

What You Don't Know Can Hurt You When Doing Business With Your County

County officials are subject to the provisions of the Nebraska Political Accountability and Disclosure Act (NPADA). These include restrictions on doing business with the County. This synopsis is not intended to be an exhaustive review of the NPADA. It is intended as a review of certain selected provisions.

I Statements of Financial Interests (NADC Form C-1)

- A. County Officials holding elective office are required to file Statements of Financial Interests.
- B. A Statement of Financial Interests discloses information about the official's personal financial situation such as sources of income, business associations, and financial holdings. It does not require the disclosure of dollar amounts of income or dollar value of holdings.
- C. A Statement of Financial Interests must be filed on or before March 1 each year and within 30 days after leaving office.
- D. This is a public record. Accuracy is important. The NADC cannot accept filings that are incomplete. If you have nothing to report in any category, enter NONE.
- E. If you file to appear on the 2022 ballot as a candidate for elective county office, you must file a Statement of Financial Interests with the Nebraska Accountability & Disclosure Commission (NADC) on or before March 1, 2022. If you do not timely file, your name will not appear on the ballot.
- F. Like a tax return, the statement should cover the preceding calendar year. Therefore, the Statement of Financial Interests filed on or before March 1, 2022 should cover calendar year 2021.

NOTE: Statements of Financial Interests may be filed electronically in the NADC's FirstTuesday system. Contact the NADC for electronic filing information. The FirstTuesday website is <https://nadc-e.nebraska.gov>.

What is a Contract?

A contract is an agreement between at least two parties involving an exchange of things of value. Example #1: John sells car to Jennifer. Jennifer receives a thing of value (the car) and John receives a thing of value (the cash). This is a contract. Example #2: Jennifer has a mechanic rotate the tires on her car. Jennifer receives a thing of value (the services of the mechanic) and the mechanic receives a thing of value (the cash). **Contracts can be oral or written.**

II Contracts/Doing Business with the County [§49-14,103.01]

- A. Any time the County buys or sells goods or services there is a contract even if it is not in writing. An elected County official may not have an interest in a contract with the County unless:
1. The contract is an agenda item at a County Board meeting and approved by the board;
 2. The interested official makes a declaration on the record of the County Board of his or her interest in the contract. This disclosure must be made prior to the consideration of the matter by the board. It may be made at the meeting as long as the disclosure is made part of the minutes of the meeting. It may be made in writing and filed with the County Clerk. You may use NADC Form C-3 for this purpose. **Do not file this with the Commission. File with County Clerk.**
 3. The interested official does not vote on the matters of granting the contract, making payments pursuant to the contract, accepting performance under the contract, or similar matters relating to the contract.
- B. The prohibition against having an interest in a contract only applies when the County official, his or her spouse, parent or child has a business association as defined in §49-1408 or will receive a payment, fee or commission as the result of the contract.
- C. Business Defined: any corporation, partnership, limited liability company, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint-stock company, receivership, trust, activity, or entity. [§49-1407]

NOTE: The statute does not distinguish between for profit and non-profit entities. Either can be a "business".

- D. Business Association Defined: A business in which the individual is a partner, limited liability company member, director, or officer; or a business in which the individual or immediate family member of the individual is a stockholder. If closed corporate stock, the stock must have a value of \$1,000 or more or represent more than a five percent equity interest. If publicly traded stock, the stock must have a value of \$10,000 or more or represent more than a ten percent equity interest. [§49-1408]

SCENARIO: The County Board decides to purchase a new riding mower in order to mow county property. Ralph Jones is a member of the County Board and owns the only local implement dealer. Ralph agrees to sell the county a riding mower for \$4,500. At an open public meeting the County Board approves the contract. Ralph abstains from participating or voting on the matter.

Violation: Yes. Ralph failed to make a disclosure of his interest in the contract. He may make the disclosure at the meeting as long as it is made part of the record or by filing a written disclosure statement with the County Clerk.

