        | Plan Administration Office |
| Jan Dumont         | Attorney – Riggs Abney     |
| Kristopher Koepsel | Attorney – Riggs Abney     |

## Minutes:

There being 8 or more Trustees in attendance a quorum was declared.

Chairwoman, Tammy Malone, called the meeting to order at 10 AM.

### Agenda Item 1:

An Executive Session of the Board of Trustees, as authorized by Title 25, §307 B.4 of the Oklahoma Statutes, for the purpose of confidential communications with its attorneys concerning claims arising from the 2022 Special Assessment as provided in the Fourth Amended and Restated Interlocal Governmental Agreement dated July 1, 2000 between Oklahoma Public Employees Health and Welfare Plan and Woodward County Emergency Medical Service District a/k/a Woodward County EMS ("Woodward EMS"), which Woodward EMS has failed to pay, and with the advice of its attorneys, a determination by the Board of Trustees that disclosure to the public of the communications in such Executive Session will seriously impair the ability of the Board of Trustees to process such claims in the public interest.

### Motion:

Upon the advance of the trust's legal representatives, that the board enter into executive session for the purposes of discussing Items 1 and 3 simultaneously, and that Ross Naylor, Jan Dumont, and Kristopher Koepsel be invited to attend said executive session.

|              |   |
|--------------|---|
| Proposed By: | CJ Rose   |
| Seconded By: | Steve Stinson   |
| For:         | CJ Rose, Tammy Malone, Steve Stinson, Gary Nielsen, Kathy Ross, Matt Jacobson, Kristen Moles, Jymay McLeod, Dolan Sledge & Mike Bouvier |
| Against:     | None  |
| Abstentions: | None  |
| Result:      | Motion Carried  |

Chairwoman, Tammy Malone, declared the meeting had enter executive session at 10:03am.

Minutes of the executive session are held separately to these minutes and in a sealed state.

Chairwoman, Tammy Malone, declared the meeting had exited executive session at 10:40am.

### Agenda Item 2:

After return by the Board of Trustees to the public meeting, vote upon any item of business which concerns the above-described claims and is considered during the Executive Session.

### Motion:

In order to handle agenda items 2 and 4 simultaneously, the trust's legal representatives from Riggs Abney are directed to immediately commence litigation proceedings against both Woods County and Woodward County EMS for the full amounts owed, furthermore, they are directed to include the 6% monthly interest allowed for under the law, which is to be calculated from 9/1/2022, furthermore, they are directed to also seek to recover all

legal fees incurred by its bringing this action, furthermore, the they are directed to seek to enjoin both parties under one filing, and for it to be made in Oklahoma County if possible.

Proposed By: Steve Stinson  
Seconded By: Mike Bouvier

A roll-call vote was called.

For: CJ Rose, Tammy Malone, Steve Stinson, Gary Nielsen, Kathy Ross, Matt Jacobson,  
Kristen Moles, Jymay McLeod, Dolan Sledge & Mike Bouvier  
Against: None  
Abstentions: None  
Result: Motion Carried

**Motion:**

That a working group of 5 trustees be formed to liaise with the trust's legal representatives regarding litigation proceedings, and to provide such working group the power and abilities to respond to, advise and direct the trust's legal representatives as warranted without first having to seek approval of the full board of trustees, but limited and not empowered to approve any settlement or conclusion of the litigation without the approval of the full board of trustees, and that the 5 trustees who will be members of this working group will be Tammy Malone, CJ Rose, Steven Stinson, Mike Brittingham and Health Dobrovolny.

Proposed By: CJ Rose  
Seconded By: Steve Stinson

A roll-call vote was called.

For: CJ Rose, Tammy Malone, Steve Stinson, Gary Nielsen, Kathy Ross, Matt Jacobson,  
Kristen Moles, Jymay McLeod, Dolan Sledge & Mike Bouvier  
Against: None  
Abstentions: None  
Result: Motion Carried

**Agenda Item 3:**

An Executive Session of the Board of Trustees, as authorized by Title 25, §307 B.4 of the Oklahoma Statutes, for the purpose of confidential communications with its attorneys concerning claims arising from the 2022 Special Assessment as provided in the Fourth Amended and Restated Interlocal Governmental Agreement dated July 1, 2000 between Oklahoma Public Employees Health and Welfare Plan and the Board of County Commissioners of Woods County and/or Woods County ("Woods County"), which Woods County has failed to pay, and with the advice of its attorneys, a determination by the Board of Trustees that disclosure to the public of the communications in such Executive Session will seriously impair the ability of the Board of Trustees to process such claims in the public interest.

**Agenda Item 4:**

After return by the Board of Trustees to the public meeting, vote upon any item of business which concerns the above-described claims and is considered during the Executive Session.

**Agenda Item New Business:**

No New Business was bought.

**Motion:**

To adjourn the meeting

Proposed By: Gary Nielsen  
Seconded By: Steve Stinson  
For: CJ Rose, Tammy Malone, Steve Stinson, Gary Nielsen, Kathy Ross, Matt Jacobson,  
Kristen Moles, Jymay McLeod, Dolan Sledge & Mike Bouvier  
Against: None  
Abstentions: None  
Result: Motion Carried

Chairwoman, Tammy Malone, thanked everyone for making the long drive to attend, and declared the meeting closed at 10:53 am.

**Attestations:**

\_\_\_\_\_  
Secretary of the Board of Trustees

\_\_\_\_\_  
Notary Attesting To  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Chairperson of the Board of Trustees

\_\_\_\_\_  
Notary Attesting To  
My Commission Expires: \_\_\_\_\_