

NEBRASKA MOTOR VEHICLE INDUSTRY LICENSING BOARD

March 28, 2024 MEETING MINUTES

1. Notice of this public meeting was given in accordance with law by publication thereof in the Lincoln Journal-Star on March 15, 2024. The current Board meeting agenda is available for inspection in the Board's office located in the Nebraska State Office Building, 301 Centennial Mall South, Lower Level, Lincoln Nebraska. The agenda is available during normal business hours.

The Board meeting was held in the Liquor Control Commission Hearing Room, 301 Centennial Mall South Lincoln, Nebraska. The meeting was called to order at 9:00 a.m. by Chairperson Rhonda Lahm. The following Board Members were present: Chairperson Rhonda Lahm, Stephen Budke, Brad Jacobs, Clint Jones, Thomas McCaslin, Matt O'Daniel, and Chad Tessman. Executive Director Joshua L. Eickmeier, Recording Secretary Andrea Stefkovich and Legal Counsel Jarrod Crouse were present.

Chairperson Rhonda Lahm noted that a copy of the Open Meetings Act was posted in the meeting room and was accessible to members of the public.

2. Agenda. Ms. Lahm requested an alteration to the agenda to designate a second vice chair to the board A motion was made by Mr. Jacobs and seconded by Mr. Tessman to approve the agenda as presented with the requested alteration. All Board Members present answered "aye" to a roll call vote. No opposing Votes. Motion carried.
3. Minutes of the January 14, 2024 Board Meeting. A motion was made by Mr. O'Daniel and seconded by Mr. Jacobs to approve the January 14, 2024 minutes as presented. All Board Members present answered "aye" to a roll call vote. No opposing votes. Motion Carried.
4. Executive Director's Report. Mr. Eickmeier gave an agency update, which had been emailed to the Board Members prior to the meeting.
 - A. License Renewal Wrap up: Mr. Eickmeier gave an update on the status of the 2024 license renewals and discussed the portal cut off and the time limitation for renewals.
 - B. Vehicle Curbing Enforcement Procedures Update: Mr. Eickmeier presented the outcome of his discussion with DMV Fraud Unit Supervisor Glenn Elwell regarding best practices for curber complaints, this will include investigators leaving information on vehicles stating laws and the process to become a dealer as well as attempting to identify the seller for a follow up with a detailed letter. If the situation

is not resolved, we will forward the complaint to the DMV Fraud Unit for their follow up. Discussion regarding how other states handle curber cases was presented.

- C. Board Member Update: Mr. Eickmeier gave an update on John Ernst; Mr. Ernst sold his dealership and resigned his position on the Board as he no longer met the position's statutory requirements.
 - D. Website Update: Mr. Eickmeier introduced Tyler technologies representatives who then presented the revamped website redesign.
 - E. Personnel Update: Mr. Eickmeier announced the news that Steve Eppens has rejoined our Agency in his former position with a start date of February 26, 2024.
5. Cash Status and Budget Status Report. For the month ending February 29, 2024. Board Members reviewed the reports. Chairperson Lahm asked for a motion to accept the Budget Reports as presented. A motion was made by Mr. Budke and seconded by Mr. Jones to accept the Budget Reports. All Board Members present answered "aye" to a roll call vote. No opposing votes. Motion carried.
6. ADVERTISING VIOLATIONS. None
7. ADMINISTRATIVE VIOLATIONS. None
8. Discussion to designate all future meeting notices to be posted on our Agency's website in lieu of newspapers. Mr. Eickmeier notified the board of the issues the Agency has had with newspaper notice of meetings including billing errors and unmet deadlines by the papers. Mr. Eickmeier had a discussion with the Assistant Attorney General regarding notice timeline and requirements for notice method. The Assistant Attorney General stated that a Board action to designate notices in the Agency website. Chairperson Lahm called for a motion to approve the changes to Board Rules and Regulations. A motion was made by Mr. Jones and seconded by Mr. McCaslin. Legal Counsel Jarrod Crouse advised that additional research was needed. Mr. Jones withdrew the motion and Mr. McCaslin withdrew his second. Matter was tabled.
9. Consideration of draft order regarding GMC Application to Terminate Meyer Automotive Inc. franchise agreement. A motion was made by O'Daniel to go into closed session to discuss a legal matter and seconded by Mr. Jones. All Board Members present answered "aye" to a roll call vote. No opposing votes. Motion carried. Board entered executive session at 9:48 a.m. Board ended executive session at 10:04 a.m. Motion was made by Mr. Tessman to accept the order regarding GMC Application to terminate Meyer Automotive Inc. franchise agreement with changes discussed during closed session and seconded by Mr. Jacobs. Five Board Members present answered "aye" to a roll call vote with an abstention by Ms. Lahm, Mr Budke was not present during the original hearing and therefore was unable to participate in this vote.

10. Designation of second Vice chair. A motion was made by Mr. O' Daniel to designate Mr. Tessman as second vice chair to the Board and seconded by Mr. Jones. All Board Members present answered "aye" to a roll call vote. No opposing votes. Motion carried.

11. Next Tentative Board Meeting- The Next Board Meeting is tentatively scheduled for Thursday April 21, 2024.

12. Motion made by Mr. McCaslin to adjourn. Meeting was adjourned by unanimous vote at 10:08 a.m.

Joshua L. Eickmeier
Executive Director