



NEBRASKA BRAND COMMITTEE

Post Office Box 1, 411 Niobrara Ave.
Alliance, NE USA 69301-0775



INSPECT RECORD POLICE

AGENDA - MEETING of the NEBRASKA BRAND - COMMITTEE

Tuesday, March 13, 2018, 10:00 A.M. CDT
Mid-Plains Community College
2520 E. St.
Broken Bow, NE 68822

All agenda items are for discussion and action will be taken as deemed appropriate, The Committee reserves the right to go into closed session in accordance with Neb.Rev.Stat. §84-1410.

Call to Order

1. Pursuant – to Neb.Rev.Stat. §84-1412(8) a current copy of the Nebraska Open Meetings Act is posted in the meeting room at a location accessible to members of the public.
2. **Role Call:** John Widdowson (P) Jaclyn Wilson-Not Present Jerry Meyring-Not Present
Terry Cone (P) Jay Martindale (P)

In compliance with the provision of the Open Meetings Act, Public notice of this March 13th meeting was posted in the headquarters office- in Alliance, NE on February 27, 2018 at 5:40p.m. MT Certification of Public Notice will be provided as part of the record of this meeting,

Notice of this March 13, 2018 meeting was published in the Alliance Times- Herald, North Platte Telegraph, McCook Daily Gazette, and posted on the Nebraska Brand Committee's website, Affidavit of Publication will be provided as part of the record of this meeting.

In compliance with the Open Meetings Act, an agenda and other related material were made available for public inspection in the headquarters office prior to the meeting. Agenda and related items are available for public use and review. An agenda was made available on February 27, 2018 at 5:40 p. m. MT.

The meeting agenda was emailed to the Committee members on February 28, 2018.
A copy of the Open Meetings Act is available to the public at the entrance of this meeting room.

This meeting is being recorded.

A. Adoption of Agenda

Jay Martindale Made Motion to adopt agenda with additions of adding Brent Hoffman from Nebraska Interactive to #8 and adding Jay Martindale-Office Migration of records to #8a.

Terry Cone Seconded Motion, Votes are as follows:

John Widdowson (y) Jaclyn Wilson-Not Present Jerry Meyring-Not Present
 Terry Cone (y) Jay Martindale (y)
 Motion Carries

B. Current Business

1. Approval of minutes of the December 12, 2017 and December 22, 2017 Committee

Terry Cone Made Motion to approve minutes from December 12, 2017 and December 22, 2017 as presented, Jay Martindale seconded motion, and Votes are as follows:

John Widdowson (y) Jaclyn Wilson-Not Present Jerry Meyring-Not Present
 Terry Cone (y) Jay Martindale (y)
 Motion Carries

2. Consideration and acceptance of financial statements

Dave Horton explained the current position of Budget Overview, Status, and Review. For the most part all areas are ok. He outlined areas of question being Intermitten's overtime payments being higher. An overall increase of #102,324.03 more in 2018 than 2017.

Discussion: John Widdowson stated a previous request for 12 FTE was denied but the numbers will prove the need for the additional staff. Terry Cone stated that 6 months out of the year we have losses and the rest of the year is to recoup those losses and make money, so the \$1.9 reserve is a good cushion to have.

Robert Storvant-Dept of Ag commented that Statues states there are limits on salaries so some shortages may occur. Appropriations Committee is the only way to change these numbers but employee funds PSL cannot be changed like the other accounts.

Jerry Meyring joins the meeting

Jay Martindale made motion to **accept financial statements**. Terry Cone seconded motion
 Votes are as follows:

John Widdowson (y) Jaclyn Wilson-Not Present Jerry Meyring (y)
 Terry Cone (y) Jay Martindale (y)
 Motion Carries

3. Review of current fee structure

Dave outlined the Current Fee Structure with the Nebraska Interactive charges in place for January only. Comparing the January head count of 580,453 at the current fee of \$1.00 and the \$.06 charge per transaction from Nebraska Interactive vs. a fee of \$.95 per head and the NI charge of \$.06 resulting in a loss of \$27,281.62 for the month.

