



Greater Tompkins County Municipal Health Insurance Consortium

125 East Court Street • Ithaca, New York 14850 • (607)274-5590
www.tompkinscountyny.gov/hconsortium • consortium@tompkins-co.org

“Individually and collectively we invest in realizing high quality, affordable, dependable health insurance.”

Board of Directors Meeting January 26, 2016 – 6:00 pm – Rice Conference Room

Tompkins County Health Department, 55 Brown Road, Ithaca, NY

1. Call to Order
2. Approval of September 22, 2016 Minutes (**VOTE**) (6:00)
3. Changes to the Agenda:
4. Chair's Report: (6:05) J. Drake
5. Report from the Executive Committee (6:10) J. Drake
 - a. **MOTION:** Appointment to OYOH – Michelle Wright
 - b. **RESOLUTION:** Adoption of Greater Tompkins County Municipal Health Insurance Consortium Records Retention Policy (**VOTE**)
 - c. **MOTION:** Increase number of Audit and Finance Committee seats by adding two additional municipal seats (terms expiring 12/31/17 and 12/31/18)
6. Executive Director's Report (6:15) D. Barber
 - a. DFS Audit & Communications
 - b. New Director Orientation
 - c. Annual Education Retreat topic
 - d. Newsletter feedback
7. CanaRx Presentation (6:20) J. Scotti -CRX
 - a. Q&A - J. Power (Consortium legal counsel)
8. Report from Consultant (6:45) S. Locey
 - a. Financial update
9. Report from Joint Committee on Plan Structure and Design (6:55) P. VanWormer
10. Report from Audit and Finance Committee (7:00) S. Thayer
 - a) Medical Claims Audit
 - b) Stop-Loss Contract
11. Report from Owing Your Own Health Committee (7:10) T. Schiele
12. New Business (7:15)
13. Adjournment (7:30)

Next Meeting: March 23, 2017

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Draft 11-19-2016

**Board of Directors
November 17, 2016 - 5:30 p.m.
Tompkins County Health Department – Rice Conference Room**

Municipal Representatives: 13

Judy Drake, Town of Ithaca; Steve Thayer, City of Ithaca; Mack Cook, City of Cortland; John Fracchia, Town of Caroline; Don Scheffler, Town of Groton; Richard Goldman, Town of Ulysses; Eric Snow, Town of Virgil; Peter Salton, Village of Cayuga Heights; Michael Murphy, Village of Dryden; Chuck Rankin, Village of Groton; Rordan Hart, Village of Trumansburg; Tom Brown, Town of Truxton (arrived at 5:46 p.m.); Ann Rider, Town of Enfield

Labor Representatives: 3

Phil VanWormer, 1st Labor representative (Chair, Joint Committee on Plan Structure and Design); Olivia Hersey, 3rd Labor Representative; Jim Bower, 2nd Labor Representative

Excused: 3

Amy Guereri, Tompkins County; Laura Shawley, Town of Danby; Charmagne Rungay, Town of Lansing

Absent: 4

Tom Adams, Town of Marathon; Alvin Doty, Town of Willet; Deborah Cipolla-Dennis, Town of Dryden; Genevieve A. Suits, Village of Homer

Others in attendance:

Steve Locey, Locey & Cahill; Rick Snyder, Treasurer; Beth Miller, Excellus; Bud Shattuck, Village of Union Springs; Meghan Feeley, ProAct; Sharon Dovi, TC3; Sharon Hayden, Town of Aurelius; Chad Hayden, Village of Union Springs Attorney; Jim Doring, Town of Preble; John Malenick, Town of Montezuma; Ted Schiele, Chair, Owing Your Own Health Committee

Call to Order

Ms. Drake, Chair, called the meeting to order at 5:41 p.m. and introduction of all present followed.

Approval of Minutes of September 22, 2016

It was MOVED by Ms. Rider, seconded by Ms. Hersey, and unanimously adopted by voice vote by members present with Mr. VanWormer abstaining, to approve the minutes of September 22, 2016 as corrected. MINUTES APPROVED.

Changes to the Agenda

There were no changes to the agenda.

