

State of Nebraska Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
nadc.nebraska.gov



Centre Terrace, 1225 L St. #400
Phone (402) 471-2522
Fax (402) 471-6599

Synopsis Case #23-40

Action Taken on December 6, 2024

Respondent: Natisha Winkelman

The Respondent is Natisha Winkelman. A Complaint was filed against the Respondent, alleging that a contract was improperly entered into between the Respondent and the Village of Brownville. At the time of entering into the contract, on August 24, 2023, the Respondent was a Trustee of the Board of Trustees of Brownville, Nebraska.

A Notice of Preliminary Investigation was issued by the NADC alleging a violation of Section 49-14,103.01 in that the Respondent had entered into a prohibited contract without making it an agenda item and had failed to make a statement at the time the contract was considered stating the nature and extent of her conflict of interest.

After commencement of the Preliminary Investigation, it was learned that the Respondent had accepted funds from the Village in excess of her Trustee compensation. Section 49-14,101.01(2) prohibits a Trustee from accepting funds not permitted by constitutional, statutory or regulatory procedures. In this case, Nebraska Statutes prohibit Trustees from accepting Village funds in excess of their Trustee's salary.

An Amended Notice of Preliminary Investigation was thereafter filed, alleging that the Respondent had violated both Sections 49-14,103.01 and 49-14,101.01(2).

The NADC found probable cause to believe there had been a violation of both Statutes, and a Hearing was scheduled with respect to the alleged violations. Thereafter, settlement negotiations were initiated, and the parties then entered

into a Settlement Agreement, by the terms of which the Respondent accepted a violation of Sections 49-14,103.01 and 49-14,101.01(2), as alleged in the Amended Notice of Preliminary Investigation. Under the terms of the Agreement, the Respondent agreed to pay a civil penalty in the amount of \$1,800.00.

The Commission adopted the Settlement Agreement with six (6) Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

Violations and Civil Penalty: Pursuant to the Settlement Agreement, the Commission found that the Respondent entered into a prohibited contract in violation of Section 49-14,103.01, and improperly accepted funds in excess of her Trustee's compensation in violation of Section 49-14,101.01(2). A Civil Penalty of \$1,800.00 was imposed.

Civil Penalty: \$1,800.00

Attorney for the Commission: Neil B. Danberg

Synopsis Prepared by: David Hunter, Executive Director

Nebraska Accountability and Disclosure Commission

P.O. Box 95086, Lincoln, NE 68509 (402)-471-2522

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

In the Matter of Natisha Winkelman)

Case #23-40

Respondent)

ORDER

Now on this 6th day of December, 2024, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Anderson, Davis, Evnen, Gloor, Reuss, and Sullivan are present with Commissioner Davis presiding. The Respondent is not present. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission with six (6) Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining, finds that the attached Settlement Agreement should be and hereby is approved and incorporated into this Order. Pursuant to that Agreement, the Commission finds that the Respondent has committed violations of Nebraska Revised Statutes, Sections 49-14,103.01 and 49-14,101.01(2) as recited in the attached Settlement Agreement.

In accordance with the Settlement Agreement, the Commission imposes a civil penalty of \$1,800.00 upon the Respondent.

Issued this 6th day of December, 2024.

Nebraska Accountability and Disclosure Commission



David M. Hunter.
Executive Director

Certificate of Service

I hereby certify that a copy of this Order was sent by certified U.S. Mail, postage prepaid, return receipt requested on this 6th day of December, 2024 to the following address : Natisha Winkelman, 415 N 2nd Street, Brownville, NE 68321.



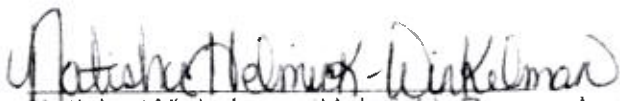
David M. Hunter Executive Director

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

IN THE MATTER OF:)
)
 NATISHA WINKELMAN (HELMICK)) SETTLEMENT AGREEMENT
) CASE #23-40
)

