

1st Council Regular Meeting
Monday, March 4, 2024 6:30 PM

City Hall
704 6th Street
St. Paul, NE 68873

Agenda

1. Mayor Mike Feeken calls City Council meeting to order, with the "Pledge of Allegiance" and the "Open Meeting Statement" as required by NE State Statutes 84-1407 through 84-1414; Mayor Feeken also states that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Statute 84-1410.
2. Submittal of Request for Future Agenda Items
3. Reserve time to Speak on an Agenda Item
4. Discuss - Approve / Deny the City of St. Paul 2022-2023 Financial Statement. Gary Hinrichs CPA with Dana F. Cole & Co., Ord, NE will do a brief summary of the Statement.
5. **Declaration of Nuisance: 807 7th Street (Landry Welch)**
Discuss - Approve / Deny sending the "Notice of Hearing to be Determined Existence of Public Nuisance and to Abate in Whole or in Part" regarding the property at 807 7th Street (formerly the old Parts Bin store). The property is more legally described as the N 71' of Lots Four (4), Five (5), Six (6) and Seven (7), Block Seventy-Eight (78), Original Town, Howard County, St. Paul, Nebraska.
6. Discuss the City of St. Paul's Department Status Updates regarding (possible action): (1) Library; (2) Ambulance; (3) Fire; and (4) Police.
7. Discuss - City of St. Paul Fire Department Truck #50 which is described as a 2015 Ford F-250 Super Duty XL 4x4 four (4) door. The purchase price was \$22,995; St. Paul Rural Fire Board purchased half (1/2) the cost of the truck from Jacobs Ford (Possible Action).
8. The Middle Loup Subdivision bids were received and opened on Wednesday, February 14, 2024, at 2:00 p.m. in the City Council Chambers. A total of four (4) bids were submitted and have been reviewed by Olsson's, Grand Island, NE. After the review of the bids, Olsson's recommendation that "Notice of Award" be given to the apparent low bidder, Elsbury Construction LLC, in the contract amount of \$3,218,403.94.
Discuss - Approve / Deny the Middle Loup Subdivision "Notice of Award" to be given to Elsbury Construction, LLC in the contract amount of \$3,218,403.94.
 - a. Brian Friedrichsen with Olsson to update the Mayor and Council on the Black Hills gas line (possible action).
9. Discuss - Approve / Deny burying a drainage ditch pipe on the east side of 4th Street between Jay Street and Kendall Street pertaining to the new Fire Station;
 - a. Discuss - Approve Engineering Firm.
10. Discuss - Approve / Deny the City Street Dept. purchasing a 2004 Volvo Motor Grader (this is a bid letting item).
11. Discuss - Approve / Deny Consent Agenda Items:
 - (1) Council Minutes regarding February 20, 2024 (regular);
 - (2) Disbursements March 4, 2024; and

- (3) St. Paul Rescue Squad Members: a. Emilee Almond; b. Chloe Carlson; c. Amy Kruse; d. Tarah Ondracek; and e. Paula Ryan.
12. Discuss - Approve / Deny transferring \$300,000 from the City Utility Billing Heritage Bank account to the City's Light, Water and Sewer Nebraska Class accounts. This is to receive a higher interest rate.
 13. Discuss - Approve / Deny replacing St. Paul Police Dept. "evidence door"; this is due to the overheating of the room (Chief of Police Howard);
 - a. Disbursement from the Building Insured Cash Sweep (ICS) Building fund?
 14. Discuss 1st of the month City of St. Paul's nuisances per the Nuisance Committee (Chief of Police Dan Howard to report) - Possible Action.
 15. Utilities Superintendent Helzer updates
 16. Chief of Police Howard updates:
 17. Mayor Feeken updates:
 - (1) St. Paul Municipal Code updates are still in progress Chapter 1, Articles 1 - 11; Deputy Clerk Berthelsen and Payroll Clerk Kristie Fousek are making the changes;
 - (2) The City received the Energy Research and Development Fund Grant (ERDF) in the amount of \$1,405.78; Electrical Commissioner James Summers wants to utilize it for Electrical Engineering fees regarding the Middle Loup Subdivision;
 - (3) The final payment was Fed-Ex to Altec Capital Services regarding the Electrical Bucket Truck in the amount of \$53,950; the Electrical Bucket Truck was insured for \$120,000, due to material and equipment on the truck.
 - (4) the Cybersecurity Grant has been submitted to the NE Cybersecurity Board for review and scoring of the applications. Once they are scored, the state will send an email stating that the grant has been approved at the state level, and then it will be sent off to FEMA and CISA for approval. Jennifer Dennis with Hamilton will be the City of St. Paul's new contact person (2-28-24);
 - (5) EPIC - Eliminate Property, Income and Corporate tax (See LB 79) Very Important bill to read regarding Municipalities;
 18. Public Announcements
 19. Closed Session: Pending Litigation; Strategy Session with respect to real estate purchase; and prevent needless injury to the reputation of an individual
 20. Mayor Feeken adjourns City Council meeting
 21. Informational Items:
 - (1) LARM's 2022-2023 Annual Report;
 22. **This agenda, including supporting documentation, is available for public viewing during normal business hours at the City Office, 704 6th Street, St. Paul, Nebraska.**