Attachment #1- Sample Contractual Interest Statement

- E. Receiving deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of a County is not considered a contract for the purposes of this section. [§49-14,103.01(5)]
- F. If a County Board member's parent, spouse or child is an employee of the County, the board member may vote on all issues of the contract which are generally applicable to (1) all employees or (2) all employees within a classification and do not single out his or her parent, spouse, or child for special action. [§49-14,103.01(6)]

Scenario: Sam Carpenter is a member of the County Board. The Board has been looking for someone to mow the grass at the County fairgrounds. So far, no one has expressed an interest. Sam states that he would be willing to do it. The Board and Sam work out an arrangement by which Sam will mow the park once per week from April 15 to October 15. He will use his own mower and gas. He will be paid \$100 per week. At the next meeting of the Board an agenda item reads, "Consideration of mowing contract with Sam Carpenter". Sam files a disclosure statement with the County Clerk. At the meeting there is a motion and a second to enter into the mowing contract. Sam abstains from participating or voting on the matter. The County Clerk records his abstentions.

Violation: There is no violation. Sam and the Board have done everything correctly. Sam should abstain from voting on the weekly payments to himself.

Attachment #2- Sample Contractual Interest Statement

NOTE: As to this contract, Sam is functioning as an independent contractor and not an employee of the County.

NOTE: It is important to comply with the NPADA provisions relating to an interest in a contract. A contract entered into in violation of these provisions may be declared void by a court.

Recent Nebraska Supreme Court Case- Moore v Nebraska Accountability and Disclosure Commission 310 Neb. 302 (2021). Failure to follow the contract requirements of §49-14,103.01 is a violation of the Nebraska Political Accountability and Disclosure Act.

III Open Contracts/Frequently Doing Business with County

- A. Counties often deal with a series of small transactions or purchases with the same business. Each transaction is a separate contract.
- B. If a County Board member has an interest in such a contract, he or she must comply with Section II, above, as to each transaction unless the County enters into an open contract with the business. An open contract allows the County to make purchases from the business as needed. If the contract is "non-exclusive" the County is making it clear that it can seek the same goods or services from other sources. It permits the County official with the interest to avoid the process of making a separate disclosure for each small transaction.
- C. To enter into an open contract:
 - 1. The County Board places the matter on the agenda of a board meeting.
 - 2. The County official with the interest discloses the interest as set forth in Section II.
 - 3. The County Board votes to enter into the open contract and the interested member abstains.
 - 4. During the life of the open contract the interested member abstains from voting on any payment under the contract.

NOTE: The County Board may exempt from these provisions for contracts with a value of \$100 or less. [§49-14,103.06]

SCENARIO: For years the County has been purchasing gasoline at Food & Fuel Stop, a local convenience store owned by Jake Johnson. Jake tracks the amount of fuel pumped into County vehicles and bills the County once per month. Recently Jake was appointed to fill a vacancy on the County Board. The County wants to continue to buy fuel at the convenience store. It places the matter of entering into an open contract with the convenience store on the agenda. Jake files a disclosure statement. The Board votes to enter into the open contract. Jake abstains from voting or participating on the matter. Each month when the County is billed for fuel, there is a motion and vote to pay all of the claims except the convenience store claim. There is a second motion and vote to pay the convenience store claim. Jake abstains from participating or voting on the matter of the convenience store claim. The County Clerk records Jake's abstention in the minutes.

Violation: There is no violation. Jake and the County have followed the correct legal process.

Attachment #3- Sample disclosure of Open Contract

IV Other Conflicts of Interest [§49-1499.03]

- A. This section does not apply if either Section III (Contracts) or Section V (Hiring of Family Members) apply.
- B. A County Board member has a potential conflict of interest if he or she is faced with taking an official action or making an official decision which could result in a financial benefit or detriment to:
 - 1. The County official;
 - 2. A member of his or her immediate family; or
 - 3. A business with which he or she is associated.
- C. The financial benefit or detriment must be distinguishable from that experienced by the general public or a broad segment of it.
- D. The term immediate family member means a child residing in an individual's household, a spouse of an individual, or an individual claimed by that individual or that individual's spouse as a dependent for federal income tax purposes. [§49-1425]
- E. If the County Board member has a potential conflict of interest he or she is required to:
 - 1. Prepare a written statement describing the matter requiring action or decision and the nature of the potential interest. Use NADC Form C-2;
 - 2. Deliver a copy to the NADC; and
 - 3. Take such action as the NADC shall prescribe. If the NADC determines there is a conflict, it will typically direct the official to abstain from participating or voting on the matter.