- 1) Parties: The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission," and Natisha Winkelman (Heimick), Respondent
- 2) Jurisdiction: The Respondent acknowledges that the Commission has jurisdiction in this matter pursuant to the terms of Nebraska Statutes 49-1401 et seq., known as the Nebraska Political Accountability and Disclosure Act ("NPADA").
- 3) Intention: The parties hereby agree and intend that this Agreement shall constitute a waiver of any further proceedings in this matter, thereby resolving the matter without further delay and expense to the parties.
- 4) The Alleged Violations: In its Amended Notice of Preliminary Investigation in this case, the Commission has alleged that the Respondent, as a Trustee of the Village of Brownville, Nebraska, violated 2 sections of the NPADA: (1) §49-14,103.01 in that the Respondent entered into a prohibited contract with her own governing body (the Village Board of Brownville) and (2) § 49-14,101.01(2) by accepting funds from the said Village in excess of her Trustee's compensation. Both allegations are more fully set forth in the Amended Notice of Preliminary Investigation, which is attached hereto, as Exhibit "A."
- 5) Stipulation: The Respondent and the Commission stipulate and agree that at the time of the alleged violations, the Respondent was a Trustee of the Village of Brownville, Nebraska.
- 6) The Alleged Violations, Agreement: The Respondent states that it was not her intent to violate the NPADA as alleged, but she agrees and stipulates that there is sufficient evidence to support the Commission's findings of violations of Sections §49-14,103.01 and §49-14,101.01(2) of the NPADA, as stated in the Amended Notice of Preliminary Investigation in this matter, and as described in Paragraph 4, above. The Respondent further agrees that she will not contest the Commission's Order in this case.
- 7) Civil Penalty and Agreement: The parties have agreed that, in view of the Respondent's willingness to resolve this matter, and accept the finding of the Commission in this case, the Commission will impose a civil penalty in this matter in the amount of \$1,800.00, which the Respondent will pay over the period of twelve months, according to the terms of an installment Letter Agreement attached hereto as Exhibit "B."

- 8) The Commission must approve this Agreement in order for it to be effective. The parties agree that for this Agreement to become effective, the Commission must approve it, and enter an Order according to the terms of the Agreement.
- 9) Effective Date of Agreement. This Agreement shall not be binding upon the parties until the date it is approved by the Commission and the Commission issues an Order in accordance with the terms of this Agreement. The date of the Order shall be deemed its effective date. If this Agreement is not approved by the Commission, this Agreement shall be void and may not be used in this or any other proceeding. The parties acknowledge that this Agreement and any subsequent Order shall be announced at an open public meeting of the Commission. The parties further acknowledge that, upon adoption, this Agreement, the Order, and the Commission's file pertaining to this matter shall become open and public.
- 10) Right to Address the Commission. The Respondent has a right to address the Commission on the matter of the approval of this Settlement Agreement.
- 11) Advice of Counsel. The Respondent acknowledges that he has had an opportunity to seek the advice of an attorney concerning this Agreement.


Natisha Winkelman (Helmick), Respondent

10/3/24
Date


David M. Hunter, Interim Executive Director
Nebraska Accountability and Disclosure Commission

12/06/2024
Date

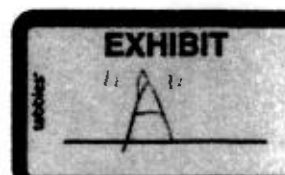
**AMENDED NOTICE OF PRELIMINARY INVESTIGATION
CASE #23-40**

To: Natisha Winkelman (Helmick)

Pursuant to the provisions of Section 49-14,124, Revised Statutes of Nebraska, also known as the Nebraska Political Accountability and Disclosure Act ("NPADA"), notice is hereby given that an Amendment to the Notice of Preliminary Investigation is hereby made, and the Amended violations to be investigated are as follows:

1. That Natisha Winkelman, also known as Natisha Helmick, a member of the Board of Trustees of Brownville, Nebraska, entered into a prohibited contract on or about August 24, 2023 between herself and the Village of Brownville, by failing to make the contract an agenda item, failing to make a declaration of the nature and extent of her interest prior to consideration of the contract, by participating in a closed executive session concerning the nature, extent, and terms of the contract, and by acting for the governing body as to inspection or performance under the said contract, in violation of §49-14,103.01 of the Nebraska Statutes.
2. That Natisha Winkelman, also known as Natisha Helmick, a member of the Board of Trustees of Brownville, Nebraska, used personnel, resources, property or funds other than in accordance with prescribed constitutional, statutory, and regulatory procedures other than compensation provided by law on or about August 24, 2023, by entering into a contract for compensation in excess of that provided by her position as a Board member and by accepting a position of employment with the Village in addition to her position as Board member, in violation of Section 49-14,101.01(2) of the Nebraska Statutes.

Upon completion of the Preliminary Investigation, the matter will be submitted to the Nebraska Accountability and Disclosure Commission for a determination as to whether there is probable cause to believe that a provision of the NPADA have



been violated. If the Commission finds probable cause, a hearing will be held. You will be notified thereof and may appear, present evidence, and be represented by an attorney. If, after hearing, the Commission finds that you have violated the NPADA, you may be ordered and required to comply with the Act, and to pay a civil penalty of up to \$5,000 for any violation.

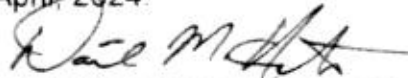
In the event the Commission finds that the Preliminary Investigation fails to indicate probable cause, the investigation will be terminated and there will be no hearing.