The City of St. Paul abides by the Nebraska Open Meetings Act in conducting business. A copy of the Nebraska Open Meetings Act is on display in the meeting room as required by Nebraska State Law.

The Mayor and City Council reserve the right to enter into an Executive Session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the Agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in

sequential order. However, the Mayor and City Council reserves the right to take up matters in a different order to accommodate the schedules of the City Council members, person(s) having items on the agenda, and the public. The City of St. Paul reserves the right to adjust the order of items on the agenda.

Anyone wishing to speak may be limited to three (3) to five (5) minutes per person. Please utilize the podium and clearly state your name and address for the record and the agenda topic you wish to speak upon in a professional manner.

AGENDA ITEM REQUEST FORM

Anyone wishing to offer comments or concerns about city matters, or who wants to have an item placed on the City Council agenda must complete this form. The completed form must be submitted to the City Clerk, City of St. Paul, 704 6th Street, St. Paul, NE 68873 no later than Noon on the Wednesday prior to the City Council meeting. If the Wednesday prior to the City Council meeting is a holiday, the deadline is noon on the previous day. The City Council generally meets at 7:00 p.m. on the 1st and 3rd Monday of each month.

City Council Meeting Date: _____

Requested Agenda Item: _____

Please state your comment or concern (please be specific, providing documentation if available):

What action do you want the City Council to take? _____

Will this project/item require City funding? YES ____ NO ____ **If so, how much?** _____

Name (please print): _____

Name (signature): _____

Address: _____

Phone Number: _____

.....
For City Official Use Only

___ Added to City Council Agenda. Date of City Council meeting: _____

___ Referred to City Council Committee for Recommendation

City Council Action Taken: _____

City Funds Authorized: _____

**City of St. Paul
704 6th Street
St. Paul, Nebraska 68873
(308)754-4483**

REQUEST FOR OPEN PUBLIC RECORDS

RECORD REQUEST INFORMATION (To be completed by Requestor – Please Print)

Full Name: _____ (Phone) _____

Address: _____ (Street) _____ (City) _____ (State) _____ (Zip)

I hereby acknowledge that I am aware that under the terms of Neb. Rev. Stat. §84-712, I am authorized to examine public records not withheld from me under the terms of Neb. Rev. Stat. §84-712.04 or other appropriate statutes, and that I may make memoranda and abstracts therefrom during the hours the offices are normally open to the public.

I hereby declare that I do not intend to and will not:

- a. Use any list of names or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed; or
- b. Sell, give, or otherwise make available to any person any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person who resides at any address listed.

I hereby request a copy of the following public records:

Requestor Signature _____ Date _____ Email/Fax Number _____

(Most records will be provided within four (4) full business days from the date of request.)

For Administrative Records

The request for the above-named document(s) was granted and/or allowed to be examined.

Signed _____ Date _____

This request was denied, and the requesting party was issued a letter of denial in accordance with the provisions of Neb. Rev. Stat. §84-712.04.

