

**MINUTES**  
**MEETING OF THE LEAGUE ASSOCIATION OF RISK MANAGEMENT**  
**BOARD OF DIRECTORS (ELECTED 3-21-18 & 9-19-18)**

**Tuesday, February 26, 2019, 1:30 pm CT**  
**Arbor 1&2 Room, Cornhusker Marriott Hotel, 333 S 13<sup>th</sup> Street, Lincoln**

A Meeting of the League Association of Risk Management (LARM) Board of Directors (Elected 3-21-18 & 9-19-18) was held Feb. 26, 2019, at 1:30 pm CT in the Arbor 1&2 Room at the Cornhusker Marriott Hotel in Lincoln, Nebraska.

On Feb. 22, 2019, notice of this meeting with the agenda and other materials were sent to all LARM members and the LARM Board (Elected 3-21-18 & 9-19-18). Notice of this meeting with the agenda and other materials were available for public inspection at 1335 L Street in Lincoln, Nebraska, and also were posted on the League of Nebraska Municipalities' Facebook page and its website relating to LARM – <https://www.lonm.org/larm/>.

(AGENDA ITEM #1) **Call to Order.** At 1:30 pm CT, LARM Board Chair Doug Hanson, Mayor of Hickman, called the meeting to order. He stated that in accordance with Chapter 84, Article 14 of the Reissue Revised Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written materials to be discussed was available to the public at this meeting for examination and copying. Chair Doug Hanson informed the public about the location of the Open Meetings Act posted in the meeting room and stated that the LARM Board may pass motions to go into closed session on any agenda item pursuant to the requirements of the Open Meetings Act.

After the Pledge of Allegiance to the Flag of the United States of America, the roll call was read with the following Board Members present: **Teresa Bartlett**, Clerk/Treasurer, City of Beaver City; **LeAnn Brown**, Clerk/Treasurer, City of Oshkosh; **Pam Buehe**, Board Member, Sarpy County SID #29; **Lanette Doane**, Clerk/Treasurer, Village of Ansley; **Mayor Scott Getzschman**, City of Fremont; **Mayor Doug Hanson**, City of Hickman; **Melissa Harrell**, Admin./Clerk/Treasurer, City of Wahoo; **Jim Hawks**, City Administrator, City of North Platte; **Jo Leyland**, Admin./Clerk/Treasurer, City of Imperial; **Mayor Josh Moenning**, City of Norfolk; **Tom Ourada**, City Administrator, City of Crete; **Sandra Schendt**, Clerk/Treasurer, City of Nelson; **Douglas Schultz**, Admin./Clerk/Treasurer, City of Curtis; **Mayor Deb VanMatre**, City of Gibbon; ex-officio Board Member (non-voting member) **Mayor Dwight Livingston**, City of North Platte and League President; and ex-officio Board Member (non-voting member) **L. Lynn Rex**, League Executive Director and "Administrator" of LARM. *14 voting Board Members present; 1 absent, but listened by phone (Nathan Johnson, City Manager, City of Scottsbluff).*

Chair Doug Hanson asked others in attendance to identify themselves, if they chose to do so: **Silas Clarke**, City Administrator/Economic Development Director, City of Hickman; **Doug Stack**, City Attorney, City of North Platte also the Attorney for the Village of Hershey and the Village of Mullen; **Mayor Brad Welch**, City of Curtis; **Jerry Wilcox**, Finance Director, City of Crete; **Andy Barry** of Cline Williams, the League's Outside Counsel on LARM-Related Issues; **John Zimmer** of Cline Williams. The following staff members of the League of Nebraska Municipalities also were in attendance: **Lash Chaffin**, **Brenda Henning** and **Shirley Riley**.



(AGENDA ITEM #2) **Consider approval of the minutes of the December 11, 2018, “Meeting of the LARM Board of Directors (Elected 3-21-18 & 9-19-18).”** Tom Ourada had an amendment to the minutes to add his name to the list of Board Members present during roll call. Jim Hawks moved, seconded by Scott Getzschman to approve the minutes of the Dec. 11, 2018, “Meeting of the LARM Board of Directors (Elected 3-21-18 & 9-19-18)” with the amendment. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. ***Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).***

(AGENDA ITEM #3) **Briefing by Andy Barry regarding the status of lawsuits involving the “Purported LARM Board” and/or the LARM Board (Elected 3-21-18 & 9-19-18); Consider request by Stephen Bruckner and Jerry Pigsley, representing the “Purported LARM Board,” and David Domina, representing individuals serving on the “Purported LARM Board,” to resume negotiations with Andy Barry and John Zimmer of Cline Williams, representing the LARM Board (Elected 3-21-18 & 9-19-18), notwithstanding several unsuccessful meetings of the attorneys to resolve the litigation, including negotiations on January 22, 2019, the same day LB 573 was introduced in the Nebraska Legislature and a letter dated January 22 was sent by Mike Nolan to the Nebraska Department of Insurance regarding North Platte. *Andy Barry of Cline Williams Law Firm is the League’s Outside Legal Counsel on LARM-related issues.*** At 1:40 pm, Lanette Doane moved, seconded by Sandra Schendt to go into closed session to protect the public interest to discuss the status of lawsuits and to include in closed session Lash Chaffin, Doug Stack, Jerry Wilcox, Silas Clarke, Andy Barry, John Zimmer, Shirley Riley and Brenda Henning. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. ***Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).*** At 1:41 pm, Chair Doug Hanson repeated the motion to go into closed session in its entirety immediately prior to the closed session.

