

LARM Board of Directors Meeting Minutes

October 8, 2018 12:00 pm CT

Board Chair Gerald Solko called the meeting of the League Association of Risk Management (LARM) Board of Directors meeting via phone conference to order at 12:00 pm October 8, 2018 and announced that LARM is subject to the Open Meetings Act and that a memo stating this was posted in the meeting room at St. Paul. Solko asked everyone to say the Pledge of Allegiance. After the pledge, the Board of Directors roll was taken.

For the roll call, the following members were present: Beth Bonderson, Hoskins; Lane Danielzuk, Gering; David Hunter, Auburn BPW; Kimberly Neiman, Pilger; Gerald Solko, St. Paul; Andrew Ward, Valentine and. Absent: Shannon Stuchlik, NENEDD.

Staff members present by phone were: Michael Nolan, Elizabeth Becker, Randy Peters, Dave Bos, Tracy Juranek, Fred Wiebelhaus, Paige Buffington and Diane Becker.

Guests present by phone: ex officio Lynn Rex, League of Nebraska Municipalities (LONM); Chris Cadwell, York Risk Services Group; Mark Nestor with Independent Consulting and Risk Management Services (ICRMS); Doug Stack, City of North Platte attorney; Lyle Lutt, City of Norfolk; Lanette Doane, Village of Ansley; Silas Clarke, City of Hickman; Jerry Pigsley, Woods and Aitken, LLP.

Solko read that Nebraska Revised Statutes - § 84-1412 (2) states, "It shall not be a violation of subsection (1) of this section for any public body to make and enforce reason-able rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings." The LARM Board will provide a public comment period of 15 minutes to discuss items on the agenda. Following public comment, the Board without further public comment will decide each of the agenda items.

Solko asked if there was anyone wanting to speak in the public comment period for non-board members. Doane said she was on the call and an unidentified person said that Stack was also on the call.

The agenda and supporting materials was emailed to the LARM Board of Directors, LARM members and LARM staff on October 3, 2018.

Solko asked for approval of the consent agenda which included consideration of Board consideration of authorization of final reserves that exceed the LARM staff's authority for a former City of Scottsbluff police officer who fell and sustained a head injury at a total incurred cost to date of \$455,502. Also included was the quarterly statement of LARM as of June 30, 2018 on the statutory basis, provided by Thomas, Kunc & Black, LLP, LARM's auditor.

Solko said he was pulling the August 21, 2018 board meeting minutes from the consent agenda for further discussion.

Moved by Neiman and seconded by Bonderson to approve the consent agenda. Roll Call: Ayes: Bonderson, Danielzuk, Hunter, Neiman, Solko and Ward. Nays: none. Absent: Stuchlik. Motion carried.

Solko opened up the discussion of the August 21, 2018 board meeting minutes. Nolan asked if Rex had a comment to make on the minutes. Rex said she did and that she had emailed her corrections to the June 26, 2018 and the August 21, 2018 board minutes earlier that morning. Rex said the August 21, 2018 minutes incorrectly stated that Nestor said “50%” when he actually said “When a member goes above 55% other members are subsidizing that member.”

Nestor said he calculated numbers and said he should have said 52.4%.

Motion to table approval of the August 21, 2018 board minutes so that staff could review them by Sokol and seconded by Bonderson. Roll Call: Ayes: Bonderson, Danielzuk, Hunter, Neiman, Solko, and Ward. Nays: none. Absent: Stuchlik. Motion carried.

Solko asked for Board consideration of approval of a draft letter to the League of Nebraska Municipalities (LONM) President Dwight Livingston, Mayor of North Platte, requesting a meeting between three LONM Executive Board representatives and three LARM Board representatives to discuss differences between LONM and LARM as an alternative to litigation.

Motion to approve sending the letter by Neiman and seconded by Ward. Roll Call: Ayes: Bonderson, Danielzuk, Hunter, Neiman, Solko, Ward. Nays: none. Absent: Stuchlik. Motion carried.

A discussion was held concerning Board consideration of approval of a draft letter from LARM general counsel Jerry Pigsley to North Platte city attorney Doug Stack offering an alternative for the City of North Platte's consideration, subject to Nebraska Department of Insurance approval and LARM Board approval: to end its membership with LARM; for LARM to provide worker's compensation, property and liability coverages to North Platte at FY 2018-2019 rates until it obtains another insurer; for North Platte to comply with the property member notification procedure cited in §44-4309(1) of the Revised Statutes of Nebraska; for pro-rated reimbursement to North Platte at the end of FY 2018-2019 for any days North Platte is covered by an alternative insurance provider it selects to replace LARM.

Motion to approve sending the letter to Stack by Danielzuk and seconded by Ward. Roll Call: Ayes: Bonderson, Danielzuk, Hunter, Neiman, Solko, and Ward. Nays: none. Absent: Stuchlik. Motion carried.

Board consideration of authorization for Solko and Nolan to sign and send a letter to Nebraska Department of Insurance general counsel Matthew Holman, in response to his letter to Nolan of October 5, 2018.

Nolan said it would be prudent to have the letter signed only by him and not Solko.

Motion to approve sending the letter signed by Nolan by Solko and seconded by Ward. Roll Call: Ayes: Bonderson, Danielzuk, Hunter, Neiman, Solko, and Ward. Nays: none. Absent: Stuchlik. Motion carried.

Board consideration of a motion to accept the resignation of Vince Knight representing Stanton County SID #1 as the SID had gone with another company for insurance. Solko stated that Knight had been a very, very valuable member of the board and would be missed.

Motion to accept the resignation of Knight by Neiman and seconded by Bonderson. Roll Call: Ayes: Bonderson, Danielzuk, Hunter, Neiman, Solko, and Ward. Nays: none. Absent: Stuchlik. Motion carried.

Moved to adjourn by Hunter, seconded by Ward. Roll Call: Ayes: Bonderson, Danielzuk, Hunter, Neiman, Solko, Ward. Nays: none. Absent: Stuchlik. Motion carried. Meeting adjourned at 12:23 pm.

Approved on: 11/29/2018

ATTEST:

Elizabeth Becker

Secretary

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