

MEMORANDUM

TO: The Board

SUBJECT: Pete Rubin Resignation

DATE: April 1, 2004

FROM: Fred Conley, Chairperson

Attached is an e-mail from Director Pete Rubin indicating that he is moving and his last Board meeting would be April 15, 2004.

The policy for Director Vacancies is as follows:

2.1 Directors - Vacancies. Sec. 2-3215 R.R.S., 1943, governs when a vacancy exists in the office of directors. Any such vacancy shall be filled in the following manner: (1) Notice of such vacancy shall be given by the Chairperson to the Board at the first regular meeting of the Board after notification has been received by the Chairperson of the vacancy; (2) the General Manager then shall publish notice of such vacancy and in such notice request that persons interested in being considered for appointment to the position submit a letter of application to the Board no later than two weeks prior to the next regular meeting of the Board; and, (3) at such next regular meeting of the Board candidates may appear before the Board, and, at such meeting, from such slate of applicants, the Board shall nominate two persons by secret ballot, and by majority resolution elect one of such nominees to fill such vacancy.

[December 5, 1986]

As I see it, there are two options available:

Option 1 – Follow policy as written and appoint a Director to fill the vacancy.

Option 2 – Seeing that the Subdistrict 11 seat is up for election in 2004, the Board could waive the policy and leave the seat vacant until the duly elected Director from Subdistrict #11 is elected and sworn in.

This is strictly a Board decision and will be on the April 15, 2004 Board agenda under the Chairperson's Report.

Teer, Pat

From: Rubin, Pete

Sent: Tuesday, March 30, 2004 1:08 PM

To: Teer, Pat; bbdonald@aol.com; Danielle Talkington (figbyrose@radiks.net); Debi Hearn; don.doty@ne.usda.gov; Everyone @ NRD; Jennifer Knight (JKnight37@cox.net); nancy.gaarder@owh.com; Rod (rverhoeff@lpsnrd.org); Vince Kramper (vindort@juno.com); Barbara_Nichols@mail.unomaha.edu; dick connealy; fconley@ci.omaha.ne.us; Jim Thompson (zippijd@aol.com); Joe Neary (jneary@neonramp.com); John / Peg Conley; Melissa Gardner; Melissa Gardner (ma.gardner@cox.net); paul.peters@mindspring.com; Rich Jansen (rmjansen@ditol.com); tesarduck@aol.com; Tim Fowler (tfowler007@cox.net)

Subject: RE: April Subcommittee and Board Meetings

To all,

I want to take this opportunity to tell everyone I have accepted a position with the Army in Dublin California(near San Fran). The April board meeting will be my last meeting. It has been a great pleasure to serve with all of you these last 8 years.

Pete

2.0 Directors - Attendance. Sec. 2-3215 R.R.S., 1943, governs absences of directors from regular meetings of the Board. A director may request that the Board excuse his or her absence from Board meetings. Absences for which requests for excuse are communicated to the designated staff member at the headquarters office prior to the meeting for which the excuse is requested will be considered granted by operation of this policy, and such requests will be noted in the minutes and during roll call votes such directors shall be shown as absent with excuse. In the event any director shall have two consecutive unexcused absences, the General Manager shall send a letter to such director notifying such director of such fact and expressing concern for the absences.

[December 5, 1986]

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[December 5, 1986]

2.2 Directors - Malpractice Indemnity. (See Policy 13.8)

[December 5, 1986]

2.3 Directors - Compensation and Expenses.

- A. Directors shall be compensated at the maximum per diem rate authorized by law.
- B. Directors shall be reimbursed by the District for their actual and necessary expenses incurred in connection with their duties, including but not limited to expenses for:
 - 1. Meals consumed by a Director engaged in District business;
 - 2. Transportation of a Director engaged in District business, including but not limited to transportation to and from District meetings and other District activities;
 - 3. Lodging when District business requires a Director to be away from home overnight; and,