

MINUTES

Nebraska Environmental Trust
3rd Quarter Board Meeting
Tuesday, August 8, 2017
9:00 a.m.

Forest Room
Fontenelle Forest
Bellevue, Nebraska

The Nebraska Environmental Trust Board met at the Forest Room, Fontenelle Forest, Bellevue, Nebraska, for the transaction of business. Advance public notice was given through release to news media and official public notice in the "Lincoln Journal Star" on Monday, July 3, 2017 and Wednesday, July 26th 2017.

Chairman Lauritzen called the meeting to order at 9:06 a.m.

Roll call was conducted and a quorum was established.

Members present were: Mr. Jim Hellbusch, Columbus; Mr. Paul Dunn, Omaha; Mr. Bob Krohn, Omaha; Ms. Sherry Vinton, Whitman; Mr. Rod Christen, Steinauer; Mr. Quentin Bowen, Humboldt; Mr. Jim Douglas, Nebraska Game and Parks Commission; Dr. Tom Williams, Division of Public Health, Nebraska Department of Health and Human Services; Mr. Jeff Fassett, Nebraska Department of Natural Resources; Mr. Jim Macy, Nebraska Department of Environmental Quality; and Ms. Gerry Lauritzen, Omaha.

Members absent were Mr. Kevin Peterson, Osceola; Mr. Greg Ibach, Nebraska Department of Agriculture; and vacant board position.

Staff present were: Mr. Mark Brohman, Executive Director; Ms. Marilyn Tabor, Grants Administrator; Ms. Allison La Duke, Grants Assistant; Ms. Sheila Johnson, Public Information Officer; and Ms. Pam Deines, Administrative Secretary.

Agenda Item #3: Minutes of the April 6, 2017 Board Meeting. Minutes of the April 6, 2017 board meeting were received.

Mr. Christen brought up the subject of the previous discussion of the work completed by the Nature Conservancy and Mr. Brohman explained he had visited with Dr. Mace Hack at the Nature Conservancy and they had been maintaining the area. They do not have county board approval yet. Mr. Christen asked more specifically on the type of maintenance and Ms. Vinton asked about burns that took place on the property. Mr. Brohman discussed that he would ask these specific questions and also thought a site visit with Mr. Christen, Mr. Bowen, and any interested board members would also be possible this fall. The April 6, 2017 minutes were amended.

Motion by Mr. Fassett, seconded by Mr. Macy to approve the minutes with the maintenance statement attributed to Mace Hack of The Nature Conservancy.

Voting Aye: Mr. Hellbusch; Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Christen; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Macy; and Ms. Lauritzen. **Motion carried.**
Mr. Peterson entered the meeting at 9:14 a.m.

Agenda Item #4: Financial Reports. Mr. Brohman presented the report. Budget sheet was handed out as amended because some formulas had been wiped out. The budget was balanced but the links were broken that caused the error. Ms. Tabor presented the Grant Disbursement Report. Mr. Brohman presented the remaining reports. The Finance Committee will meet to approve the budget before the next board meeting.

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Chairperson Lauritzen requested the staff to explain the noted items on the budget sheet. Discussion continued with the budget issues.

Motion by Mr. Dunn, seconded by Ms. Vinton to have the Financial Report be referred to the Finance Committee.

Voting Aye: Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Christen; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Peterson and Ms. Lauritzen. **Motion carried.**

Discussion from Mr. Krohn on a few more specifics on the budget. Mr. Dunn reviewed briefly the history of how the budget has been over the past years. Mr. Krohn mentioned to have the Finance Committee review the budget and engage Game and Parks Commission to work with the Trust and Finance Committee and follow up with a review of the budget.

Continued discussion on the Ferguson House and listing the items within the budget.

Agenda Item #7: Public Hearing at 9:30 a.m. for Title 137, Chapters 1-10

Mr. Dunn, acting hearing officer, presided over the Public Hearing for Title 137, Chapters 1-10. No one signed in to testify. Reviewed the details for Title 137, Chapters 1-10 on Monday with no additional remarks in today's Public Hearing. Staff recommended the passing of Title 137, Chapters 1-10. Public Hearing closed at 10:07 a.m.

A Motion by Mr. Douglas to accept staff recommendations for Title 137, Chapters 1-10; second by Mr. Krohn.

Voting Aye: Dr. Williams; Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Christen; Mr. Bowen; Mr. Douglas; and Ms. Lauritzen. **Absent:** Mr. Peterson. **Motion Carried.**

Agenda Item #8: Public Hearing at 9:45 a.m. for Articles for II, III, VI and VII of By-Laws of NET.

