THE OFFICIAL PROCEEDINGS OF THE WESTERN NEBRASKA REGIONAL LAND BANK BOARD MEETING
December 9, 2025

A meeting of the Western Nebraska Regional Land Bank (WNRLB) Board was held in open session on December 9, 2025 at 1:00 p.m. in the Gering City Hall Conference Room, 1025 P Street, Gering, NE. Present were Board Members Nancy Garrett, Gabe Ingram, Tony Kaufman, Amy Newman, Brady Shaul, John Stinner. Also present were the following: Sarah Flores (CAPWN), Michelle Coolidge (BB Associates), Pat Heath (Gering City Administrator), Annette Brower (Kimball City Administrator), Annie Folck (Gering City Engineer), Karen Heins (Gering Admin Support), Scott Miller (KNEB) and Megan Kelley (Star Herald).

1. **Call to Order and Roll Call**
   Board Member Tony Kaufman called the meeting to order at 1:06 p.m. It was noted that a quorum of the WNRLB Board was present and business could be conducted. Engineer Folck reported that although Kelsey Molina had been appointed to the Board, she will no longer be serving. Sarah Flores will be presented to the City Councils for approval to fill that vacancy.

2. **Open Meetings Act**
   Engineer Folck reviewed the Nebraska Revised Statutes Chapter 84, Article 14, which requires at least one copy of the Open Meetings Act be posted in the meeting room. Notice of the meeting was given in advance thereof by publication in the Star Herald, the designated method of giving notice. Availability of the agenda was communicated in advance to the Media and Board Members. All proceedings hereafter were taken while the meeting was open to the attendance of the public.

   Annie Folck opened the meeting with remarks outlining the steps needed to move the Board forward. She explained that the goal of the day was to get the group officially established so they could begin operating. The first tasks were to adopt bylaws and elect officers, which must be completed before filing for 501(c)(3) status and submitting the articles of organization. According to the attorneys, filing for 501(c)(3) status before receiving any funds would make the process significantly easier and faster—taking only a couple months instead of potentially a couple years.

3. **Adopt Bylaws**
   The Board reviewed the draft bylaws, focusing on the highlighted sections requiring decisions. Michelle Coolidge presented the draft, noting that it was based on a boilerplate template used by existing Municipal Land Banks; and notations were made throughout the draft to assist the Board's consideration. She explained that some provisions had been adjusted to reflect local circumstances, i.e., language in Article 4, Section 2 related to the Acquisition and Disposition (A&D) Committee.

Ms. Coolidge stated that, based on the intended functions of the A&D Committee, the Board could determine whether those responsibilities should be assigned to a committee or addressed through another structure. She noted that additional committees might need to be formed in the future as the Land Bank's processes develop. Although similar entities exist, she emphasized that this group is in the early stages, and processes will likely evolve organically as the organization gains experience.

She invited Board members to ask questions or seek clarification on any of the draft language. While acknowledging that obtaining 501(c)(3) status is a priority, she advised against rushing the approval of bylaws if uncertainties remain. Mr. Heath recommended including updated statutory language permitting meetings to be held via Zoom. Under current law, at least one in-person meeting per year is required. He noted that he and Ms. Folck agreed that the first few meetings should occur in person to support initial organizational development.

Ms. Coolidge agreed and further noted the need to verify the accuracy of the meeting and voting language. She explained that, according to guidance from the League, some interlocal agreements specify how meeting locations must be advertised when members participate remotely. She mentioned that WNED's current practice may not fully align, and therefore, the bylaws should be updated to reflect the modified language. She confirmed that Zoom meetings are permissible and recommended incorporating this option into the bylaws given members' schedules and the Land Bank covering two communities. She suggested that any motion to approve the bylaws include modified language.

In response to a question by Board Member Stinner, Ms. Coolidge clarified that the League had reviewed the template and responded to questions she had submitted regarding its application. She explained that the red notations in the draft were included to provide context for the Board's consideration and to reflect the research conducted.

The Board began reviewing the highlighted sections of the draft bylaws, noting that most provisions were either dictated by statute or based on research on practices used by other land banks. The first topic addressed was the designation of the official office. Board members agreed that it would be appropriate for the office to be located either in the City of Gering or the City of Kimball. After brief discussion, members noted that Gering likely offered greater resources and convenience for most Board members, though they agreed that in-person meetings should rotate between both communities to ensure fairness.