Electronic charges & equipment plus the unknowns that will come later from all of this, now may not be the time to reduce rates.

Jerry: \$1.9 is a lot of money to use up before things need changes.

John: Producers may resist the up and down in fees.

Jerry: We need to be very prudently active with these fees for the producer.

John: Legislature is a concern too.

Terry: Agrees with lowering being a great idea, but there will be more grumbling, and for a longer period of time, for having to raise the fee than those that state that lowering is great.

John: There are things coming up that I would like to see the committee be able to participate in and these will take some financial commitment and so using up our reserve by lowering the fees may not let these actions be possible.

John: Question to Jerry M: What would you feel would be a comfortable amount that we should keep in reserve?

Jerry: Answer \$1 Million

Terry: The cash reserve makes a comfortable position to be in.

Jerry Meyring made a motion that he would like to see the fee reduced to \$.90 beginning June 1, 2018, seconded by Jay Martindale.

Votes are as follows:

John Widdowson (N)	Jaelyn Wilson-Not Present	Jerry Meyring (y)
Terry Cone (N)	Jay Martindale (N)	

Motion Fails

4. Discussion on "Cost of Living" increase.

With a budget shortfall already in crisis at 67.44% no cost of living increase will be considered at this time.

Jerry Meyring made a motion to postpone **Cost of Living Increase discussion until the June 12th 2018 meeting, Jay Martindale seconded the motion.** Votes are as follows:

John Widdowson (y)	Jaelyn Wilson-Not Present	Jerry Meyring (y)
Terry Cone (y)	Jay Martindale (y)	

Motion Carries

5. Discussion and / or approval of Employee Handbook.

a. Review and discussion regarding Headquarters staffs Job / Duties descriptions.

Don Arp went over some highlights of the proposed new handbook that will make the audits cleaner, but suggested that the Committee members read and digest this information until the next meeting, then return with their recommendations. Attorney, Mark Faehlsion, suggested a revised and updated copy every couple of year. Don Arp, Making the handbook a digital format would make it easier to keep it up to date and make sure everyone has the current and correct copy. New Program Fusion is in the works

for setting up groups that this kind of information can be forwarded to. Don asked that the committee move this to the next meeting for review after the committee has had a chance to read the handbook.

b. Review and discussion regarding HR / Payroll issues and report from Rebekah Vineyard.

A one year contract with NBC and DAS was signed in the fall but has become problematic. So DAS has resigned from the contract and will no longer be doing the NBC payroll and Human Resources any longer due to conflicts. So we need to find a solution going forward.

Becki stated that cleanup of the payroll system is enormous. Need to find the source of the mistakes. DAS had agreed to help with this, but NBC being a different type of agency, DAS did not always agree with NBC. When questioned by Becki for explanations for these instances, her questions were seen as pushback and were not intended to be. Becki stated that “she knows where the errors are, but does not know how to fix them in the system.” Becki had a phone conference scheduled with DAS to go through some of these items the morning the email was received saying they had resigned.

Why did DAS quit when all these errors were not fixed in the system. No one, either the committee or NBC, were contacted about having any issues or complaints. Also, if Becki is on vacation or leave, then what, no one else knows that system.

Don Arp was not contacted about this situation either. Communications between the groups were misunderstood and training for Becki is what we need to make this work for all.

John stated that some training with the parties in Lincoln could be done. I would like to see someone from Lincoln come to Alliance to train and understand the NBC process. Becki could also go to Lincoln for training. Also, do we need to find another source or go solo for support in the meantime?

Robert Stovant-Dept of Ag-stated that they can provide some door opening for assistance. Stated that Governor’s Chief of the staff may visit. Electronic Fusion program may be used for time cards, Kronos is on hold until this is explored. Christine Barber could be some help with the differences of non-code agencies that DAS did not know about. Steve & Bob will visit and get back to Dave with a recommendation and then Dave & John will make a decision

c. Review and discussion regarding Business Manager Position.