SCENARIO: At its next meeting the County Board will consider an application by the local chapter of the Order of the Puma, a fraternal organization, for a liquor license. John Butler is the vice-president of the chapter. He is also a member of the County Board. Prior to the meeting John considers the matter thoroughly and concludes that the granting or denial of the application will have no financial effect on him. Therefore, he votes on the matter of granting the application.

Violation: John has violated §49-1499.03 which defines a conflict of interest as a situation in which the official is faced with taking an action or making a decision which could result in a financial benefit or detriment to the official, a member of his or her immediate family, or a business with which the he or she is associated. Section 49-1407 defines the term business. It does not distinguish between for profit and non-profit entities. Section 49-1408 provides in part that an individual has a business association with an entity if he is an officer or director of an entity. John, therefore, has a conflict of interest. He should have filed a written disclosure with the NADC and abstained from participating or voting on the matter.

Attachment #4- Potential Conflict of Interest Statement

V Hiring of an immediate family member [§49-1499.04]

- A. An official or employee of a County may hire, supervise the hiring of, or recommend the hiring of an immediate family member if:
1. He or she does not abuse his or her official position;
 2. He or she makes a reasonable solicitation and consideration of applications for employment.
 3. He or she discloses the matter in a written statement filed with the clerk. You may use NADC Form C-4. **Do not file this statement with the Commission;** and
 4. The County Board approves the employment or supervision of the position.
- B. Abuse of official position includes, but is not limited to, employing an immediate family member who:
1. Is not qualified for and able to perform the duties of the position;
 2. Is paid an unreasonably high salary; or
 3. Is not required to perform the duties of the position. [§49-1499.05]

SCENARIO: Brown is a county board member who is in charge of hiring a summer grounds keeper. The main duty of this position is to keep the grass cut on county property. Brown's 18 year old son just graduated from high school and is looking for a summer job before he heads off to college in the fall. He is well qualified to perform the duties of the job. He has been maintaining the grounds around their farm for years using equipment similar to the county's equipment. Brown carefully researches the going rate locally for people performing similar duties so as to ensure that the pay is commensurate with the tasks performed. His son has been a reliable worker who has always worked hard at any job he has ever held. Brown hires his son and files a written statement with the county clerk disclosing that he hired his son.

Violation: Yes. Brown has violated the NPADA. He has done many things correctly. His son is qualified to do the job, is not being overpaid and Brown expects his son to actually perform the duties. In addition, Brown has filed a written statement disclosing this matter. However, he failed to make a reasonable solicitation of applications for the position and the hiring was not approved by the county board.

Attachment #5- Sample Employment of Immediate Family Members Disclosure Statement

- C. In the event that an immediate family member was employed by the County prior to the time that a County Board member was elected or appointed, the

official shall make the required disclosure as soon as reasonably possible after taking office. (Use NADC Form C-4) [§49-1499.04(4)]

SCENARIO: Johnson was recently elected to the County Board. Her husband has been employed by the county road department for twenty years. On the day she takes office she files a written statement with the County Clerk disclosing that her husband is employed by the County.

Violation: No. Johnson has complied with the law.

NOTE: A person required to make a disclosure pursuant to §49-1499.04, is not required to disclose the same matter pursuant to §49-14,103.01 or §49-1499.03.

Use of Public Resources

The Nebraska Political Accountability and Disclosure Act generally prohibits the use of one's public office or public resources and funds by a public official or public employee for personal financial gain, that of an immediate family member, or business with which he or she is associated. It also generally prohibits the use of government resources for non-governmental purposes. [Reference §49-14,101.01].

SCENARIO: Jon Brown is a County Board Member who owns a home which is set well back from the road. He has a long driveway which frequently drifts over during heavy snow. When this occurs he contacts the County employee who drives the County snowplow. He instructs the employee to clear his driveway when he plows the road in front of his home. It normally takes the driver 15 to 30 minutes to clear Brown's driveway.

