

MINUTES
MEETING OF THE BOARD OF DIRECTORS
OF THE LEAGUE ASSOCIATION OF RISK MANAGEMENT
Utilizing video and telephone conferencing
Thursday, December 17, 2020, 11:00 A.M. CT/10:00 A.M. MT

A meeting of the League Association of Risk Management (LARM) Board of Directors was held December 17, 2020, at 11:00 A.M. CT/10:00 A.M. MT via video and telephone conference call.

On December 11, 2020, notice of this meeting with the agenda and other materials were sent to all LARM members and the LARM Board. 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 LARM's and the League of Nebraska Municipalities' Facebook pages and their websites – larmpool.org and lonm.org/larm/.

(AGENDA ITEM #1) **Call to Order.** At 11:03 A.M. 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 at www.larmpool.org. The Open Meetings Act was accessible to members of the public at www.larmpool.org. Chair Doug Hanson 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 by video and telephone conferencing: **LeAnn Brown**, Clerk/Treasurer, City of Oshkosh; **Pam Buethe**, Board Member, Sarpy County SID #29; **Lanette Doane**, Clerk/Treasurer, Village of Ansley; **Mayor Don Groesser**, City of Ralston; **Mayor Doug Hanson**, City of Hickman; **Melissa Harrell**, Administrator/Treasurer, City of Wahoo; **Mayor Tony Kaufman**, City of Gering; **Jo Leyland**, Clerk/Treasurer, City of Imperial; **Tom Ourada**, City Administrator, City of Crete; **Sandra Schendt**, Clerk/Treasurer, City of Nelson; **Doug Schultz**, Administrator/Clerk/Treasurer, City of Curtis; **Mayor Deb VanMatre**, City of Gibbon; **Teresa Youngquist**, Clerk/Treasurer, City of Beaver City; and ex-officio (non-voting) Board Member **L. Lynn Rex**, League Executive Director and "Administrator" of LARM.

13 Board Members present; 1 absent (Mayor Josh Moenning, City of Norfolk) and 1 vacancy.

Other participants included: **Cline Williams** – representing LARM, Andy Barry and Trent Sidders; **Sedgwick (LARM's third party administrator)** – John Brockschmidt, Chris Cadwell, Mark Weaver, Chris Dondzila, John Baum and Rebecca Atkinson; **LARM** – Dave Bos, Tracy Juranek, Diane Becker and Elizabeth Becker; **Thomas, Kunc & Black**,

LLP – Lyndee Black; City of Fremont – Mayor Joey Spellerberg and League Staff – Shirley Riley.

(AGENDA ITEM #2) Consider motion to approve the minutes of the October 6, 2020, “Special Meeting of the LARM Board of Directors.” LeAnn Brown moved, seconded by Teresa Youngquist to approve the minutes of the October 6, 2020, “Special Meeting of the LARM Board of Directors” with a change recommended by Andy Barry to add the word “by” to agenda item #4. Chair Doug Hanson asked if there was any other discussion; there was none. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. ***Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.***

(AGENDA ITEM #3) Review and recommend any changes to the minutes of the October 22, 2020, “Virtual Annual Members’ Meeting of LARM,” subject to approval of the minutes by LARM members at the next “Members’ Meeting of LARM.” Sandra Schendt moved, seconded by Mayor Deb VanMatre to confirm that the Board review and recommend changes to the minutes of the October 22, 2020, “Virtual Annual Members’ Meeting of LARM,” subject to approval of the minutes by the LARM members at the next “Members’ Meeting of LARM.” Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. ***Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.***

(AGENDA ITEM #4) Consider motion to accept the minutes of the respective elected bodies of the following individuals to approve their election at the October 22, 2020 Virtual Annual Members’ Meeting of LARM to a three-year term on the LARM Board (Beginning on January 1, 2021): Don Groesser, Mayor of the City of Ralston; Doug Hanson, Mayor of the City of Hickman; Jo Leyland, Administrator/Clerk/Treasurer of the City of Imperial; Lanette Doane, Clerk/Treasurer of the Village of Ansley; and Melissa Harrell, Administrator/Treasurer of the City of Wahoo. Mayor Tony Kaufman moved, seconded by Tom Ourada to accept the minutes of the respective elected bodies of the following individuals to approve their election at the October 22, 2020 Virtual Annual Members’ Meeting of LARM to a three-year term on the LARM Board (Beginning on January 1, 2021): Don Groesser, Mayor of the City of Ralston; Doug Hanson, Mayor of the City of Hickman; Jo Leyland, Administrator/Clerk/Treasurer of the City of Imperial; Lanette Doane, Clerk/Treasurer of the Village of Ansley; and Melissa Harrell, Administrator/Treasurer of the City of Wahoo. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. ***Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.***