Chair's Report

Ms. Drake said the Consortium is comprised of member municipalities with volunteers serving on the Board and various committees. She spoke of the importance of having informed Directors and the opportunity to become informed by serving on a committee. She asked Directors to see that their municipality is represented on the Joint Committee on Plan Structure and Design and to also consider volunteering to serve one of the Consortium's other Committees. The Owing Your Own Health Committee looks at wellness and the impacts of the long-term viability of employer-sponsored health insurance. She spoke of the importance of having a succession plan and said the Audit and Finance Committee is a good place to learn how the Consortium operates and a starting point for those who are interested in moving into a leadership role within the Consortium.

Executive Committee

Ms. Drake said the Committee has discussed having a meeting location that could accommodate the Board which led to the move to the Health Department which is not only a larger room but is closer to many members and offers better parking than the downtown location. To accommodate the Administrative Clerk's other duties the meeting time is being proposed to move from 5:30 p.m. to 6:00 p.m.

MOTION NO. 007- 2016 – ESTABLISH MEETING SCHEDULE - 2017

MOVED by Mr. Thayer, seconded by Mr. Fracchia, and unanimously adopted by voice vote by members present.

**BOARD OF DIRECTORS
2017 Meeting Schedule**

January 26
March 23
May 25
July 27
September 28 – Annual Meeting (set rates)
November 16 (3rd Thursday)
December 21 (3rd Thursday; if needed)

Meeting time: 6:00 p.m. to 8:00 p.m.
Rice Conference Room
55 Brown Road
Ithaca, New York 14850

Report from the Nominating Committee

Mr. Cook, Member, said the Committee is recommending the current leadership continue for 2017. With regard to a succession plan he reiterated Ms. Drake's suggestion that anyone interested in a leadership position consider serving on a Consortium committee to gain a better understanding of the Consortium's operations. Although it has been discussed, at this time there is no formal succession plan in place. Ms. Drake commented that the number of members on committees can be expanded as the Consortium grows. Mr. Shattuck called attention that many Directors are elected officials which makes serving on a committee subject

to that. Ms. Drake said although the term of office can be a challenge it is important to have a balance of elected officials and municipal employees serving on committees.

Ms. Rider praised the success of the Consortium and stated it has produced significant savings, particularly for the small municipalities. Mr. Barber stated that the County performed a study that showed the Consortium through 2015 had saved Tompkins County taxpayers a total of \$4.5 million; the savings has further increased and will continue to do so as the difference between the private sector's and Consortium's premiums expand.

RESOLUTION NO. 025-2016 - ELECTION OF OFFICERS FOR 2017

MOVED by Mr. Cook, seconded by Mr. Salton, and unanimously adopted by voice vote by members present.

WHEREAS, the Nominating Committee has proposed a slate of Officers to the Board of Directors at the November 17, 2016 meeting, now therefore be it

RESOLVED, That the Board of Directors elects the following individuals to serve from January 1, 2017 through December 31, 2017 in the roles as follows:

- Chairperson - Judith Drake
- Vice Chairperson – Rordan Hart
- Chief Fiscal Officer – Steve Thayer
- Secretary – Chuck Rankin
- Treasurer – Richard Snyder

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Appointments to Committees

MOTION NO. 008-2016 – APPOINTMENTS TO AUDIT AND FINANCE AND OWNING YOUR OWN HEALTH COMMITTEES

MOVED by Ms. Drake, seconded by Mr. VanWormer, and unanimously adopted by voice vote by members present.

Audit and Finance Committee

Terms to expire December 31, 2018:
Mack Cook, Peter Salton, Laura Shawley

Owning Your Own Health

Term to expire December 31, 2019:
Emily Mallar – Municipal Representative

Report from the Executive Director

Mr. Barber said at the last meeting Ms. Drake spoke of a response that was prepared and sent to the Department of Financial Services in response to its request for the Consortium to amend its Municipal Cooperative Agreement. Following that discussion, the Board directed the Consortium's Attorney, John Powers, communicate the Consortium's concerns directly with DFS and a copy of that communication has been provided to all Directors. To date, there has been no response from the Department.

Mr. Barber provided an update on the State DFS audit and said requests for information requests are being responded to in a timely manner. He does not know how much longer the auditor will be on site or when the audit will conclude.