Violation: Jon Brown has violated §49-14,101.01(1) which provides that government resources may be used for government purposes only and may not be used for personal financial gain. This is also a use of government resources for non-government purposes.

Requirements: Government resources may only be used for personal purposes if they are available to the general public. A public official may use them on the same basis as any other citizen. Example: A County owned photocopy machine with which any member of the public may make a copy for a specified price per page.

Section 49-14,101.03 establishes the following specific exceptions to the restrictions of §49-14,101.01.

- I De minimis or incidental uses of government resources are not considered violations of §49-14,101.01.
- II Government vehicles used for personal use is permissible if:

- A. The personal use is part of the public official's or public employee's compensation contract or a written policy approved by the government body;
 - B. The compensation is reported as required by the Internal Revenue Code and taxes, if any, are paid.
- III Government vehicles may be used by a public official or public employee to travel to a designated location or the home of the public official or public employee:
 - A. When the primary purpose of the travel serves a government purpose, and
 - B. The use is pursuant to a written policy approved by the government body.
- IV Pursuant to a collective bargaining agreement
 - A. A public facility may be used by a bargaining unit to meet regarding activities of the bargaining unit or union.
 - B. The forgoing provision does not authorize the use of public resources to campaign for or against the nomination or election of a candidate or the qualification, passage or defeat of a ballot question
- V A public official or public employee may use his or her personnel cellular telephone, electronic handheld device or computer to access a wireless network to which access is provided to the public by a government body.
- VI Use of Government Communication Devices
 - A. A public official or public employee may use a telecommunication system, cellular telephone, electronic handheld device or computer under the control of a government body for email, text messaging, local calls, or long distance calls:
 - 1. To a child at home, a teacher, a doctor, a baby-sitter, a family member, or any other person
 - 2. For the purpose of informing the person of an unexpected schedule change or other essential personal business.
 - B. The use must be kept to a minimum and may not interfere with the conduct of government business.
 - C. The government body may:
 - 1. Provide for more restricted use pursuant to an employment contract, collective bargaining agreement, or written policy approved by the government body.

2. Provide for payment or reimbursement to the government body by the public official or public employee of any charge resulting from the personal communication

Participation in Political Campaigns

The Nebraska Political Accountability and Disclosure Act generally prohibits the use of public resources and funds in connection with political campaigns. [§49-14,101.02]

- I A public official or public employee shall not use or authorize the use of personnel, property, resources or funds under his or her official care and control for the purpose of:
 - A. Campaigning for or against the nomination or election of a candidate; or
 - B. Campaigning for or against the qualification, passage or defeat of a ballot question.
- II Exceptions:
 - A. Public facilities may be made available for campaign purposes if the identity of the candidate or the support or opposition to the ballot question is not a factor in making the government facility available or a factor in determining the cost or conditions of use.
 - B. A governing body may discuss and vote upon a resolution supporting or opposing a ballot question.
 - C. A public official may respond to specific inquiries from the press or the public regarding his or her opinion of a ballot question. A public official may provide information in response to a request for information.
 - D. A public employee under the direct supervision of a public official may respond to specific inquiries from the press or the public regarding his or her opinion of a ballot question. A public employee under the direct supervision of a public official may provide information in response to a request for information. [Reference: §49-14,101.02(5)]
 - E. A public employee may engage in campaign activities except during his or her government work time or when otherwise engaged in his or her official duties.

SCENARIO: John Jones is member of the County Board. A statewide ballot question will be appearing on the general election ballot next month which changes the state constitution on the issue of property taxes. Jones believes county finances would be devastated if the ballot question were to pass. He goes home and uses his personal computer to compose a letter to the editor of the local newspaper. In the letter he gives

10 reasons to vote no on the ballot question. He urges readers to vote no on Election Day. Jones prints the letter off on his personal stationery. He signs it, John Jones, County Board Member. He mails the letter to the newspaper and sends a copy to the chairman of a citizens group which opposes the ballot question. He suggests to the chairman that the letter be used as the basis of a campaign brochure.

