

MINUTES
SPECIAL MEETING OF THE LEAGUE ASSOCIATION OF RISK
MANAGEMENT BOARD OF DIRECTORS (ELECTED 3-21-18 & 9-19-18)
Friday, August 23, 2019, 11:30 am CT
Joe Hampton Conference Center – League Building
1335 L Street, Lincoln

A Special Meeting of the League Association of Risk Management (LARM) Board of Directors (Elected 3-21-18 & 9-19-18) was held August 23, 2019, at 11:30 am CT at the Joe Hampton Conference Center – League Building in Lincoln, Nebraska.

On August 21, 2019, notice of this Special 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 Special 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 11:36 am CT, **LARM Board Chair Doug Hanson**, Mayor of Hickman, called the Special 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: **Pam Buethe**, Board Member, Sarpy County SID #29; **Mayor Scott Getzschman**, City of Fremont; **Mayor Doug Hanson**, City of Hickman; **Melissa Harrell**, City Administrator/Treasurer, City of Wahoo; **Nathan Johnson**, City Manager, City of Scottsbluff; **Jo Leyland**, Admin./Clerk/Treasurer, City of Imperial; **Tom Ourada**, City Administrator, City of Crete; **Sandra Schendt**, Clerk/Treasurer, City of Nelson; **Doug Schultz**, Admin./Clerk/Treasurer, City of Curtis; **Mayor Deb VanMatre**, City of Gibbon; **Teresa Youngquist**, Clerk/Treasurer, City of Beaver City; 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. *11 voting Board Members present; 4 absent (LeAnn Brown, Clerk/Treasurer, City of Oshkosh; Lanette Doane, Clerk/Treasurer, Village of Ansley; Jim Hawks, City Administrator, City of North Platte; Mayor Josh Moenning, City of Norfolk).*

(AGENDA ITEM #2) **Consider approval of the minutes of the June 12, 2019, "Meeting of the LARM Board of Directors (Elected 3-21-18 & 9-19-18)."** Nathan Johnson moved, seconded by Pam Buethe to approve the minutes of the June 12, 2019, "Meeting of the LARM Board of Directors (Elected 3-21-18 & 9-19-18)". Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Getzschman, Hanson, Harrell, Johnson, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. **Motion carried: 11 ayes, 0 nays, 0 abstentions and 4 absent (Brown, Doane, Hawks and Moenning).**

(AGENDA ITEM #3) **Andy Barry of Cline Williams Law Firm, the League's Outside Legal Counsel on LARM-related issues, will review the Order issued on August 15, 2019, by Judge Jodi L. Nelson, Lancaster County District Court, which: a) "immediately ousted, removed and excluded from office" the Directors of the Purported LARM Board; and b) ordered the Directors of the Purported LARM Board and those acting in concert with them "to deliver over all books, papers, and any other assets under the custody or control of the (Purported) LARM Board of Directors to the Administrator of LARM (L. Lynn Rex)." Nathan Johnson moved, seconded by Doug Schultz to approve the report. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Getzschman, Hanson, Harrell, Johnson, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. *Motion carried: 11 ayes, 0 nays, 0 abstentions and 4 absent (Brown, Doane, Hawks and Moenning).***

(AGENDA ITEM #4) **Update on pending litigation relating to LARM governance by Andy Barry of Cline Williams Law Firm, the League's Outside Legal Counsel on LARM-related issues.** Scott Getzschman moved, seconded by Teresa Youngquist to accept the report. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Getzschman, Hanson, Harrell, Johnson, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. *Motion carried: 11 ayes, 0 nays, 0 abstentions and 4 absent (Brown, Doane, Hawks and Moenning).*

(AGENDA ITEM #5) **Recommendation to the LARM Board (Elected 3-21-18 & 9-19-18) from L. Lynn Rex, Administrator of LARM and League Executive Director, to dismiss Michael Nolan, Executive Director of LARM, while awaiting the final decision by the LARM Board (Elected 3-21-18 & 9-19-18) to approve (or not approve) his dismissal; Michael Nolan has been placed on paid administrative leave, effective immediately, and has been given an opportunity to request a hearing. This was not an action item since Lynn Rex stated that Michael Nolan may request a hearing regarding her recommendation for his dismissal.**

(AGENDA ITEM #6) **Consider authorizing L. Lynn Rex, as Administrator of LARM, to retain legal counsel to represent LARM in connection with the recommendation to dismiss Michael Nolan as Executive Director of LARM.** Scott Getzschman moved, seconded by Sandra Schendt to authorize L. Lynn Rex, as Administrator of LARM, to retain legal counsel to represent LARM in connection with the recommendation to dismiss Michael Nolan as Executive Director of LARM. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Getzschman, Hanson, Harrell, Johnson, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. *Motion carried: 11 ayes, 0 nays, 0 abstentions and 4 absent (Brown, Doane, Hawks and Moenning).*

(AGENDA ITEM #7) **Recommendation to confirm that the location of LARM's office and place of business continues to be 1335 L Street, Lincoln, NE 68508.** Pam Buethe moved, seconded by Teresa Youngquist to confirm that the location of LARM's office and place of business continues to be 1335 L Street, Lincoln, NE 68508. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Getzschman, Hanson, Harrell, Johnson, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None.

Abstentions: None. **Motion carried: 11 ayes, 0 nays, 0 abstentions and 4 absent (Brown, Doane, Hawks and Moenning).**

(AGENDA ITEM #8) **Discussion of upcoming meeting dates of the LARM Board (Elected 3-21-18 & 9-19-18) and the 2019 Annual Meeting of Members on Sept. 18 at the Cornhusker Marriott Hotel in Lincoln.** *Not an action item. It was reported that the Annual Meeting of LARM Members will be at 10:15 a.m. on Sept. 18 at the Cornhusker Marriott Hotel. The LARM Board of Directors will meet at 4:30 p.m. on Sept. 18 at the Cornhusker Marriott Hotel.*

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; **Kyle Manley**, City Attorney, City of Crete; **Doug Stack**, City Attorney, City of North Platte; Andy Colvin, City Administrator, City of Norfolk; **James Charlesworth**; **Peter Simonson**; **Andy Barry** of Cline Williams, the League's Outside Legal Counsel on LARM-Related Issues; **John Zimmer** of Cline Williams. The following staff members and agents of LARM were in attendance: **Diane Becker** (*by phone*), **Fred Wiebelhaus** (*by phone*), **Dave Bos** (*by phone*), **Tracy Juranek**, **Paige Buffington**, **Nate Fox** (*by phone*) and **Clint Simmons** (*by phone*). 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 #9) **Motion to adjourn.** At 12:08 pm, Pam Buethe moved, seconded by Sandra Schendt to adjourn. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Buethe, Getzschman, Hanson, Harrell, Johnson, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. **Motion carried: 11 ayes, 0 nays, 0 abstentions and 4 absent (Brown, Doane, Hawks and Moenning).**

Approved on: September 9, 2019.

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