He said if the two proposed resolutions are adopted this evening there will be eight new municipalities joining the Consortium on January 1, 2017. This is a significant increase and good reason for the Executive Committee at its meeting in January to consider expanding Committee membership. Those eight municipalities will have Metal Level plans and will bring in a total of 28 contracts to the Consortium. Mr. Barber reported the medical claims auditing process is moving forward and a final report should be available soon.

Consultant Report

Mr. Locey distributed copies of a Budget Performance Analysis through September 30, 2016. In terms of revenue the Consortium is on target with approximately \$29.1 million. On the expense side there has been growth in claims that has exceed expectations. Medical claims are approximately 2.5% over budget and prescription drug claims are approximately 11% over budget. In aggregate the Consortium is 4% over budget on claims which is 93-94% of the total budget. Even with these results the Consortium is still showing a net income of \$750,000; therefore, it is in good shape from a financial perspective. He will provide the Board with the October financial results when they become available. Mr. Locey also noted that 2016 is the last year the Consortium will have to pay the Transitional Reinsurance Fee

Mr. Brown asked if the Consortium is moving more towards deductible plans. Mr. Locey said most of the new municipalities are coming in with Metal Level plans, primarily because they are small employers coming from the community-rated market and that is all that is available. A couple of the larger employers did negotiate the Platinum Plan for new employees; however, that plan is still a co-pay for in-Network. Mr. Brown asked if it is expected that the Consortium will pick up more cost in the last quarter of the year because of the deductible plans. Mr. Locey said he doesn't expect that will happen because there are so few out of the Consortium's overall population with those plans, however, this may be something to give consideration to in the future.

Report from the Joint Committee on Plan Structure and Design

Mr. VanWormer, Chair, reported the Committee met on November 3rd and had an initial discussion of what a fourth prescription drug tier might look like. The discussion was primarily focused on the ability of Noble Health, ProAct's Specialty Pharmacy, to find copay assistance for specialty medications. This is a discussion that will continue. Doug Perine was appointed to be the fourth labor representative on the Board of Directors. The Committee also adopted a resolution recommending the Consortium make CanaRx an option available to all members in the Consortium. Ms. Drake said committees have spent considerable time discussing the CanaRx program and a presentation will be given at the Board of Directors meeting in January to share that information. She said if approved, the contract would be with the individual subscriber; however, Consortium would be paying the bill. She said it has been the opinion of both labor and management that because this would run as a voluntary program it would not need to be negotiated.

Mr. Murphy noted that with the CanaRx program not only will employees have no copay they have negotiated much lower prices on drugs and this will result in a significant savings to the Consortium. Ms. Drake explained how the savings will be generated by participation and would pertain only to brand name drugs; therefore, marketing and education will be important. Mr. Barber commented that following a review of 2015 data ProAct identified over 5,300 brand name Tier II or Tier III drugs that could have been purchased through CanaRx with a savings of \$1.6 million to the

Consortium and a savings to subscribers ranging from \$90 to \$360 annually. He encouraged Directors to review the draft resolution and information that has been distributed.

Mr. Schiele said a suggestion was made at the Owing Your Own Health Committee to create a FAQ document that could be distributed to municipalities and to have an open forum webinar type event that would be available to all members to introduce the program and to provide an opportunity for questions to be asked of ProAct and CanaRx. He said because it has to be initiated by the subscriber it is important there be a great and steady awareness that this is an available option.

Mr. Fracchia asked if any analysis is being done on the impact to the Consortium by potential dismantlement of the Affordable Care Act. Mr. Locey said because the Consortium is within New York State there were a lot of the benefits that were added as a result of the ACA were already in effect; therefore, the benefit impact was minimal. In terms of the benefit structure he doesn't believe because of all the work that went into developing and getting plans approved that they will be pulled from the open market. Although it remains to be seen, he thinks what may be impacted is the Actuarial Value Calculator, the Medicare and Medicaid, individual mandate, or the employer shared responsibility fines and fees.

Audit and Finance Committee

RESOLUTION NO. 026-2016 - ACCEPTANCE OF APPLICATION BY THE TOWN OF AURELIUS TO BECOME A PARTICIPANT IN THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

MOVED by Mr. Thayer, seconded by Ms. Hersey, and unanimously adopted by voice vote by members present.