Violation: No. Just because he is a County Board Member, Jones does not lose his right to free speech. He may take any position he wishes. He may speak and write on the merits of the ballot question. **The prohibition is against using county resources, personnel, property or funds in opposing the ballot question. The use of personal resources is not prohibited.** Section 49-14,101.02(11) specifically provides that the prohibition against the use of public resources does not prohibit a public official or public employee from identifying himself or herself by his or her official title.

SCENARIO: The chairman of the pro-bond issue group calls County Board Chair Samantha Smith and asks to use the meeting room at County courthouse for a meeting of the pro-bond issue group. The meeting room is frequently used for meetings of community groups. By written county policy, the meeting room is made available on a first come, first served basis with official county activities taking priority. Outside groups must make reservations with the County Clerk and pay a \$10.00 fee. Smith states that the group may use the meeting room. She directs the chairman to the County Clerk to make a reservation and advises him of the \$10.00 fee.

Violation: No, assuming that the meeting room would be made available under the same terms and conditions to the anti-bond issue group on request.

Case Note: Vokal v. Nebraska Accountability and Disclosure Commission, 276 Neb. 988 (2009)- After an administrative evidentiary hearing, the Commission found that Vokal, the respondent, had used public resources for campaign purposes. James Vokal was an Omaha County Council Member seeking reelection. He had a campaign video produced, part of which was filmed in the County office assigned to him. On appeal, the Nebraska Supreme Court found that the production of a video portraying Vokal in his office did not constitute a “use” of public resources. This decision predates the enactment the current version of §49-14,101.03 and the current version of §49-14,101.02.

III Other Exceptions of Note

- A. A de minimis or incidental use of public resources by a public official or public employee is not a violation of §49-14,101.02.
- B. Section 49-14,101.02 does not prohibit the use of public resources to research and prepare materials to assist a government body in determining the effect of a ballot question on the government body.
 - 1. This applies to a public official of the government body or a public employee under the direct supervision of the public official.

2. The public official or public employee must be acting in the normal course of his or her duties.
- C. Public records demonstrating the consequences of the passage or defeat of a ballot question affecting a government body may be placed on the existing websites of the government body.

CIVIL PENALTIES AND CRIMINAL PENALTIES

Violations of the provisions of the Nebraska Political Accountability and Disclosure Act can result in civil penalties being assessed by the NADC or in criminal penalties upon conviction by a court of competent jurisdiction.

1. Civil penalties- The NADC can assess up to \$5,000 for each violation.
2. Criminal penalties- The penalties for violations of certain provisions of the act range from a Class V Misdemeanor to a Class IV Felony.

WHERE TO GET HELP

It is the policy of the Nebraska Accountability and Disclosure Commission to assist public officials and public employees in complying with the provisions of the NPADA. A public official or public employee should always feel free to contact the NADC office if he or she has a question about any part of the Nebraska Political Accountability and Disclosure Act.

The NADC can provide:

- Information or informal advice by phone or email;
- Written staff opinions;
- Formal Commission Advisory Opinions.

Forms are available on the NADC website or by calling, emailing or writing to the Commission.

Nebraska Accountability and Disclosure Commission
P.O. Box 95086
Lincoln, NE 68509
402-471-2522
Website: <https://nadc.nebraska.gov>

Office location: 1225 L Street, Suite 400 (Do not direct U.S. Mail to this address. It will be returned by the Post Office)

12/9/21

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION 11 th Floor, State Capitol P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	<h2 style="margin: 0;">CONTRACTUAL INTEREST STATEMENT</h2> <h3 style="margin: 20px 0 0 0;">NADC FORM C-3</h3>	POSTMARK DATE	
		MICROFILM NUMBER	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3		OFFICE USE ONLY	

- A local officer with an interest in any contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the governing body responsible for approving the contract, or in writing by filing this form.
- File with the person charged with keeping records for the governing body involved in the contract prior to official consideration of the contract.
- Persons who fail to disclose their interests or otherwise do not comply with the law are subject to penalties.