Dave requested to hire a Budget Analyst & Move SOS to fulltime Employee

John asked that Dave keep working on this until the next meeting in June. Discussion concerning the technology making the office work less and is this going to happen? Becki commented that she is earning today for doing P/R & H/R the same she would be getting for just answering the phone.

d. Report / Review from Don Arp Progress Improvement/ Center of Operational Excellence.

Previously mentioned in his conference call and will be reviewed until the next meeting.

6. Personnel Changes Review and Ratification. (See attached)

Also adding to the new hire list is Tyler Carson – Knox County as of March 1, 2018
Short fulltime Inspectors 1-Kearney and 1-Chadron

Jerry Meyring made a motion to approve Personnel changes and Jay Martindale Seconded Motion

Votes are as follows:

John Widdowson (y) Jaclyn Wilson-Not Present Jerry Meyring (y)
Terry Cone (y) Jay Martindale (y)

Motion Carries

7. Report from Josh Dethlefsen of the Attorney General's Office.

Judge Ruled on the pending lawsuit on 02-05-2018 in favor of the Nebraska Brand Committee and does not violate Federal Laws.

Executive Session - Legal Advice and Legal Litigation Update from the Attorney General's office and discussion of specific personnel items

Dismiss for executive session time: 12:15

Return from Executive session time: 1:45 PM

Motion to return from Executive Session at 1:45 pm made by Terry Cone seconded by Jay Martindale.

Return Roll Call:

Votes are as follows:

John Widdowson (y) Jaclyn Wilson-Not Present Jerry Meyring (y)
Terry Cone (y) Jay Martindale (y)

Motion Carries

8. Technology report / update from Danna Schwenk IT Coordinator.

Report on new Inspectors being added to live program. 22 Classes that 75 have attended class but 6 have not had any class. Distribution lists available for emailing and getting info out. Listed milestones and their approximate implementation dates. Mobile brand book is not on front shelf & it needs to be, Dept. of Records has the images done as of March 1st, 2018. Cut Backs was not in original scope but are being worked on. Registered Feedlots need added to the subscription lists and will be charged by the state the \$50.00. Payment issues are still being worked on and another update coming out soon. No head counts is another point and print preview may be an answer, still working on this.

Payments with Wi-Fi are still being worked on and a resolution should be coming out soon.

Still problems with WI-FI, issue of providing Wi-Fi, phone, internet?? Using their own and maxed out on Data limits. Without this Inspectors get No updates, emails, data use.

Danna-What would the board like to do?

John-give stipend for each like we do for mileage, used as they see fit.

Dave-MI-FI's for everyone would cost approx. \$30.00 per month, per inspector, approximately \$3,000.00 per month to the board.

Bob-Dept. of Ag supporting the hot spots, not always working. Connectivity is issue for them too.

Danna-Case by case issue, area by area. Maybe a flat fee for all could be done?

Terry Cone made a motion seconded Jerry Meyring to give John Widdowson, Chairman and Dave Horton, Executive Director this time to work on the Wi-Fi situation as long as it will work with the budget to be done by April 1st, 2018.

Votes are as follows:

John Widdowson (y)	Jaclyn Wilson-Not Present	Jerry Meyring (y)
Terry Cone (y)	Jay Martindale (y)	

Motion Carries

Danna-all this expensive equipment, ink, supplies! Carrying case?? Harbor Freight case \$30!

Danna- suggested to give a stipend or buy them something to carry all equipment to protect investment on equipment.

Jerry made a motion for NBC to purchase a carrying case of some kind, something uniform for each inspector, with a recommendation from Dave & Danna & Inspectors. Dave will make the final decision ASAP, Seconded by Jay Martindale.

