

MINUTES
MEETING OF THE LEAGUE ASSOCIATION OF RISK MANAGEMENT
BOARD OF DIRECTORS (DULY ELECTED ON 3-21-18)

Wednesday, Sept. 19, 2018, 11:45 am CDT
Ballroom 2, Holiday Inn, 110 S 2nd Street, Kearney

A Meeting of the League Association of Risk Management (LARM) Board of Directors (Duly Elected 3-21-18) was held Sept. 19, 2018, at 11:45 am CDT in Ballroom 2 at the Holiday Inn in Kearney, Nebraska. This meeting was held in conjunction with the League Annual Conference.

On Sept. 13, 2018, notice of this meeting with the agenda and other materials were sent to all LARM members and the LARM Board of Directors (Duly Elected 3-21-18); notice of this meeting with the agenda and other materials were available for public inspection at 1335 L Street, in Lincoln, Nebraska, and also posted on the League of Nebraska Municipalities' website relating to LARM – www.lonm.org.

Call to Order: At 12:06 pm CDT, 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. *(There were meeting participants on the conference call, but no one identified himself or herself.)*

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: **Pam Buethe**, 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; **Nathan Johnson**, Scottsbluff City Manager; **Jo Leyland**, Admin./Clerk/Treasurer, City of Imperial; **Mayor Josh Moenning**, City of Norfolk; **Sandra Schendt**, Clerk/Treasurer, City of Nelson; **Douglas Schultz**, Admin./Clerk/Treasurer, City of Curtis; **Mayor Deb VanMatre**, City of Gibbon; and ex-officio board member (non-voting member) **L. Lynn Rex**, League Executive Director and "Administrator" of LARM. *12 voting Board Members present; 3 absent (Teresa Bartlett, Clerk/Treasurer, City of Beaver City; LeAnn Brown, Clerk/Treasurer, City of Oshkosh; and Tom Ourada, City Administrator, City of Crete). Wendall Gaston, League President and ex-officio board member was not present.*

Chair Doug Hanson asked others in attendance to identify themselves, if they chose to do so: **Mayor Dwight Livingston**, City of North Platte; **Brian Newton**, City Administrator, City of Fremont; **Gwenda Horky**, Clerk/Treasurer, City of Sargent and Sargent RFD; **Mayor Dwayne Schutt**, City of Randolph; **Shane Weidner**, Madison County RTSD; **Silas Clarke**, City Administrator/Economic Development Director, City of Hickman; **Johnnie Hanson**, Village of Union; **Lana Svoboda**, Clerk, Village of DeWeese, Village of Glenvil and the Fairfield Rural Fire Department; **Darla McLeary**, Village of Merna; **Doug Stack**, City Attorney, City of North Platte also the Attorney for the Village of Hershey and the Village of Mullen; **Eric Melcher**, City Administrator, City of Aurora; **Jerry Wilcox**, Finance Director, City of Crete; **Bonnie Doremus**,

Administrative Clerk, Village of Shelton; **Fannie Poff**, Clerk/Treasurer, Village of Mason City; **Becky Calderone**, Clerk/Treasurer, Village of Oxford; **Misty Garcia**, Clerk/Treasurer, Village of Dannebrog; **Mayor Michelle Coolidge**, City of Bayard; **Janine Schmidt**, Clerk/Treasurer, Village of Morrill and Sheep Creek; **Jan Rise**, Administrative Services Director, City of Fremont; **Albert Nielsen**, Board Chairperson, Village of Inglewood; **Bart Brinkman**, Board Member, Village of Shickley; **Bill Campbell**, City Administrator, City of Oshkosh; and **Andy Barry** of Cline Williams, the League's Outside Counsel on LARM-Related Issues. The following staff members of the League of Nebraska Municipalities also were in attendance: **Christy Abraham**, **Lash Chaffin**, **Brenda Henning** and **Shirley Riley**.

(AGENDA ITEM #2) **Consider approval of the Minutes (attached) of the "Special Meeting of the LARM Board of Directors (Duly Elected 3-21-18)" held on Aug. 1, 2018:** Jan Rise gave a brief report of the "Special Members Meeting," which she chaired on March 21, 2018; this "Special Members Meeting" was called by the governing bodies of 57 LARM members that passed resolutions requesting a "Special Members Meeting" to properly elect a LARM Board of Directors as required by the Interlocal Agreement. Jan stated that there were over 70 officials from LARM members at one of the 12 videoconference sites and the minutes accurately reflect all the votes. Jim Hawks moved, seconded by Lanette Doane to approve the minutes of the Aug. 1, 2018, "Special Meeting of the LARM Board of Directors (Duly Elected 3-21-18)". Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Leyland, Moenning, Schendt, Schultz and VanMatre. Nays: None. Abstention: Johnson. **Motion carried: 11 ayes, 0 nays, 1 abstention (Johnson) and 3 absent (Bartlett, Brown and Ourada).**