ITEM 1	YOUR NAME ADDRESS AND PHONE NUMBER
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Name	<u>Jones</u>	<u>Ralph</u>	<u>T</u>	Telephone No.	<u>402-555-2424</u>
	<small>Last</small>	<small>First</small>	<small>Middle</small>		
Address	<u>10 Elm St</u>	<u>Anywhere</u>	<u>NE</u>	<u>68000</u>	
	<small>STREET ADDRESS OR RURAL ROUTE</small>	<small>City</small>	<small>STATE</small>	<small>ZIP CODE</small>	

ITEM 2	OFFICE OR POSITION, ADDRESS, PHONE, TERM OF OFFICE
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Office or Position:	<u>County Board Member</u>	Term:	<u>2019-2023</u>
Name of City, County, District, Village, etc:	<u>Calhoun County</u>		
Address	<u>4200 Main Street, Anywhere, NE 68000</u>	Phone	<u>402-555-5050</u>

ITEM 3	CONTRACT IN WHICH YOU HAVE AN INTEREST
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A. Names of Contracting Parties: Calhoun County and Jones Implement, Inc.

B. Body Which Will Consider the Contract: Calhoun County Board

C. Date Set for Consideration: January 11, 2022

D. Subject Matter and Basic Terms: County will purchase from Jones Implement, Inc., one Country Greene Zero Turn 60 Inch Mower, Model #00001 for \$4,500.00, sales tax exempt.

ATTACHMENT #1

ITEM 4 | NATURE AND EXTENT OF YOUR INTEREST IN THE CONTRACT AND AMOUNT OF CONTRACT (Use ITEM 5, CONTINUATION, if necessary)

I am the president and sole stockholder of Jones Implement, Inc. The amount of the contract is \$4,500.00.

ITEM 5 | CONTINUATION

Ralph T. Jones
(Signature)

January 7, 2022
(Date)

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION 1225 L St., Suite 400 P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	<h2 style="margin: 0;">CONTRACTUAL INTEREST STATEMENT</h2> <h3 style="margin: 0;">NADC FORM C-3</h3>	POSTMARK DATE	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3		MICROFILM NUMBER	
		OFFICE USE ONLY	

- A local officer with an interest in any contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the governing body responsible for approving the contract, or in writing by filing this form.
- File with the person charged with keeping records for the governing body involved in the contract prior to official consideration of the contract.
- Persons who fail to disclose their interests or otherwise do not comply with the law are subject to penalties.

ITEM 1	YOUR NAME ADDRESS AND PHONE NUMBER
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Name Carpenter Sam T Telephone No. 402-555-5678
Last First Middle

Address 4040 Oak Street Anywhere NE 68000
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2	OFFICE OR POSITION, ADDRESS, PHONE, TERM OF OFFICE
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Office or Position: County Board Member Term: 2019-2023

Name of City, County, District, Village, etc: Calhoun County

Address 4200 Main Street, Anywhere, NE 68000 Phone 402-555-5050

ITEM 3	CONTRACT IN WHICH YOU HAVE AN INTEREST
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A. Names of Contracting Parties: Calhoun County and Sam Carpenter.

B. Body Which Will Consider the Contract: Calhoun County Board

C. Date Set for Consideration: March 8, 2022

D. Subject Matter and Basic Terms: Between April 15, 2022 and October 15, 2022, Sam Carpenter will mow the grass at the county property once per week. The County will pay Carpenter \$100 per week, payable once per month. Carpenter will use his own mower and fuel. He shall be functioning as an independent contractor and not as an employee of the county.

ATTACHMENT #2	
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ITEM 4 NATURE AND EXTENT OF YOUR INTEREST IN THE CONTRACT AND AMOUNT OF CONTRACT (Use ITEM 5, CONTINUATION, if necessary)

I will be performing the work as an independent contractor.

ITEM 5 CONTINUATION

(Signature)

(Date)

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION 1225 L St., Suite 400 P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	CONTRACTUAL INTEREST STATEMENT NADC FORM C-3	POSTMARK DATE	
		MICROFILM NUMBER	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3		OFFICE USE ONLY	

- A local officer with an interest in any contract to which his or her governing body or anyone for its benefit is a party must disclose the interest on the record of the governing body responsible for approving the contract, or in writing by filing this form.
- File with the person charged with keeping records for the governing body involved in the contract **prior** to official consideration of the contract.
- Persons who fail to disclose their interests or otherwise do not comply with the law are subject to penalties.

