# 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 #25-148**

Action Taken on October 30, 2026

**Respondent: Robert Fite**

The Respondent is Robert Fite, who is Mayor of Madison, Nebraska. The Complainant is Paul Kellen, a former member of the Madison City Council. In 2024, a full-time employee was hired by the City of Madison. However, even though she was hired as a full-time worker, she was never able to work the hours required in a full time position. The Mayor was apprised of the situation in late 2024, but it was never corrected. The worker in question continued to receive full-time pay and benefits despite the fact that her hours never reached full-time status. She left employment with the City of Madison in mid-2026.

On June 11, 2025, a Notice of Preliminary Investigation was filed, alleging that the Respondent had improperly utilized public resources under his official care and control other than in accordance with constitutional, statutory, or regulatory procedures through the employment of a full-time worker who never met full-time hourly requirements, in violation of Section 49-14,101.01(2) of the NPADA.

The Respondent was represented by David Kennison of Baird Holm Law Firm in Omaha. The Respondent was co-operative in the investigation, and settlement negotiations were undertaken. The Respondent agreed to enter into a Settlement Agreement with the Commission. Under the terms of the Agreement, the Respondent denied that he had intended to violate the terms of the NPADA, but he agreed to pay a civil penalty of $2,000.00, in twelve (12) installments, and he agreed to accept the Commission's findings of a violation of Section 49-14,101.01(2) of the NPADA

The Commission adopted the Settlement Agreement with five (5) Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

**Violation:** Pursuant to the Settlement Agreement, the Commission found a violation of Section 49-14,101.01(2) of the NPADA, and the Commission assessed a civil penalty in the amount of $2,000.00.

**Civil Penalty:** $2,000.00.

**Attorney for the Commission**: Neil B. Danberg

**Synopsis Prepared by:** Scott Danigole, Executive Director, NADC.

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

**BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION**

**Paul Kellen v. Robert Fite** **Case #25-148**

**ORDER**

Now on this 30th day of October, 2026, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Chung, Davis, Evnen, Gloor, and Reuss are present with Commissioner Reuss presiding. The Respondent is not present. The Commission notes the submission of a proposed Settlement Agreement.

Whereupon, the Commission with five (5) 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 used public resources under his official care and control other than in accordance with constitutional, statutory, or regulatory procedures in violation of §49-14,101.01(2) of Nebraska Revised Statutes, as recited in the attached Settlement Agreement.

In accordance with the Settlement Agreements, the Commission imposes a civil penalty of $2,000.00 upon the Respondent.

Issued this 30th day of October, 2026.

Nebraska Accountability and Disclosure Commission

Scott Danigole
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 30th day of October, 2026 to the following parties and at the following address: Robert Fite, 1402 Lewis Blvd., Madison, NE 68748; and by regular U.S. Mail, postage prepaid, to: his attorney, David Kennison, Baird Holm, 1700 Farnam Street, Suite 1500, Omaha, NE 68102; and Paul Kellen, 106 Fairgrounds Road, Madison, NE 68748.

Scott Danigole Executive Director

**BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION**

**IN THE MATTER OF:** **CASE No. 25-148**

**ROBERT FITE** **SETTLEMENT AGREEMENT**

1) Parties: The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and Robert Fite, hereafter referred to as the "Respondent."

2) Jurisdiction: The Respondents acknowledge 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 Violation: In its Notice of Preliminary Investigation in this case, the Commission has alleged that the Respondent, who is Mayor of the City of Madison, Nebraska, from February, 2024 to June, 2026, used or authorized the use of public resources under his official care and control other than in accordance with prescribed constitutional, statutory or regulatory procedures. Specifically, the Commission alleges that the compensation paid to a part-time employee was not permitted under those procedures. The Commission alleges that the Respondent violated Section 49-14,101.01(2) of the NPADA.

5) Stipulation: The Respondent and the Commission stipulate and agree that at the time of the alleged violation, the Respondent was Mayor of the City of Madison, Nebraska.

6) The Alleged Violation, Agreement: The Respondent states that it was not his intent to violate the NPADA as alleged, but he agrees and stipulates that there is sufficient evidence which could support the Commission's findings of a violation of Section 49-14,101.01(2) of the NPADA, as stated in the Notice of Preliminary Investigation in this matter, and as described in Paragraph 4, above. The Respondent further agrees that he 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 of $2,000.00, payable in twelve monthly installments consisting of eleven installments of $166.67

and one final installment of $166.63. The first installment shall be due thirty days after the Commission approves this Agreement and enters its order.

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.

Robert Fite — 10-25-26 Date

David Kennison — 10-26-26 Date
Attorney for Robert Fite
Approved as to form

Scott Danigole, Executive Director — 10-30-2026 Date
Nebraska Accountability and Disclosure Commission