(AGENDA ITEM #3) **Consider approval of the Minutes (attached) of the "Nominating Committee of the LARM Board (Duly Elected 3-21-18)" held on Aug. 26, 2018:** Mayor Josh Moenning moved, seconded by Mayor Scott Getzschman to approve the minutes of the Aug. 26, 2018, "Nominating Committee of the LARM Board (Duly Elected 3-21-18)." Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Johnson, Leyland, Moenning, Schendt, Schultz and VanMatre. Nays: None. **Motion carried: 12 ayes, 0 nays and 3 absent (Bartlett, Brown and Ourada).**

Chair Doug Hanson asked the LARM Board Members to introduce themselves, which public entity they represent and their term of office.

(AGENDA ITEM #4) **Briefing and request by the City of North Platte to consider passing the following motion:** Mayor Scott Getzschman moved, seconded by Pam Buethe in support of the City of North Platte and against the action taken by the "Purported LARM Board" to increase the City of North Platte's deductible for workers' compensation from \$1,000 to \$100,000 per accident per employee (a 9,900% increase), essentially forcing the City of North Platte to "self-insure" while paying a premium in excess of \$600,000 for no workers' compensation coverage and enter into the record the motion that was passed at the 10:15 a.m. "Members Meeting" on Sept. 19, 2018. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Doane, Getzschman, Hanson, Harrell, Johnson, Leyland, Moenning, Schendt, Schultz and VanMatre. Nays: None. Abstention: 1 (Hawks) **Motion carried: 11 ayes, 0 nays, 1 abstention (Hawks) and 3 absent (Bartlett, Brown and Ourada).**

(AGENDA ITEM #5) **Report on the status of lawsuits by Andy Barry of Cline Williams Law Firm, the League's Outside Legal Counsel on LARM-related issues:** Following a presentation by Andy Barry, Jim Hawks moved, seconded by Mayor Deb VanMatre to accept Andy Barry's report on the status of pending litigation. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Johnson, Leyland, Moenning, Schendt, Schultz and VanMatre. Nays: None. **Motion carried: 12 ayes, 0 nays and 3 absent (Bartlett, Brown and Ourada).**

(AGENDA ITEM #6) **Discuss and consider approval of a motion urging the pursuit of whatever further actions can be taken as soon as possible to restore LARM to a membership-driven organization, governed by the LARM Board (Duly Elected 3-21-18):** Jan Rise discussed: 1) the value of training seminars offered by PRIMA; 2) the need for LARM to have a mission statement focusing on transparency and services to LARM's membership; and 3) succession planning. The North Platte deductible issue was discussed again. Mayor Scott Getzchman stated that LARM staff should be able to provide a loss report for all of their members. Mayor Michelle Coolidge of Bayard commented that the LARM Board issues need to be resolved and she is willing to share information with other members. Lynn Rex suggested that Chair Doug Hanson, Vice Chair Jim Hawks and a couple others work with the League to request information to determine if there are comparable cases similar to the North Platte situation.

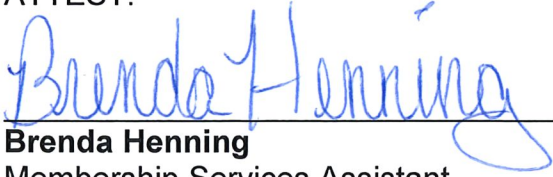
At 2:01 pm, Mayor Josh Moenning moved, seconded by Nathan Johnson to go into closed session to protect the public interest to discuss whatever further actions can be taken as soon as possible to restore LARM to a membership-driven organization, governed by the LARM Board (Duly Elected 3-21-18) and to include in closed session Doug Stack, Christy Abraham, Brenda Henning and Shirley Riley. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Johnson, Leyland, Moenning, Schendt, Schultz and VanMatre. Nays: None. **Motion carried: 12 ayes, 0 nays and 3 absent (Bartlett, Brown and Ourada).** At 2:09 pm, Chair Doug Hanson repeated the motion to go into closed session in its entirety immediately prior to the closed session.

After returning to open session at 3:40 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.

(AGENDA ITEM #7) **Motion to adjourn:** At 3:41 pm, Sandra Schendt moved, seconded by Jo Leyland to adjourn. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Doane, Getzschman, Hanson, Harrell, Hawks, Johnson, Leyland, Moenning, Schendt, Schultz and VanMatre. Nays: None. **Motion carried: 12 ayes, 0 nays and 3 absent (Bartlett, Brown and Ourada).**

Approved on: December 11, 2018

ATTEST:



Brenda Henning
Membership Services Assistant
League of Nebraska Municipalities



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

APPROVED