ITEM 1	YOUR NAME ADDRESS AND PHONE NUMBER
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Name	<u>Johnson</u>	<u>Jake</u>	<u>A</u>	Telephone No.	<u>402-555-1234</u>
	<small>Last</small>	<small>First</small>	<small>Middle</small>		
Address	<u>205 E Maple</u>	<u>Erehwon</u>	<u>NE</u>	<u>68000</u>	
	<small>STREET ADDRESS OR RURAL ROUTE</small>	<small>City</small>	<small>STATE</small>	<small>ZIP CODE</small>	

ITEM 2	OFFICE OR POSITION, ADDRESS, PHONE, TERM OF OFFICE
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Office or Position:	<u>County Board Member</u>	Term:	<u>2021-2025</u>
Name of City, County, District, Village, etc:	<u>Calhoun County</u>		
Address	<u>4200 Main Street, Anywhere, NE 68000</u>	Phone	<u>402-555-2200</u>

ITEM 3	CONTRACT IN WHICH YOU HAVE AN INTEREST
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A. Names of Contracting Parties:	<u>Calhoun County and Food & Fuel Stop, Inc.</u>
B. Body Which Will Consider the Contract:	<u>Calhoun County Board</u>
C. Date Set for Consideration:	<u>February 15, 2022</u>
D. Subject Matter and Basic Terms:	<u>This is a non-exclusive open contract between Food & Fuel Stop, Inc. and the Calhoun County. The County, at its option, may make purchases of up to \$150 per day of gasoline and diesel fuel. Fuel shall be pumped into County owned vehicles only. All sales are tax exempt. All claims shall be paid by County within 30 days after submission. The contract will have a duration of one year.</u>

ATTACHMENT #3	
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ITEM 4 | NATURE AND EXTENT OF YOUR INTEREST IN THE CONTRACT AND AMOUNT OF CONTRACT (Use ITEM 5, CONTINUATION, if necessary)

Jake Johnson is the President and sole stockholder of Food & Fuel Stop, Inc.

ITEM 5 | CONTINUATION

(Signature)

(Date)

NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION 1225 L St., Suite 400 P.O. Box 95086 Lincoln, NE 68509 (402) 471-2522	POTENTIAL CONFLICT OF INTEREST STATEMENT	POSTMARK DATE	
		MICROFILM NUMBER	
BEFORE COMPLETING THIS FORM READ THE FILING REQUIREMENTS ON PAGE 3		OFFICE USE ONLY	
NADC FORM C-2			

- An official or employee of the executive branch of state government or any other official or employee required to file Statements of Financial Interests must file this form if he or she has a potential conflict of interest.
- Elected officials of school districts and elected officials of villages and cities (except Omaha and Lincoln) should not use this form. Use Potential Conflict of Interest Statement Form C-2A.
- File this Potential Conflict of Interest Statement with the Nebraska Accountability and Disclosure Commission and with your immediate superior (if any) whenever a potential conflict of interest situation arises.
- Persons who fail to disclose a potential conflict of interest or who otherwise do not comply with the law are subject to penalties.

ITEM 1	NAME, ADDRESS AND TELEPHONE NUMBER					
Name	<u>Butler</u>	<u>John</u>	<u>A</u>	Telephone No.	<u>402-555-0202</u>	
	<small>Last</small>	<small>First</small>	<small>Middle</small>			
Address	<u>234 South 10th Street</u>			<u>Anywhere</u>	<u>NE</u>	<u>68000</u>
	<small>STREET ADDRESS OR RURAL ROUTE</small>			<small>City</small>	<small>STATE</small>	<small>ZIP CODE</small>

ITEM 2	TITLE, AGENCY, ADDRESS, PHONE AND SUPERIOR					
Your Title	<u>County Board Member</u>			Agency	<u>Calhoun County</u>	
Agency Address	<u>4200 Main Street, Anywhere, NE 68000</u>			Agency Phone	<u>402-555-2200</u>	
Name of Immediate Superior	<u>None</u>			Title	<u>NA</u>	