Mr. Dunn, acting hearing officer, presided over the Public Hearing for Articles II, III, VI and VII of By-Laws of NET. No one signed in to testify. Reviewed the details for Articles II, III, VI and VII of By-Laws of NET on Monday with no additional remarks in today's Public Hearing. Staff recommended the passing of Articles II, III, IV and VII of By-Laws of NET. Public Hearing closed at 10:10 a.m.

A Motion by Mr. Krohn to accept staff recommendations for Articles II, III, VI and VI of By-Laws of NET; second by Mr. Christen.

Voting Aye: Dr. Williams; Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Christen; Mr. Bowen; Mr. Douglas; and Ms. Lauritzen. **Absent:** Mr. Peterson. **Motion Carried.**

A Motion by Mr. Dunn to receive the Finance Report, second by Mr. Macy.

Voting Aye: Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Christen; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Macy; Mr. Hellbusch; and Ms. Lauritzen. **Abstaining:** Mr. Peterson. **Motion carried.**

Agenda Item #5: Staff Report. Ms. Tabor presented the Grant Administration Report. Ms. Tabor commented on the late reports. The three late reports were 13-166-2 BOR-UNL, 16-187-2 BOR-UNL and 16-209 Schmidt Transportation have been caught up and she is waiting on the other three, 13-164-2 Loup Basin RCD, 15-145-3 Sandhills Task Force and 14-147 Sandhills Task Force.

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Ms. Tabor commented on modifications approved by staff. Budget modification **16-168 (Auburn)**; basically done they just need to shift some funds to finish up. **13-193 (Lewis & Clark NRD)**, wrapping up to show how funds were spent. **14-101 (Nebraska Academy of Sciences)** to shift funds as projects wrapping up to reflect expenditures as they happened. **16-138R (Nebraska Wildlife Federation)** wrapping up grant to move funds so no over expenditures. **15-166 (Uribe)** they have requested to move funds from education to the equipment. Need to finish putting the equipment together and the funds that were for education will be paid by Uribe and the grant will not be complete until that time. Mr. Dunn asked if they are working on the project and Ms. Tabor assured him they were.

The six month and one year extension requests were reviewed and staff had no objections.

Mr. Brohman presented the Ferguson House report. Events have been going well and hopes to add more docents to help in the activities. Mr. Brohman presented the Director's comments. Construction on back porch is a one year project. Minor leak on ceiling in the bathroom. The problem was internal. Still going to be involved in some events: State Fair, Husker Harvest Days, World of Water, Wetland Festival at Heron Haven Omaha, and Outdoor Expo at Ponca. Still have not heard any news on the appointments to take Kevin or Rick's positions but had a person call in to inquire about applying at the Governor's site. Start work with Raikes School to work with the database so it is more usable. Late August a team will be assigned and start meeting in September.

Taking a 10 minute break at 10:28 a.m.

Chairperson Lauritzen reconvened the meeting at 10:41 a.m.

Agenda Item #6: Report and Recommendations of the Executive Committee with Salary Recommendation for the Executive Director.

Motion by Mr. Dunn, seconded by Mr. Macy to go into Executive Session to discuss the performance of the Executive Directors and salary recommendations.

Voting Aye: Ms. Vinton; Mr. Christen; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Peterson; Mr. Dunn; Mr. Krohn; and Ms. Lauritzen. **Motion carried.**

Mr. Dunn announced that the Executive Session began at 10:41 a.m.

The board entered into Executive Session for the purpose of discussion of personnel matters specifically the review of the Executive Director, Mark Brohman. The board entered into executive session. Staff and public were asked to leave the meeting room.

Mr. Brohman was asked to return to the closed executive session for further discussion at 11:50 a.m.

Mr. Christen had to leave the meeting at 12:05 p.m.

Motion by Ms. Vinton and seconded by Mr. Peterson to come out of Executive Session at 12:19 p.m.

Voting Aye: Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Peterson; Mr. Dunn; Mr. Krohn; Ms. Vinton; and Ms. Lauritzen. **Motion carried.**

Motion by Ms. Vinton, seconded by Mr. Krohn to receive the Executive Committee's recommendations and approve the salary adjustment for Executive Director, Mark Brohman, of 2%.

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Voting Aye: Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Peterson; Mr. Dunn; Mr. Krohn; Ms. Vinton; and Ms. Lauritzen. **Motion Carried.**

Agenda Item #9: Grant Modification Requests. Ms. Tabor presented the report. She explained that all were six month and one year extensions.

Motion by Ms. Vinton and seconded by Mr. Fassett to accept grant extensions.