WHEREAS, by Resolution No. 005 of 2012 and amended by Resolution No. 27 of 2014 the Consortium Board of Directors adopted a policy outlining a process of applying for membership to the Consortium, and

WHEREAS, the Town of Aurelius has submitted an official resolution authorizing the Town of Aurelius to join the Consortium in accordance with the terms and conditions outlined in the Municipal Cooperative Agreement, and

WHEREAS, the Town of Aurelius has complied with membership process outlined in Resolution No. 005 of 2012 and amended by Resolution No. 027 of 2014 and has submitted copies of financial reports which have been reviewed and found acceptable by the Consortium's Treasurer, Chief Financial Officer and/or the Consortium's Auditor, now therefore be it

RESOLVED, That the Greater Tompkins County Municipal Health Insurance Consortium, accepts and welcomes the Town of Aurelius as the 27th municipal participant, with health insurance coverage beginning January 1, 2017,

RESOLVED, further, That the Board of Directors waives the requirement of payment of 5% of premium to the Surplus Reserve Account as requested by the Town of Aurelius,

RESOLVED, further, That the Board of Directors determines that the terms of assessing the pro rata share of any surplus or deficit to the applicant shall at the time the applicant leaves the Consortium or upon dissolution of the Consortium shall be based on their share of any deficit or being paid their share of any surplus that was generated during their years of participation. The

Board of Directors would identify the surplus or deficit which exists on the date of entry and again on the date of withdrawal or dissolution and bill or pay the applicant accordingly,

RESOLVED further, that the Administrative Clerk shall forward to the New York State Department of Financial Services a certified copy of the resolution authorizing the Town of Aurelius to become a participant in the Consortium and a certified resolution adopted by the GTCMHIC accepting the Town of Aurelius as a Participant in the Consortium.

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RESOLUTION NO. 027-2016 - ACCEPTANCE OF APPLICATION BY THE TOWN OF MONTEZUMA TO BECOME A PARTICIPANT IN THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM

MOVED by Mr. Thayer, seconded by Ms. Hersey, and unanimously adopted by voice vote by members present.

WHEREAS, by Resolution No. 005 of 2012 and amended by Resolution No. 27 of 2014 the Consortium Board of Directors adopted a policy outlining a process of applying for membership to the Consortium, and

WHEREAS, the Town of Montezuma has submitted an official resolution authorizing the Town of Montezuma to join the Consortium in accordance with the terms and conditions outlined in the Municipal Cooperative Agreement, and

WHEREAS, the Town of Montezuma has complied with membership process outlined in Resolution No. 005 of 2012 and amended by Resolution No. 027 of 2014 and has submitted copies of financial reports which have been reviewed and found acceptable by the Consortium's Treasurer, Chief Financial Officer and/or the Consortium's Auditor, now therefore be it

RESOLVED, That the Greater Tompkins County Municipal Health Insurance Consortium, accepts and welcomes the Town of Montezuma as the 28th municipal participant, with health insurance coverage beginning January 1, 2017,

RESOLVED, further, That the Board of Directors waives the requirement of payment of 5% of premium to the Surplus Reserve Account as requested by the Town of Montezuma,

RESOLVED, further, That the Board of Directors determines that the terms of assessing the pro rata share of any surplus or deficit to the applicant shall at the time the applicant leaves the Consortium or upon dissolution of the Consortium shall be based on their share of any deficit or being paid their share of any surplus that was generated during their years of participation. The Board of Directors would identify the surplus or deficit which exists on the date of entry and again on the date of withdrawal or dissolution and bill or pay the applicant accordingly,

RESOLVED, further, That the Administrative Clerk shall forward to the New York State Department of Financial Services a certified copy of the resolution authorizing the Town of Montezuma to become a participant in the Consortium and a certified resolution adopted by the GTCMHIC accepting the Town of Montezuma as a Participant in the Consortium.

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RESOLUTION NO. 028-2016 - RESOLUTION TO ENTER INTO A CONTRACT WITH PROACT FOR PRESCRIPTION BENEFIT MANAGEMENT SERVICES - 2017

MOVED by Mr. Thayer, seconded by Mr. Fracchia.

