



STATE OF OKLAHOMA

WORKERS' COMPENSATION COMMISSION

M I N U T E S

of the

WORKERS' COMPENSATION COMMISSION
FOR THE STATE OF OKLAHOMA

for the

February 12, 2015
Special Public Meeting

MINUTES OF THE MEETING OF THE WORKERS' COMPENSATION COMMISSION
FOR THE STATE OF OKLAHOMA

NOTICE OF THIS MEETING WAS FILED WITH THE SECRETARY OF STATE ON MONDAY, FEBRUARY 9, 2015.

The members of the Workers' Compensation Commission for the state of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on February 12, 2015.

Members present: Chairman Troy Wilson, Commissioner Denise Engle, Commissioner Bob Gilliland.

Others in attendance on behalf of the Commission: Rick Farmer, Clif Cypert, Andrea Bair, Neal Leader, Kim Bailey, and Holly Miller.

Chairman Wilson expressed appreciation for those in attendance. After the roll was taken, he announced the presence of a quorum and the Statement of Compliance with the Open Meetings Act was read. The meeting was called to order at approximately 1:30 p.m.

Approval of Minutes

Chairman Wilson presented the minutes of the February 9, 2015 public meeting for approval.

Motion: Commissioner Gilliland moved to approve the minutes of the February 9, 2015 special public meeting.

Second: Commissioner Engle.

Those voting aye: Commissioner Engle, Commissioner Gilliland, and Chairman Wilson.

The motion carried.

1. Executive Session for confidential communications between the commission and its attorneys concerning ongoing investigation by Commission's Compliance Division and the related ongoing bankruptcy involving Texoma Peanut Company, pursuant to Title 25 O.S. § 307(B)(4)

Pursuant to 25 O.S. § 307(B)(4), an Executive Session was proposed for the purpose of conducting confidential communications between the Commission and its attorneys concerning ongoing investigation by the Commission's Compliance Division and the bankruptcy involving the Texoma Peanut Company, a former self-insured.

The Commission's counsel from the Attorney General's Office has advised that public disclosure of the communications relating to this investigation and bankruptcy will seriously impair the ability of the Commission and its counsel to take appropriate action related to the ongoing investigation and bankruptcy proceeding and protect the employees of Texoma Peanut Company.

2. Executive Session Pursuant to Title 25 O.S. § 307(B)(1) for the Purpose of Discussing the Performance of Commissioner Wilson; Commissioner Engle; Commissioner Gilliland; Executive Director Farmer; Deputy, Insurance Services Bair; and Compliance Supervisor Andrews.

Chairman Wilson stated that with regard to the recent bankruptcy of the peanut company and subsequent Commission and legal action, we are today reviewing our actions, good and bad, and those needing improvement. He said that those actions involve people, systems, and procedures, all of which will be reviewed and discussed in Executive Session, with the intent to learn from the past and make improvements for the future.

Motion: Chairman Wilson moved to (a) Determine That Disclosure of the Communications Will Seriously Impair the Ability of the Commission to Take Appropriate Action in the Ongoing Investigation and Bankruptcy Proceeding and to Protect Texoma Peanut Company employees; and (b) Go into Executive Session for purposes of:

- i) Discussing the ongoing compliance investigation and ongoing bankruptcy under §307(B)(4); and
- ii) Discussing the performance of the above-named individuals under § 307(B)(1).

Second: Commissioner Engle.

Those voting aye: Commissioner Engle, Commissioner Gilliland, and Chairman Wilson.

The motion carried.

Vote to Reconvene in Open Session

Motion: Commissioner Gilliland moved to reconvene the public meeting in Open Session.

Second: Commissioner Engle.

Those voting aye: Commissioner Engle, Commissioner Gilliland, and Chairman Wilson.

The motion carried.

Announcement

Chairman Wilson announced that the Commission's next regularly scheduled meeting is Thursday, February 19, 2015.

Adjournment

Motion to adjourn: Commissioner Gilliland.

Second: Commissioner Engle.

Those voting aye: Commissioner Engle, Commissioner Gilliland, Chairman Wilson.

The motion carried. The meeting was adjourned.