The Board then confirmed that other sections—such as the number of board members, required areas of experience, and procedures for removals and vacancies—were standard and consistent with statute.

Regarding the place of meetings, the Board agreed that the bylaws should specify both Gering and Kimball as designated meeting locations, with the inclusion of Zoom as an additional option. No further additions were proposed.

The Board discussed establishing a consistent date and time for regular meetings. Members agreed that daytime meetings were preferable and emphasized the value of selecting a static schedule that could be placed on calendars for the year. Ms. Coolidge suggested using an approach similar to the Bridgeport Planning Commission, which meets quarterly; they select an early point in each quarter to allow some flexibility if adjustments are needed within that quarter.

The Board reviewed potential conflicts with existing commitments, noting that Monday and Tuesdays were not preferable due to council, board, and public works meetings, and that mid-month Wednesdays conflicted with the WNCC Board schedule. After considering alternatives, the Board discussed the possibility of meeting on the first Wednesday of each month. Members indicated that this option could work, and they then considered possible meeting times.

Following discussion regarding morning conflicts and flexibility around landfill meetings held on Wednesdays, the Board reached consensus to schedule regular meetings on the first Wednesday of each month at 1:00 p.m. MT. This timing was agreed upon as workable for all members and suitable for inclusion in the bylaws.

The Board next reviewed the bylaw section addressing meeting notice requirements. It was noted that the draft language referenced "reasonable notice." Members discussed common practice, and it was explained that although statute does not specify an exact timeframe, a three-day notice period is widely used. No objections were raised, and the Board concurred with maintaining the three-day standard.

The Board then turned to the section on conflicts of interest. Michelle Coolidge explained that different land banks handle this in different ways. For example, the Omaha Municipal Land Bank uses a separate conflict-of-interest policy that each board member signs upon appointment. She noted that the Board could either incorporate the language directly into the bylaws or adopt a separate standalone document. Ms. Coolidge stated that a separate document may be beneficial, as it draws attention to the requirement and avoids the need to modify the bylaws if updates are needed.

Several members expressed support for using a separate document, noting that it could be kept in each member's file and would reduce the frequency of bylaw amendments. Ms. Coolidge clarified that, even with a separate document, some minimal conflict-of-interest language should remain in the bylaws to reflect statutory requirements. The bylaws also require the Board to adopt specific rules addressing conflicts of interest, which will need to be drafted.

It was noted that the Omaha Municipal Land Bank operates under different statutes and bylaws than those applicable to this Board. Ms. Coolidge agreed to obtain the relevant document so members will be able to review.

The Board next reviewed Article 4, Section 2, concerning committees. Michelle Coolidge explained that the referenced committee structure—used by some land banks—was optional and not universally adopted. She noted that, in this Board's case, much of the work typically assigned to such a committee is already performed by the municipalities, which identify and recommend properties within their respective boundaries before matters reach the Board. Because the Board is small, Ms. Coolidge suggested that establishing a separate committee for acquisition and disposition (A&D) could be redundant and place additional, unnecessary demands on members' time.

Members discussed whether to retain the committee as an ad hoc option, remove it entirely, or rely on the existing provision allowing special committees to be formed as needed. Several members observed that the Board is still in its early stages and will need time to develop its processes, making flexibility important. Following discussion and visible agreement among members, the Board determined that the section should be struck from the bylaws, with the understanding that special or standing committees could be created in the future if a need arises.

The Board reviewed Article 5, Section 9, which addresses bonding requirements for the treasurer. A question was raised regarding whether the bonding could be provided through the City, and it was observed that both Gering and Kimball already maintain bonds for certain officials, such as clerks, suggesting that similar arrangements might be possible for the Land Bank treasurer.

Ms. Coolidge clarified that the individual being bonded would be the treasurer of the Land Bank itself, and that any bond must be specifically designated for that role, as required by insurance providers. It was agreed that bonding is good practice and also confirmed that all Land Bank officers, including the treasurer, must be voting members of the Board rather than staff. Staff may assist with financial tasks, but the statutory role of treasurer must be held by a seated board member. It was noted that additional research is needed to determine whether the bonding can be handled by either city on behalf of the Land Bank or whether the Land Bank must obtain its own bond. Annie Folck agreed to look into the matter further.