It was MOVED by Mr. Salton, seconded by Mr. Murphy, and unanimously adopted by voice vote by members present, to amend the Resolved from: "RESOLVED, on recommendation from the Request for Proposals Review Committee, That the Audit and Finance Committee recommends that the GTCMHIC Board of Directors sign a one year-contract with ProAct for Prescription Benefit Manager services with the subsequent two years having the option to extend the contract for one year" to "RESOLVED, on recommendation from the Request for Proposals Review Committee, That the Audit and Finance Committee recommends that the GTCMHIC Board of Directors sign a one year-contract with ProAct for Prescription Benefit Manager services with the subsequent two years with the Consortium having the option to extend the contract for one year"

Following the adoption of Resolution No. 030-2016, it was MOVED by Mr. Salton, seconded by Mr. Goldman, and unanimously adopted by voice vote by members present, to revisit this resolution and to replace the previously approved amendment with the following: "RESOLVED, on recommendation from the Request for Proposals Review Committee, That the Audit and Finance Committee recommends that the GTCMHIC Board of Directors sign a one-year contract with ProAct for Prescription Benefits Manager services with the Consortium having the option to extend the contract annually for each of the next two years". RESOLUTION ADOPTED AS AMENDED.

WHEREAS, Motion No. 003-2016 authorized the issuance of a Request for Proposals for Prescription Plan Manager and created the RFP Review Committee, and

WHEREAS, five proposals were received, three applicants were interviewed, and all proposals were reviewed by the Committee according to the review criteria and weighting stated in the RFP, and

WHEREAS, Excellus and ProAct were found to present the best proposals for deeper review, and

WHEREAS, the Prescription Benefits Manager Request for Proposals Review committee recommends awarding the for Prescription Benefits Manager services contract to ProAct, now therefore be it

RESOLVED, on recommendation from the Request for Proposals Review Committee, That the Audit and Finance Committee recommends that the GTCMHIC Board of Directors sign a one-year contract with ProAct for Prescription Benefits Manager services with the Consortium having the option to extend the contract annually for each of the next two years.

RESOLUTION NO. 029-2016 - AUTHORIZATION TO PURCHASE INSURANCE POLICIES: STOP LOSS, ERRORS AND OMISSIONS, AND DIRECTORS AND OFFICERS LIABILITY COVERAGE

It was MOVED by Mr. Thayer, seconded by Mr. Cook, and unanimously adopted by voice vote by members present. Mr. Locey said the deductible for Stop Loss Insurance will be

going up by \$50,000 and the premium will be slightly less than the 2016 rate. He also said he will be continuing to negotiate these rates downward.

WHEREAS, the Consortium must select stop loss insurance, as required by Article 47 of New York State Insurance Law, and

WHEREAS, it is the desire of the Board of Directors to ensure liability coverage for the Consortium, the Board of Directors personally and professionally, and the participating municipalities, now therefore be it

RESOLVED, upon recommendation of the Plan Consultant, Locey & Cahill, LLC, the Tompkins County Risk Manager and the Audit and Finance Committee, That the Consortium shall purchase coverage for these policies from the following for the period January 1, 2017 thru December 31, 2017:

- Stop Loss Insurance with a deductible of \$450,000, at an annual cost not to exceed \$745,113;
- Errors and Omissions Insurance with the Darwin Group at \$1,000,000 limit with \$25,000 retention (placed by insurance agent Haylor, Freyer and Coon);
- Directors and Officers Liability Insurance with the Darwin Group at \$1,000,000 limit with \$25,000 retention (placed by insurance agent Haylor, Freyer and Coon)

RESOLVED, further, That the Plan Consultant is directed to provide the Administrative Clerk of the Consortium with a copy of each policy.

RESOLUTION NO. 030-2016 – AUTHORIZATION TO ENTER INTO AGREEMENT WITH BONADIO & CO. LLP - FINANCIAL REPORTING FOR 2017-2018

MOVED by Mr. Thayer, seconded by Mr. Rankin, and unanimously adopted by voice vote by members present.

WHEREAS, the Consortium entered into a contract with Bonadio & Co. LLP for financial reporting services in 2013-2015 and again in 2016, and

WHEREAS, the Consortium wishes to continue the current arrangement for two additional years, now therefore be it

RESOLVED, on recommendation of the Audit and Finance Committee, That the Board of Directors authorizes the Chair to sign a letter of engagement with Bonadio & Co. LLP for a two-year contract expiring December 31, 2018.