You may submit statements of explanation or other documentation to be made a part of the Preliminary Investigation. Please do so within thirty (30) days from the date of receipt of this notice. If additional time is needed, please so advise.

All Commission proceedings, records and actions relating to investigations and hearings, in which a violation of the Act is alleged, are to remain **confidential** unless the person alleged to be in violation requests that they be public, or until the Commission makes a final determination after hearing that the Act has been violated. [See Sections 49-14,124, 49-14,124 01 and 49-14,125 of the Nebraska Statutes, and Commission Rule 1.]

You are directed to maintain, without alteration or destruction, any and all communications or documents, in whatever form, including specifically electronic form, which may in any way relate to the alleged violation.


DATED this 10th day of April, 2024.



David M. Hunter
Executive Director

CERTIFICATE OF SERVICE

A copy of this Notice was sent by certified U.S. Mail, postage prepaid, return receipt requested, on this 10th day of April, 2024, to the following person at the following address: Natisha Winkelman, also known as Natisha Helmick, 415 N. 2nd Street, Brownville, NE 68321.



David M. Hunter, Executive Director

State of Nebraska Accountability and Disclosure Commission

P.O. BOX 95086
Lincoln, Nebraska 68509
nadc.nebraska.gov



Centre Terrace, 1225 L St. #400
Phone (402) 471-2522
Fax (402) 471-6599

September 18, 2024

Natisha Winkelman (Helmick)
412 N. 2nd Street
Brownville, NE 68321

Re: Case 23-40 Proposed Letter Agreement for Payment of Civil Penalty

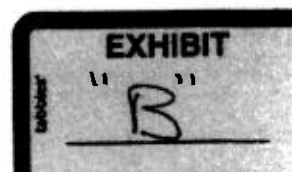
Dear Ms. Winkelman (Helmick),

This Letter Agreement will constitute the offer of the Nebraska Accountability and Disclosure Commission to enter into an Agreement with you, as part of the Settlement Agreement with you in which you agree to pay \$1,800.00 to the Commission as a civil penalty, as stated in the Settlement Agreement. The proposed terms of the payment of the civil penalty are set forth below.

Agreement to pay Civil Penalty Through this Letter Agreement, the Commission agrees that the civil penalty of \$1,800, assessed by the Commission against you, as the Respondent in the above-referenced case, may be paid in equal monthly installments over twelve months. The State of Nebraska requires that interest be paid on amounts due to the State. Therefore, the payment includes a small amount each month for interest. Interest on obligations owed to the State is currently calculated at the rate of 5% per annum. We have calculated the principal and interest payments for twelve months, and each payment would be in the amount of \$153.45 each month for twelve (12) months. The first payment in that amount will be due on December 1, 2024, and each subsequent payment will be due on the first day of each following month, with the final payment being due on November 1, 2025.

Default. In the event that you do not make payments as required on a monthly basis, the Commission reserves the right to declare, within its sole discretion, a default. A default is defined to mean a failure to make any payment within ten days following its due date. In the event of default, you agree that the Commission may accelerate the entire remaining unpaid balance of the civil penalty as due and owing. The Commission, upon such a default, may seek payment of the entire remaining balance through legal processes. Please make the checks payable to the "State of Nebraska", and send them to the following address:

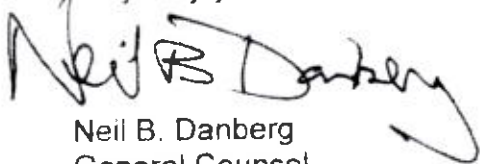
Neil B. Danberg, General Counsel
Nebraska Accountability and Disclosure Commission
P.O. Box 95086
Lincoln, NE 68509




By the signature of the Commission's Executive Director, David M. Hunter, as set forth below, the Commission hereby offers to enter into this Letter Agreement with the Respondent, Natisha Winkelman (Helmick). This Agreement may be accepted by Respondent affixing her signature to this Agreement on the signature line as provided below and returning the signed Agreement to the Commission on or before October 7, 2024. Failure to accept the Agreement by that date will result in withdrawal of the offer to enter into this Agreement, and the Commission may then seek payment of any outstanding civil penalty in its entirety.

Please contact me immediately if you have questions concerning this Letter Agreement.

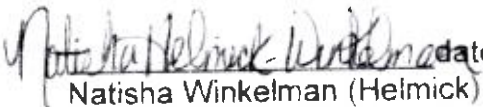
Very truly yours,



Neil B. Danberg
General Counsel

 date: 12/06/2024

David M. Hunter
Executive Director
Nebraska Accountability and
Disclosure Commission

 date: 10/13/24

Natisha Winkelman (Helmick)