

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 #23-22

Action Taken on December 1, 2023

Respondent: Christopher Killin

The Respondent is the Chairperson of the Chapman Village Board. After receiving information from the Nebraska Auditor of Public Accounts, the Executive Director ordered that a Preliminary Investigation be undertaken on June 23, 2023. The Preliminary Investigation alleged that the Respondent had used or authorized the use of public funds for payment of salaries to one or more Village employees other than in accordance with constitutional, statutory or regulatory procedures, in violation of §49-14,101.01(2). In particular, the Village Clerk, who was the spouse of the Respondent, received a salary which had not been publicly disclosed, and the Respondent voted for payments to the Clerk.

The parties entered into a Settlement Agreement by the terms of which the Commission found a violation of §49-14,101.01(2), and imposed a civil penalty of \$150.00. The Respondent agreed to ensure that, in the future, expenditures of public funds by the Village would be publicly authorized, and that he would abstain from voting upon his wife's salary. The Commission adopted the Settlement Agreement with five Commissioners concurring, no Commissioners dissenting, and no Commissioners abstaining.

Violation: Pursuant to the Settlement Agreement, the Commission found that the Respondent used public resources without proper authorization in violation of §49-14,101.01(2) of the State Statutes.

Civil Penalty: \$150.00

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 Christopher Killin

Respondent

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Case #23-22

ORDER

Now on this 1st day of December, 2023, this matter comes before the Nebraska Accountability and Disclosure Commission. Commissioners Anderson, Callahan, Davis, Evnen, and Sullivan are present with Commissioner Sullivan 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 has committed a violation of Nebraska Revised Statutes, Section 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 \$150.00 upon the Respondent.

Issued this 1st day of December, 2023.

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 1st day of December, 2023, to the following address : Christopher Killin, P.O. Box 141, Chapman, NE 68827.



David M. Hunter Executive Director

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

IN THE MATTER OF:

CASE No. 23-22

CHRISTOPHER KILLIN

SETTLEMENT AGREEMENT

RECEIVED
8/28/23
AUG 30 2023

NEBRASKA ACCOUNTABILITY
AND
DISCLOSURE COMMISSION

- 1) **Parties:** The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and Christopher Killin, hereafter referred to as the "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 Violation:** In its Notice of Preliminary Investigation in this case, the Commission has alleged that the Respondent, as Chairman of the Chapman Village Board, used or authorized the use of public funds without proper authorization and in a manner other than in accordance with prescribed constitutional, statutory and regulatory procedures in violation of Section 49-14,101.01(2) of the NPADA. This violation occurred in 2022 and 2023.
- 5) **Stipulation:** The Respondent and the Commission stipulate and agree that at the time of the alleged violation, the Respondent had an obligation to ensure that public funds were used or authorized with proper authorization, but did not do so.
- 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 to support the Commission's findings of a violation Section 49-14,101.01(2) of the Nebraska Statutes, 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. The Respondent further represents that he and the Village of Chapman have taken steps to ensure that use of public funds will be publicly authorized, and that the concerns addressed by the Preliminary Investigation have been resolved.
- 7) **Civil Penalty and Agreement:** The parties have agreed that, in view of the Respondent's willingness to resolve this matter, accept the finding of the

1) Parties: The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereinafter referred to as the Commission, and Christopher Killin, hereinafter referred to as the 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 Violation: In its Notice of Preliminary Investigation in this case, the Commission has alleged that the Respondent, as Chairman of the Chairman Village Board, used or authorized the use of public funds without proper authorization and in a manner other than in accordance with prescribed constitutional, statutory and regulatory procedures in violation of Section 49-14101(2) of the NPADA. This violation occurred in 2022 and 2023.

5) Violation: The Respondent and the Commission stipulate and agree that at the time of the alleged violation, the Respondent had an obligation to ensure that public funds were used or authorized with proper authorization, but did not do so.

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 to support the Commission's findings of a violation Section 49-14101(2) of the Nebraska Statutes, 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. The Respondent further represents that he and the Village of Chairman have taken steps to ensure that use of public funds will be properly authorized, and that the concerns addressed by the Preliminary Investigation have been resolved.


7) Civil Penalty and Agreement: The parties have agreed that in view of the Respondent's willingness to resolve this matter, accept the finding of the

Commission in this case, and ensure the authorization of public payments, the Commission will impose a civil penalty in this matter not to exceed \$150.00.

- 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.


Christopher Killin

8-20-23
Date


Frank J. Daley, Jr., Executive Director
Nebraska Accountability and Disclosure Commission
David M. Hunter

12/01/2023
Date

Commission in this case and ensure the authorization of public payments; the Commission will impose a civil penalty in this matter not to exceed \$150,000.

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- 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.

Date

Christopher Hill

Date

Frank J. Daley, Jr., Executive Director

Nebraska Accountability and Disclosure Commission