RESOLUTION NO. 031-2016 – EXTENSION OF CONTRACT FOR PLAN CONSULTANT – LOCEY & CAHILL, LLC – 2017

MOVED by Mr. Thayer, seconded by Ms. Hersey. Mr. Barber said he it is a pleasure to work with Mr. Locey who has been very professional and responsive. He spoke of Mr. Locey's depth of knowledge and recommends the Consortium continue its relationship with Locey & Cahill. The resolution was unanimously adopted by voice vote by members present.

WHEREAS, the Consortium requires ongoing Plan consulting services to continue its operations, and

WHEREAS, the Plan consulting services needed include: strategic planning, establishing a budget, filing periodic reports, calculating premium equivalents, preparing a variety of internal reports and requests for proposals, and interfacing with third party administrators and ancillary benefit providers, and

WHEREAS, the Consortium by Resolution No. 17 of 2013 awarded a contract for Plan consultant services on December 19, 2013 to Locey & Cahill, LLC of Syracuse for the period January 1, 2014 through December 31, 2015 with the option to renew for three additional one-year terms, now therefore be it

RESOLVED, that the contract with Locey & Cahill, LLC be extended for the period January 1, 2017 through December 31, 2017, with the option to renew for one additional one-year term.

Mr. Thayer, Chair, said the Committee is continuing to look at the CanaRx program and the fourth prescription drug tier. The Committee's December meeting has been canceled and will meet again on January 24th.

Report from Owning Your Own Health Committee

Mr. Schiele, Chair, reported there were 245 participants at the flu clinics held in September which is an increase of 15 over 2015. Ms. Drake asked that consideration be given to expanding those into other areas to reach members from new municipalities. He also reiterated Ms. Drake's invitation for anyone to become a Committee member.

Ms. Drake reported she and Mr. Barber attended an interesting program that was offered through Cayuga Area Physician's Alliance (CAPA) that was attended by several employers, insurance companies, and medical personnel. Mr. Barber said this group was formed at the time the Affordable Care Act was created and has been working on Clinical Integration which is the sharing of information about protocol and best practices. At the same time Excellus negotiated with CAP to provide incentives to help pay for this initiative by having quality metrics that are met for the overall population. CAP held this meeting to make people aware this is happening and Excellus was present and said it has been working. Ms. Miller said the integration of data and claims to treat a whole person so there is not duplication of effort is coming together. Ms. Drake said she found it interesting to learn that physicians are being evaluated on a wide range of metrics.

Mr. Brown said he has mixed feelings about this. Although he supports the metric he is concerned about the potential to restrict a patient's ability to choose providers.

Adjournment

On motion the meeting adjourned at 6:50 p.m.

Board of Directors
November 17, 2016

Respectfully submitted by Michelle Pottorff, Administrative Clerk



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RESOLUTION NO. – 2017 – ADOPTION OF GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM RECORDS RETENTION POLICY

WHEREAS, the Department of Financial Services has recommended through its examination of the Greater Tompkins County Municipal Health Insurance Consortium as of December 31, 2015 that the Consortium should establish a records retention policy to comply with Regulation 152 of the New York State Insurance Law that includes the provision that the Plan shall “maintain an application where no policy or contract was issued for six calendar years or until after the filing of the report on examination in which the record was subjected to review, whichever is longer”, and

WHEREAS, during an exit meeting with representatives from the Department of Financial Services, it was clarified that on behalf of the Consortium Third Party Administrators, due to the protected health information, shall be responsible for retention of claims records in accordance with this regulation, and

WHEREAS, the Consortium shall be responsible for the retention of the Consortium’s administrative records, including meeting agendas and minutes, contracts, correspondence, and other administrative-related documents, and

WHEREAS, since the inception of the Consortium records have been retained electronically to the greatest extent possible and also in accordance with the New York State Archives CO-2, a local government retention and disposition schedule for counties and local governments, now therefore be it

RESOLVED, on recommendation of the Audit and Finance Committee, That the Greater Tompkins County Municipal Health Insurance Consortium adopts the New York State Archives CO-2 as its records retention schedule for the Consortium’s administrative records.