The Board proceeded to review the remaining highlighted items in the draft bylaws. Section 7 under Article 8, Ms. Coolidge explained that the bylaws state the Land Bank is not required to carry directors' and officers' liability insurance but may do so with Board approval. Members briefly discussed indemnification, with one member asking whether the cities could indemnify the Board given the Land Bank's connection to the municipalities. It was noted that indemnification is only effective if backed by an entity capable of assuming the liability, and that city councils would need to be consulted to determine their position.

Ms. Coolidge clarified that the Land Bank will function as a standalone entity capable of bonding, purchasing insurance, and incurring debt once its funding and operational structure are in place. While director's and officers' insurance is not required by statute, she stated that securing such coverage would be advisable when resources allow.

The Board then reviewed a highlighted correction on Section 3 under Article 11, concerning reference to 501(c)(3) status. The notation simply required updating to the correct subsection.

No further substantive issues were identified. Ms. Coolidge noted that once the bylaws are approved by the Board, the adoption date will be added to the final document.

Board member Kaufman moved to approve the bylaws as amended. It was seconded by Board member Shaul. On roll call vote, the following voted "AYE": Garrett, Ingram, Kaufman, Newman, Shaul, and Stinner. "NAYS": None. Abstain: None. Absent: None.

4. **Elect Officers**

The group proceeded to elect officers in accordance with the newly adopted bylaws, which required selecting a chair, vice chair, and secretary/treasurer. Staff would handle meeting minutes, notifications, and administrative tasks, while the secretary/treasurer would primarily review financial information prepared by the finance director. It was emphasized that no member should be concerned about having to take minutes personally.

During the discussion, Tony Kaufman was recommended for the chair position, noting his extensive knowledge of the land bank, his long involvement in the related legislation, and his professional background as a banker familiar with the town. A formal nomination was made by Board member Stinner and seconded by Board member Newman; Tony Kaufman accepted the nomination.

Board member Stinner moved to close nominations and elect Tony Kaufman as Chair of the WNRLB Board. It was seconded by Board member Newman. On roll call vote, the following voted "AYE": Garrett, Ingram, Newman, Shaul, and Stinner. "NAYS": None. Abstain: Kaufman. Absent: None.

The group moved on to nominations for Vice Chair. Several members noted that Gabe Ingram, who represented Kimball along with Nancy Garrett, would be a strong candidate. A formal nomination for Gabe Ingram was made by Board member Nancy Garrett and followed by a second from Board member John Stinner. After a motion by Chair, Tony Kaufman, to close nominations, Gabe Ingram accepted the nomination.

Board member Garrett moved to close nominations and elect Gabe Ingram as Vice Chair of the WNRLB Board. It was seconded by Board member Stinner. On roll call vote, the following voted "AYE": Garrett, Kaufman, Newman, Shaul, and Stinner. "NAYS": None. Abstain: Ingram. Absent: None.

The group then turned to filling the Secretary/Treasurer position. A nomination was made for Amy Newman to serve in this role. Members reassured her that the position was largely in name only, as staff would handle minutes, reporting, and financial preparation; her primary responsibility would be reviewing the materials. A formal nomination for Amy Newman was made by Board member Nancy Garrett and seconded by Board member John Stinner. Amy Newman accepted the nomination.

Board member Garrett moved to close nominations and elect Amy Newman as Secretary/Treasurer of the WNRLB Board. It was seconded by Board member Stinner. On roll call vote, the following voted "AYE": Garrett, Ingram, Kaufman, Shaul, and Stinner. "NAYS": None. Abstain: Newman. Absent: None.

5. **Approve Banking Resolution**
The Board reviewed the proposed banking resolution. It was noted that most of the City of Gering's banking is done through Platte Valley Bank. While open to considering other institutions, after a brief discussion about available options, a motion was made and seconded to proceed with the banking resolution designating Platte Valley Bank.

Board member John Stinner moved to approve the Banking Resolution designating Platte Valley Bank as depository for WNRLB funds. It was seconded by Board member Gabe Ingram. On roll call vote, the following voted "AYE": Garrett, Ingram, Newman, Shaul, and Stinner. "NAYS": None. Abstain: Kaufman. Absent: None.