(AGENDA ITEM #5) Consider a motion to accept LARM’s Actuarial Report Reserve Analysis and Statement of Actuarial Opinion as of September 30, 2020 prepared by

By the Numbers Actuarial Consulting, Inc. (BYNAC) *(Presented by Mark Weaver, CPA, Sedgwick.)* Lanette Doane moved, seconded by Teresa Youngquist to accept LARM's Actuarial Report Reserve Analysis and Statement of Actuarial Opinion as of September 30, 2020 prepared by By the Numbers Actuarial Consulting, Inc. (BYNAC) Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. **Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.**

(AGENDA ITEM #6) Consider a motion to accept a report by Lyndee Black, CPA, Thomas, Kunc and Black, LARM's Auditor concerning LARM's Annual Audited Financial Statement and Actuarial Opinion. *(Presented by Lyndee Black, CPA, Thomas, Kunc and Black, LLP.)* Mayor Tony Kaufman moved, seconded by Sandra Schendt to accept a report by Lyndee Black, CPA, Thomas, Kunc and Black, LARM's Auditor concerning LARM's Annual Audited Financial Statement and Actuarial Opinion. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. **Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.**

(AGENDA ITEM #7) Consider a motion to go into closed session for the protection of the public interest to receive an update regarding open LARM claims and litigation. *(John Baum, Litigation Claims Manager, Sedgwick.)* Mayor Don Groesser moved, seconded by LeAnn Brown to go into closed session for the protection of the public interest to receive an update regarding open LARM claims and litigation; and also include the following individuals: Andy Barry, Trent Sidders, Bobby Dillman (Cline Williams), Dave Bos, Tracy Juranek (LARM), John Baum, Chris Dondzilla, John Brockschmidt, Chris Cadwell (Sedgwick) and Lynn Rex. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. **Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.**

Chair Doug Hanson repeated the motion again to go into closed session to protect the public interest and to receive an update regarding open LARM claims and litigation and also include the following individuals: Andy Barry, Trent Sidders, Bobby Dillman (Cline Williams), Dave Bos, Tracy Juranek (LARM), John Baum, Chris Dondzilla, John Brockschmidt, Chris Cadwell (Sedgwick) and Lynn Rex. Chair Doug Hanson announced that as of 11:56 a.m. the Board was in closed session.

At 12:16 p.m., Chair Doug Hanson restated that the reason the Board went into closed session was to protect the public interest and to receive an update regarding open LARM claims and litigation. Chair Doug Hanson stated that the Board was back in open session. Sandra Schendt moved, seconded by Mayor Don Groesser to accept the report regarding open LARM claims and litigation. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays:

None. Abstentions: None. Absent: Moenning. ***Motion carried: 12 ayes, 0 nays, 0 abstentions, 1 present not-voting (Kaufman), 1 absent and 1 vacancy.***

(AGENDA ITEM #8) **Consider a motion to go into closed session to protect the public interest to discuss indemnification as provided by the LARM Bylaws and receive a litigation update on the order of dismissal in Lancaster County District Court Case No. CI 20-2098 Michael J. Nolan vs. Lynn Rex and League Association of Risk Management.** (Presented by Andy Barry, Partner, Cline Williams). Lanette Doane moved, seconded by Tom Ourada to go into closed session to protect the public interest to discuss the indemnification as provided by the LARM Bylaws and receive a litigation update on the order of dismissal in Lancaster County District Court Case No. CI 20-2098 Michael J. Nolan vs. Lynn Rex and League Association of Risk Management; and also include the following individuals: Andy Barry, Trent Sidders, Bobby Dillman (Cline Williams), Dave Bos and Lynn Rex. Chair Doug Hanson asked if there was any discussion; there was none.