Voting Aye: Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Peterson; Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Bowen, Mr. Douglas; Dr. Williams; and Ms. Lauritzen. **Motion Carried.**

Discussion continued on the budget modifications. Two grants have requested to shift funds. 16-225 Brownell Talbot has requested a change to the salary. The second 15-142 Nebraska Grazing Lands Coalition requested to shift funds to education/outreach.

Motion by Mr. Dunn and seconded by Mr. Krohn to accept budget modifications and request more documentation.

Voting Aye: Mr. Fassett; Mr. Macy; Mr. Hellbusch; Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Bowen, Mr. Douglas; Dr. Williams; and Ms. Lauritzen. **Voting Nay:** Mr. Peterson. **Motion Carried.**

Agenda Item #10: 2018 Application Cycle. Mr. Brohman presented the request for the board to give staff authority to seek technical reviews as appropriate for the 2018 grant applications from those persons who have participated in the technical review process in past years and from persons showing interest to participate this year. Also addressed as part of the discussion are the Point Allocations for Geographical Location in which staff recommends the approval of awarding 20 points to District VI in the 2018 application cycle.

Motion by Mr. Peterson and seconded by Mr. Macy to approve authority for technical reviews and the awarding of 20 points to District VI for Geographical Location in the 2018 application cycle.

Voting Aye: Mr. Macy; Mr. Hellbusch; Mr. Peterson; Mr. Dunn; Mr. Krohn; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; and Ms. Lauritzen. **Abstaining:** Ms. Vinton.
Motion carried.

Agenda Item #11: Report of Grant-Funded Equipment. Ms. Tabor was asked to begin the discussion on the equipment. All grants awarded for the purchase of personal property (equipment/building) require the grantee to hold and maintain the equipment for its useful life, based on State of Nebraska Department of Revenue depreciation schedules. Insurance must be maintained for all equipment valued at \$1,000.00 or more for the useful life of the equipment.

The attachments showed status of equipment as of June 30, 2017, and all equipment still on the inventory. Any equipment that has passed its "useful life" (or End Date) has dropped off of the report already. Government entities are typically self-insured so we do not require proof of insurance on these items. A verification of the status of equipment/buildings that the Trust contributed \$25,000 or more at the time of purchase is conducted on an annual basis.

Motion by Mr. Macy, seconded by Mr. Hellbusch to approve the report on equipment.

Voting Aye: Mr. Macy; Mr. Hellbusch; Mr. Peterson; Mr. Dunn; Mr. Krohn; Ms. Vinton Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett and Ms. Lauritzen. **Motion Carried.**

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Agenda Item #12: Report on Grant-Funded Real Estate. A discussion of taxes and easements on properties was conducted. Reviewing policy on the different properties was discussed and clarified.

Motion by Mr. Hellbusch, seconded by Mr. Dunn to approve the report on grant funded real estate.

Voting Aye: Mr. Hellbusch; Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Macy and Ms. Lauritzen. **Abstaining:** Mr. Peterson. **Motion Carried.**

Defense Funds have been verified and discussion of transfer properties was held.

Agenda Item #13: Follow-Up Discussion from previous day was not necessary.

Agenda Item #14: Election of Officers. Chairman Lauritzen requested nominations for election of Chair of the board.

Motion by Mr. Peterson, seconded by Ms. Vinton to nominate Mr. Hellbusch as Chairman.

Voting Aye: Mr. Peterson; Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Fassett; Mr. Douglas and Ms. Lauritzen. **Abstaining;** Mr. Hellbusch. **Motion carried.**

Chairman Lauritzen called for nominations for Vice-Chair.

Motion by Mr. Douglas; seconded by Mr. Macy to nominate Mr. Fassett as Vice Chair.

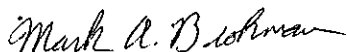
Voting Aye: Mr. Dunn; Mr. Krohn; Ms. Vinton; Mr. Bowen; Mr. Douglas; Dr. Williams; Mr. Macy; Mr. Hellbusch; Mr. Peterson and Ms. Lauritzen. **Abstaining;** Mr. Fassett. **Motion carried.**

Agenda Item #15: Public Comment and Good of the Order. Ms. Lauritzen thanked Jim Macy for helping in her time of need with the family emergency at the first meeting. And Ms. Lauritzen wanted to thank everyone with all the help from the board members to the staff. Mr. Brohman thanked Ms. Lauritzen for all of the hospitality she and Bruce extended especially with the limitations of the State.

Agenda Item #16: Date and Location of the Next Meeting: November 2, 2017, 1:30 p.m., Ferguson House, Lincoln, Nebraska.

Agenda Item #17: Adjourn. The meeting was adjourned at 1:00 p.m.

Respectfully Submitted,



Mark A. Brohman
Executive Director