6. **Consider BB Associates Project Proposal – Michell Coolidge**
The Board then shifted to an initial discussion about the executive director role, noting that no decision was expected at this meeting. Members reviewed the bylaws, which allow the organization to select and retain an executive director. While the Omaha Land Bank employs a full-time director, this organization does not require a full-time position. It was noted that contracting the role appeared to be the most practical option.

Michelle Coolidge, who had already invested significant time in the project, was invited to outline what a contracted executive director arrangement might look like. She described her background, including years of involvement in land bank legislation, work with multiple communities across the state, and her current role as contract administrator for the City of Bridgeport. She explained that her proposal was based on responsibilities typical for land bank directors, including property database management, title clearing, preparing properties for acquisition, and returning them to productive use. Her contract would bill hourly up to a stated maximum, with transparent reports documenting work completed.

Board member, former State Senator, John Stinner provided additional context, noting that he had sponsored the original land bank legislation, which required years of negotiation and extensive amendments. He supported contracting with Michelle, emphasizing her expertise, experience testifying on the legislation, and rare knowledge of land bank operations. He felt that her proposed hourly rate was reasonable and that her involvement would help the organization start strong rather than struggle early on.

Other members agreed, stressing that the organization would likely receive statewide attention and scrutiny, making it important to have qualified leadership in place. They noted that a contract position made better fiscal sense than hiring a full-time employee, avoiding the details of benefits and personnel management. Contracting the role was seen as a cleaner, more efficient solution, with the option to revisit the structure in the future if needs change.

The Board acknowledged that they could not take formal action on the executive director role yet, as the organization did not have an active bank account or a finalized contract for legal review. Members agreed that staff should work with Michelle to develop a formal contract proposal, which legal counsel would need to review before any approval.

To prevent delays, the Board discussed approving the general step of moving forward with contract preparation rather than approving the contract itself.

Board member Stinner moved to approve staff drafting a contract with Michelle Coolidge, BB Associates, to serve as role of Executive Director to the Western Nebraska Regional Land Bank. It was seconded by Board member Shaul. On roll call vote, the following voted "AYE": Garrett, Ingram, Kaufman, Newman, Shaul, and Stinner. "NAYS": None. Abstain: None. Absent: None.

7. **Next Steps**
   The Board outlined next steps.

   - **Preparation of Organizational Documents:**
     Staff, with legal counsel, will prepare the articles of organization, the 501(c)(3) application, conflict of interest document, and all other required formation documents. Newly elected officers will complete and execute any necessary paperwork. Staff will also research bonding and liability insurance requirements. Staff will inquire with legal regarding Executive Session (noted from open comment section of minutes).
   - **Property Identification:**
     Begin compiling preliminary lists of properties for potential inclusion in the land bank.
   - **Executive Director Contract:**
     Staff will work with Michelle Coolidge to develop a contract for executive director services. The draft agreement will be submitted to legal counsel for review.
   - **Next Meeting:**
     Due to the upcoming holidays, the next meeting will be scheduled for the first Wednesday of February.

8. **Open Comment:** Discussion or action by the Western Nebraska Regional Land Bank Board regarding unscheduled business will not take place. This section is for citizen comment only.

Ms. Coolidge shared that there is an informal statewide land bank association, noting that land banks exist nationwide and that several states have formal associations. Representatives from the Omaha, Falls City, and Norfolk land banks, along with ad hoc members from western Nebraska, have been meeting on a semi-regular basis to discuss common challenges and approaches.

She stated that in October, the group testified before the Urban Affairs Committee as part of an interim study of the Municipal Land Bank Act. The purpose of the study was to assess how the statute is functioning and whether legislative adjustments are needed. During the hearing, the group outlined several concerns, including challenges that contributed to delays in establishing both the new land bank and the Morrill County land bank, particularly issues related to residency requirements for board members.

Ms. Coolidge reported that the group has since received draft legislation being considered for introduction in the new year. The proposed revisions may include expanding residency eligibility to include individuals living within the ETJ or potentially anywhere within the county. The process for appointments would remain similar, though it may require some adjustments. Legislators are also debating whether to authorize standalone land banks, as some larger communities—such as North Platte—have expressed interest in forming one independently.