ITEM 3	DESCRIBE POTENTIAL CONFLICT OF INTEREST IN DETAIL (Use Item 7 Continuation, if necessary)					
Date action is to be taken or decision is to be made: _____						
Description of Potential Conflict:						
The County Board will be considering an application for a liquor license from Order of the Puma, Calhoun County Chapter, Inc. which is the local chapter of a fraternal organization. I am the vice-president of the organization. Since the decision of the County Board will have a financial effect on the organization, I have a conflict of interest and will abstain from participating or voting on the matter.						
ATTACHMENT #4						

ITEM 4 | PERSONS WHO MAY RECEIVE FINANCIAL BENEFIT OR DETRIMENT

You
 Member of your Immediate Family: _____
NAME

Business With Which You
 Are Associated (See Definitions) Order of the Puma
NAME OF BUSINESS

ITEM 5 | NATURE OF FINANCIAL BENEFIT OR DETRIMENT

ITEM 6 | FOR MEMBERS OF THE LEGISLATURE ONLY

If you will not abstain from acting on a matter state why, despite the potential conflict, you intend to vote or otherwise participate.

ITEM 7 | CONTINUATION

(SIGNATURE) (DATE)

NEBRASKA
ACCOUNTABILITY AND
DISCLOSURE COMMISSION
1225 L St., Suite 400
P.O. Box 95086
Lincoln, NE 68509
(402) 471-2522

**EMPLOYMENT OF
IMMEDIATE FAMILY
MEMBERS
DISCLOSURE
STATEMENT**

NADC FORM C-4

POSTMARK
DATE

MICROFILM
NUMBER

OFFICE USE ONLY

BEFORE COMPLETING THIS FORM
READ THE FILING REQUIREMENTS
ON PAGE 3

- Public officials and employees employing, recommending employment, or supervising the employment of an immediate family member must disclose the employment either in writing or on the record to the governing body employing the immediate family member.
- File this form or other written disclosure with the person in charge of keeping records for the governing body employing the immediate family member.
- Person who fail to disclose the employment of immediate family members or who otherwise do not comply with the law are subject to penalties.

ITEM 1 NAME, ADDRESS AND TELEPHONE NUMBER OF PUBLIC OFFICIAL OR PUBLIC EMPLOYEE

Name Brown Jon L Telephone No. 402-555-1717
Last First Middle
Address 1717 N 17th Street Anywhere NE 68000
STREET ADDRESS OR RURAL ROUTE City STATE ZIP CODE

ITEM 2 OFFICE OR POSITION, ADDRESS, TELEPHONE, TERM OF OFFICE

Office or Position: County Board Member Term: 2019-2025
Identify City, County, District, or State Agency: Calhoun County
Address: 4200 Main Street, Anywhere, NE 68000 Telephone 402-555-5050

ITEM 3 MEMBER OF YOUR IMMEDIATE FAMILY WHOM YOU INTEND TO EMPLOY, RECOMMEND FOR EMPLOYMENT, OR SUPERVISE (Use ITEM 5 CONTINUATION, if necessary)

A. Name Jon Brown Jr Relationship Son
Position Grounds Keeper Employer Calhoun County
(IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)
B. Name _____ Relationship _____
Position _____ Employer _____
(IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)
C. Name _____ Relationship _____
Position _____ Employer ATTACHMENT #5
(IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)

ITEM 4 | FOR NEWLY ELECTED OR APPOINTED PUBLIC OFFICIALS AND EMPLOYEES

List members of your immediate family who were employed before your election or appointment and are now employed or supervised by you.

A. Name _____ Relationship _____

Position _____ Employer _____
(IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)

Date Hired _____

B. Name _____ Relationship _____

Position _____ Employer _____
(IDENTIFY CITY, COUNTY, DISTRICT OR STATE AGENCY)

Date Hired _____

(Use ITEM 5, CONTINUATION, if necessary)

ITEM 5 | CONTINUATION

Large empty rectangular area for providing continuation of information.

(Signature)

(Date)