Votes are as follows:

John Widdowson (y)	Jaclyn Wilson-Not Present	Jerry Meyring (y)
Terry Cone (y)	Jay Martindale (y)	

Motion Carries

Danna: Needs a support person on each end of the state to help her, a calling tree for support, an Inspector for IT, Dave Dodd's example has been helping a lot. Train the trainers, may be someone in the training centers. Possible matrix two fulltime who could work 60% IT 40% Inspector?? After 1st of the year- maybe 1 fulltime employee??

Suggestions were that Dave & John get with inspectors and work on this.

Break time 3:30-3:45

9. Review and approval of Albion Livestock Open Market Agreement. (See Attached)

Dave gave an overview of these three permits.

10. Review and approval of Elgin Livestock Open Market Agreement. (See Attached)

11. Discussion regarding Non-brand Area Show Permits. (See Attached)

- a. Jay Martindale gave an update on the document migration in the basement and Jeanette Grier will be in Alliance on April 18th to scope out the basement and setup a proposed agenda for electronic copying. Jay will assist with this process.

12. Investigators Reports.

a. Area II Investigator - Tom Hughson

Investigations is several different counties, court case in South Dakota, out of state investigations in Colorado and Wyoming. Attended training in Reno last week 16 hours credit. Attended the cattlemen's classic, assist other law enforcements.

b. Area III Investigator - Christian Fell

Spending time meeting the local law enforcement, local inspections, assist Colorado and Wyoming violations and working on estray & violation cases. Also attended Cattlemen's classic was good.

c. Area IV Investigator - Brent Deibler

Large amount of time being used filling vacancies, correspondence, estray cases. Suggested that the inspectors need to be accountable for windshield time and budget monies spent. The Intermittent inspectors need to be accountable to the fulltime inspector. Fulltime should have the final say about inspections. Personnel issues are getting more streamlined.

Dave added that this has been an issue with the Intermittent's for some time and there will be some changes being made. Terry asked what the issue is and Brent gave a brief outline of the situation that the Intermittent inspector is taking the bigger jobs further away so that their pay is more and full-timer's are not getting their 40 hours or full time pay. Jerry and Jay state that there have been some letters received about the inspector, these were unsigned and computer generated with no return addresses, but his full support is behind the inspector.

13. Registered Feedlot Inspector Report-Dean Anderson

Checked 96 yards at 103 locations, pen checks are down due to weather, lose 1 yard, another person has bought the yard, but the numbers are about the same. Another small yard was purchased and they will need some time to fill this yard, I'll check later when it's full. Another yard wants to become a feed yard but may in a couple of years. I had one violation, accidental I think-misunderstand of communication, another yard will get a notice, ND Law violation, Technology update,

14. Estray Case report / Updates.

Dave gave an update on Estray cases getting caught up, SOP has been written, and Monies need to be sent to the school fund of \$10,666.45. (See Attached) Estray Cases are mostly taken care of.

Jay Martindale made a motion to approve the Estray Case Money to be sent to the school fund in the amount out of \$10,666.45 (See Attached).

Votes are as follows:

John Widdowson (y)	Jaclyn Wilson-Not Present	Jerry Meyring (y)
Terry Cone (y)	Jay Martindale (y)	

Motion Carries

15. Discussion and consideration of any statutory changes and subsequent recommendation to present to appropriate member(s) of Nebraska Legislature.

NONE

C. Public Comment .

Doug Strait – NE Beef Council – Thank You for all the timely fund transfers, The Kearney office is available for use too.

John- Added that we need to pass on a Thank You to all, Ann Marie and everyone.

Melody Benjamin- NE Cattlemen’s Association – She appreciates the partnership with the Nebraska Brand Committee.

D. Adjournment

Jay Martindale made a motion to adjourn, Terry Cone seconded the motion.

Votes are as follows.

John Widdowson (y)

Jaclyn Wilson-Not Present

Jerry Meyring (y)

Terry Cone (y)

Jay Martindale (y)

Motion Carries

Adjournment at: 4:45 PM CST