Additional legislative considerations include whether the automatic bid provision currently available only to the Omaha Land Bank should be extended statewide. She explained that this provision allows a land bank that has expressed interest in a tax-foreclosed property to have first opportunity to acquire it at foreclosure sale. While beneficial, she noted that some legislators and developers question why similar authority is not available to others, raising concerns about perceived government overreach. For that reason, she believes this provision may not be necessary at this stage and could be revisited later.

Another issue under discussion is the statutory limitation allowing a land bank to hold property for only one year, whether for its own purposes or on behalf of a nonprofit partner such as Habitat for Humanity. She indicated that extending this timeframe would be helpful, as contractor availability is often limited and delays in construction are common.

Ms. Coolidge also reported that an email is being prepared for Nebraska Senator Dover's aide, outlining items the group would like considered in the legislative revisions. She noted she will now include the WNRLB Board members in future communications as this work progresses. She also emphasized that while changes may occur before the land bank acquires its first property, the continued development of land bank efforts across the state—and the fact that the program remains active—is a positive and encouraging sign.

Board member Stinner added information that there is availability of Tax Increment Financing (TIF) for property rehabilitation. He explained that if the land bank acquires a property suitable for rehab, TIF assistance may be offered to the rehabilitating party. This financing tool could help reduce the amount the developer needs to borrow, ultimately supporting lower rents. TIF incentives were originally created to encourage the redevelopment of deteriorated downtown properties and to bring them back into productive use.

Ms. Coolidge added that commercial property may receive additional consideration under future legislative changes. Under the proposed revisions, a commercial property would not be required to be vacant; if it is deemed a nuisance, it could qualify for transfer to the land bank, providing a more expedited option for addressing problem properties.

In response to questions, Ms. Coolidge confirmed that existing statutory percentage limitations tied to the number of parcels within a community would remain in place. When asked how a nuisance determination would be made, it was noted that the statute does not currently define "nuisance," and she noted they plan to recommend that it remain undefined. If a definition is included, they hope it will simply reference each community's local ordinance, allowing municipalities to follow their established processes.

Ms. Coolidge further commented on the financial realities of property acquisition and disposition. Stating that the land bank is likely to incur losses on many transactions—for example, acquiring a property for $5,000 and later turning it over for $2,500. Such outcomes may occur frequently, and possibly long term. However, educating on the broader community benefits, including removing nuisances, improving neighborhood conditions, and contributing to increased property values over time, is important. Board member Stinner added that this is particularly relevant in cases involving demolition, where the primary value lies in eliminating hazardous or blighted structures.

A question was raised regarding whether commercial property eligibility applied only to downtown areas. Ms. Coolidge clarified that the provisions would apply to commercial property generally, based on how parcels are classified for tax purposes.

Ms. Coolidge concluded with expressions of appreciation for the Board's commitment to the long effort of establishing a land bank. It was noted that discussions and attempts to address these issues date back approximately fifteen years, reflecting a long-standing need and substantial progress toward implementation.

After reviewing the next steps again, Board member Kaufman added the need to be cautious as the land bank begins addressing specific property matters due to the public nature of open meetings. It was noted that some individuals in the community may use information disclosed in public meetings to pursue properties themselves, potentially increasing competition or altering market interest. He emphasized the importance of being mindful of how property-related discussions are handled under open meetings requirements.

He also suggested that, as the land bank progresses, it may become necessary to utilize a committee structure to discuss certain matters more appropriately. Annie Folck indicated that the question of using executive sessions for property negotiations is an approach that is standard in many public bodies. She would add that to the list of items to review with legal counsel. Ms. Coolidge also offered to consult with other land banks to learn how they have addressed similar issues.

It was acknowledged that public interest in acquiring properties can be positive and align with the goals of the land bank, but it can also create complications. It was further observed that the public has not shown strong interest in these properties to date, and noted that profit dynamics can shift quickly.

The discussion concluded as there were no further comments.

9. Adjourn

Motion to adjourn was made by Board Member John Stinner and it was seconded by Board Member Amy Newman. There was no discussion. On roll call vote, the following voted "AYE": Garrett, Ingram, Kaufman, Newman, Shaul, and Stinner. "NAYS": None. Abstain: None. Absent: None.

Meeting adjourned at 1:57 p.m.

Tony Kaufman, Chairman

ATTEST:

Karen Heins, Administrative Secretary