



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

August 31, 2016

Special Public Meeting

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

The members of the Workers' Compensation Commission for the state of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on August 31, 2016.

Members present: Chairman Gilliland, Commissioner Liotta, and Commissioner Young.

Others in attendance on behalf of the Commission: Kim Bailey, Steven Barker, Stormy Moore and Tiffany Pratt.

The meeting was called to order at approximately 10:00 a.m.

**Approval of Minutes**

Chairman Gilliland presented the minutes of the August 10, 2016 public meeting for approval.

**Motion:** Commissioner Liotta moved to approve the minutes of the August 10, 2016 public meeting.

**Second:** Chairman Gilliland.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

**1. Consent Agenda for Travel Vouchers Currently Outstanding**

*85A O.S. §23 states any commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission considered a vote to approve the currently outstanding vouchers.*

**Motion:** Commissioner Liotta moved to approve the travel vouchers.

**Second:** Chairman Gilliland.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

**2. Executive Session for Confidential Communications Between the Commission and Its Attorneys Concerning Ongoing Bankruptcy Involving BFN Operations,LLC (#20050) and Related Determination Regarding the Bankrupt Status as the Impaired Self-Insured, 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 bankruptcy involving BFN Operations,LLC (#20050), a self-insured.

The Commission's legal counsel advised that public disclosure of the communications relating to this bankruptcy would seriously impair the ability of the Commission and their counsel to take appropriate action related to the ongoing bankruptcy proceeding and protect the Commission's interest.

**Motion:** Chairman Gilliland moved to (a) determine that disclosure will seriously impair the ability of the commission to take appropriate action in the ongoing bankruptcy proceeding and protect the Commission's interest and (b) vote to go into Executive Session.

**Second:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

**b. Vote to Reconvene in Open Session**

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

**Second:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

Chairman Gilliland thanked Executive Director Kim Bailey, Insurance Director Stormy Moore and Barney Welch for diligent work on this item.

**Motion:** Chairman Gilliland moved to declare that BFN is an impaired self-insured and to instruct the Insurance Services to release both letters of credit, one with regard to BFN Operations, LLC and the second to BFN Operations, LLC formerly known as FKA Tri-B Nursery, Inc.

**Second:** Commissioner Liotta.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

### **Announcements**

The next Regular Meeting of the Commission is scheduled for Thursday, September 8, 2016.

### **Adjournment**

**Motion:** Commissioner Liotta moved to adjourn.

**Second:** Chairman Gilliland.

Those voting aye: Commissioner Liotta, Commissioner Young, and Chairman Gilliland.

**The motion carried.**

Chairman Gilliland announced the meeting was adjourned.