At 2:51 p.m., Sandra Schendt moved, seconded by Melissa Harrell to come out of closed session. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. ***Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).***

After returning to open session at 2:51 p.m., Chair Doug Hanson emphasized that there was no action taken during the closed session and discussion was limited to the motion as stated.

Jo Leyland moved, seconded by LeAnn Brown that in spite of bad faith negotiations by representatives of the “Purported LARM Board” and the members of the “Purported LARM Board,” municipal officials on the LARM Board (Elected 3-21-18 & 9-19-18) are still willing to meet with the remaining municipal officials on the “Purported LARM Board” with attorneys present, without Lynn Rex or Mike Nolan present. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. ***Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).***



(AGENDA ITEM #4) Review and discuss the “Agenda and Minutes” of the “Purported LARM Board” meeting by conference call on January 28, 2019, including, but not limited to, **Agenda Item D2** to support LB 573, introduced WITHOUT PRIOR APPROVAL of the “Purported LARM Board” (even though it is not a lawful Board), and **Agenda Item D3** to approve a “professional services agreement between O’Hara Lindsay & Associates for lobbying services related to seeking enactment of LB 573 in the amount of \$48,000...”

Lynn Rex explained the corrections to the minutes she asked the “Purported LARM Board” to make (which was not done). A few members of the LARM Board (Elected 3-21-18 & 9-19-18) expressed their disappointment and disgust at the “Purported LARM Board” not being willing to answer questions from members, showing such a lack of respect and summarily authorizing expenditures without any questions. No action was needed on this agenda item.

(AGENDA ITEM #5) Discuss and consider approval of a motion to oppose LB 573, which if passed, would enact, in part, a “Voting Protocol,” which the “Purported LARM Board” is precluded from implementing due to a temporary restraining order issued by the Lancaster County District Court. Jim Hawks moved, seconded by Doug Schultz to oppose LB 573. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. **Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).**

(AGENDA ITEM #6) **(Tabled on 12-11-18 until next meeting)** Consider approval of a motion requiring LARM to honor the remaining two years of its contract with the City of North Platte. Scott Getzschman moved, seconded by Jo Leyland to require LARM to honor the remaining two years of its contract with the City of North Platte. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstention: Hawks. **Motion carried: 13 ayes, 0 nays, 1 abstention and 1 absent (Johnson).**

(AGENDA ITEM #7) **(Tabled on 12-11-18 until next meeting)** Consider approval of a motion to oppose recent actions by the “Purported LARM Board” to extend its lease agreement at a location other than the League building at 1335 L Street, Lincoln, Nebraska, as required by LARM’s Interlocal Agreement. Melissa Harrell moved, seconded by Josh Moenning to table this agenda item. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. **Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).**

(AGENDA ITEM #8) **(Tabled on 12-11-18 until next meeting)** Approval of a motion to again request that the five remaining members of the “Purported LARM Board” resign since 1) none were elected at a “Members Meeting” as required by the Interlocal Agreement; and 2) their respective terms of office have expired even pursuant to their flawed “appointment process.” Tom Ourada moved, seconded by Teresa Bartlett to again request that the remaining members of the “Purported LARM Board” resign since 1) none were elected at a “Members Meeting” as required by the Interlocal Agreement; and 2) their respective terms of office have expired even pursuant to their flawed “appointment process.” Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe,

Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. **Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).**


(AGENDA ITEM #9) **Discuss the status of LARM's "Directors Errors and Omissions" Policy.** No action was needed on this agenda item, although it may be a future agenda item.

(AGENDA ITEM #10) **Discussion of upcoming meeting dates of the LARM Board (Elected 3-21-18 & 9-19-18).** No action was needed on this agenda item.

(AGENDA ITEM #11) **Motion to adjourn.** At 3:21 pm, Teresa Bartlett moved, seconded by Scott Getzschman to adjourn. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Bartlett, Brown, Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Ourada, Schendt, Schultz and VanMatre. Nays: None. Abstentions: None. **Motion carried: 14 ayes, 0 nays, 0 abstentions and 1 absent (Johnson).**

Approved on: June 12, 2019.

ATTEST:

  
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**Brenda Henning**  
Membership Services Assistant  
League of Nebraska Municipalities

  
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**L. Lynn Rex**  
*Ex-Officio, Non-Voting, Board Member and "Administrator" of LARM*  
**Executive Director of the League of Nebraska Municipalities**