Chair Doug Hanson repeated the motion to go into closed session to protect the public interest to discuss the indemnification as provided by the LARM Bylaws and receive a litigation update on the order of dismissal in Lancaster County District Court Case No. CI 20-2098 Michael J. Nolan vs. Lynn Rex and League Association of Risk Management; and also include the following individuals: Andy Barry, Trent Sidders, Bobby Dillman (Cline Williams), Dave Bos and Lynn Rex. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Brown, Bueth, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. ***Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.***

Chair Doug Hanson repeated the motion to go into closed session to protect the public interest to discuss the indemnification as provided by the LARM Bylaws and receive a litigation update on the order of dismissal in Lancaster County District Court Case No. CI 20-2098 Michael J. Nolan vs. Lynn Rex and League Association of Risk Management; and also include the following individuals: Andy Barry, Trent Sidders, Bobby Dillman (Cline Williams), Dave Bos and Lynn Rex. Chair Doug Hanson announced that as of 12.25 p.m. the Board was in closed session.

At 12:51 p.m., Chair Doug Hanson restated that the reason the Board went into closed session was to protect the public interest to discuss the indemnification as provided by the LARM Bylaws and receive a litigation update on the order of dismissal in Lancaster County District Court Case No. CI 20-2098 Michael J. Nolan vs. Lynn Rex and League Association of Risk Management. Chair Doug Hanson stated that the Board was back in open session. No action was necessary.

(AGENDA ITEM #9) **Consider a motion to indemnify Lynn Rex as provided by the LARM Bylaws in light of the order of dismissal in Lancaster County Court Case No. CI 20-2098 Michael J. Nolan vs. Lynn Rex and League Association of Risk Management.** (Presented by Andy Barry, Partner, Cline Williams). Sandra Schendt


moved, seconded by Mayor Deb VanMatre to indemnify Lynn Rex as provided by the LARM Bylaws in light of the order of dismissal in Lancaster County Court Case No. CI 20-2098 Michael J. Nolan vs. Lynn Rex and League Association of Risk Management. Teresa Youngquist called the question, seconded by Mayor Deb VanMatre. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. **Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.**

(AGENDA ITEM #10) **Discuss possible dates for the next meeting of the LARM Board of Directors.** No action was necessary.

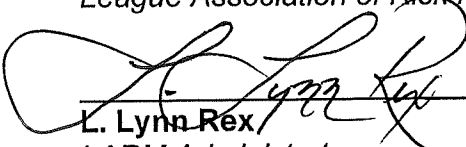
(AGENDA ITEM #11) **Motion to adjourn.** At 1:06 p.m., Doug Schultz moved, seconded by Tom Ourada to adjourn. Chair Doug Hanson asked if there was any discussion; there was none. Roll call vote. Ayes: Brown, Buethe, Doane, Groesser, Hanson, Harrell, Kaufman, Leyland, Ourada, Schendt, Schultz, VanMatre and Youngquist. Nays: None. Abstentions: None. Absent: Moenning. **Motion carried: 13 ayes, 0 nays, 0 abstentions, 1 absent and 1 vacancy.**

Approved on: March 26, 2021

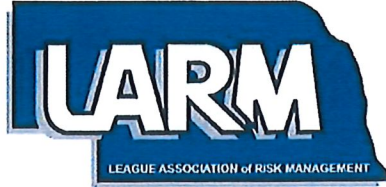
ATTEST:



Elizabeth Becker
Customer Service Representative
League Association of Risk Management



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



NOTICE

MEETING OF THE BOARD OF DIRECTORS OF THE LEAGUE ASSOCIATION OF RISK MANAGEMENT (LARM)

utilizing video and telephone conferencing

Thursday, December 17, 2020, 11 a.m. CT/10 a.m. MT

Per Governor Pete Ricketts Executive Order 20-36

CORONA VIRUS - PUBLIC MEETINGS REQUIREMENT LIMITED WAIVER

"All governing bodies may meet by videoconference or by telephone conferencing or by conferencing by other electronic communication so long as there is made available at such meeting access to members of the public and to members of the media."

Effective December 1, 2020 through January 31, 2021

PLEASE TAKE NOTICE that on **Thursday, December 17, 2020, at 11 a.m. CT/10 a.m. MT**, the League Association of Risk Management (LARM) will hold a meeting of the LARM Board of Directors utilizing video and telephone conferencing. An agenda of subjects known at this time is included with this notice, and the agenda shall be kept continually current and readily available for public inspection at the principal office of LARM during normal business hours at 1335 L Street, Lincoln, Nebraska. On December 11, 2020, a notice of this meeting with the agenda and other materials was sent to all LARM members and the LARM Board. Notice of this meeting with the agenda and other materials are available for public inspection at 1335 L Street, in Lincoln, Nebraska, and posted on LARM's and the League of Nebraska Municipalities' Facebook pages and their websites – larmpool.org and lonm.org/larm/.