Signed _____ Date _____

YOUR COPY OF THIS FORM SHALL SERVE AS YOUR RECEIPT

If you have any questions about your record request, please contact the City Clerk's Office at (308) 233-3216.

**City of St. Paul
Citizen Complaint Form**

Name of person making complaint _____

Residential address _____

Postal address _____

Phone Number _____ Email address _____

Complaint Details

Date of Incident _____ Time _____

Location of Incident _____

Who/what is the subject of your complaint? _____

DETAILED summary of your complaint _____

Witness Details (If applicable)

Name of witness(es) _____

Address _____

Phone Number of witness _____

Complaint Outcome

How would you like this issue resolved? _____

Signature of Complainant

Action taken by City

CITY OF ST. PAUL, NEBRASKA

FINANCIAL STATEMENTS

SEPTEMBER 30, 2023



**DANA F. COLE
& COMPANY** LLP
CERTIFIED PUBLIC ACCOUNTANTS

CITY OF ST. PAUL, NEBRASKA
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INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and City Council
City of St. Paul, Nebraska

Report on the Audited Financial Statements

Opinions

We have audited the accompanying modified cash basis financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of St. Paul, Nebraska, as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the City of St. Paul, Nebraska's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective modified cash basis financial position of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of St. Paul, Nebraska, as of September 30, 2023, and the respective changes in modified cash basis financial position and, where applicable, cash flows thereof for the year then ended in accordance with the modified cash basis of accounting as described in Note 1.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of St. Paul, Nebraska, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to that matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with the modified cash basis of accounting described in Note 1, and for determining that

the modified cash basis of accounting is an acceptable basis for the preparation of the financial statements in this circumstance. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of St. Paul, Nebraska's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of St. Paul, Nebraska's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matters

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of St. Paul, Nebraska's basic financial statements. The budgetary comparison information on pages 51 - 57, General Fund - Combining Schedule Financial Statement

on page 50, and statements of proprietary funds on pages 41 - 49 are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the budgetary comparison information on pages 51 - 57, General Fund - Combining Schedule Financial Statement on page 50, and statements of proprietary funds on pages 41 - 49 are fairly stated in all material respects in relation to the basic financial statements as a whole.

The statements of proprietary funds are presented for purposes of additional analysis as required by Nebraska Revised Statute 19-2903 and are also not required parts of the basic financial statements.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated January 20, 2024, on our consideration of the City of St. Paul, Nebraska's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of St. Paul, Nebraska's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of St. Paul, Nebraska's internal control over financial reporting and compliance.

Dana J Cole + Company, LLP

Ord, Nebraska
January 20, 2024

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF NET POSITION - MODIFIED CASH BASIS
SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2022

	2023			2022 Total	Component Unit
	Primary Government				
	Governmental Activities	Business-Type Activities	Total		
ASSETS					
Current assets					
Cash and cash equivalents	6,144,057	4,952,781	11,096,838	7,549,375	330,276
Cash and cash equivalents - restricted	454,615		454,615	385,006	
Certificates of deposit	128,837		128,837		
Cash held by county treasurer	18,100		18,100	17,558	
Cash held by county treasurer - restricted	3,401		3,401	3,761	
LB 840 loans receivable	22,652		22,652	25,287	
Notes receivable	58,612		58,612	92,701	
Total current assets	<u>6,830,274</u>	<u>4,952,781</u>	<u>11,783,055</u>	<u>8,073,688</u>	<u>330,276</u>
Noncurrent assets					
Certificates of deposit, unrestricted				962,593	
Notes receivable	47,486		47,486	106,360	
LB 840 loans receivable	126,499		126,499	149,100	
Total noncurrent assets	<u>173,985</u>		<u>173,985</u>	<u>1,218,053</u>	
TOTAL ASSETS	<u>7,004,259</u>	<u>4,952,781</u>	<u>11,957,040</u>	<u>9,291,741</u>	<u>330,276</u>
LIABILITIES	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>
NET POSITION					
Restricted for					
Debt service	387,454		387,454	388,767	
Customer deposits		55,201	55,201	52,951	
Employee benefits	175,487		175,487	158,382	
Unrestricted	<u>6,441,318</u>	<u>4,897,580</u>	<u>11,338,898</u>	<u>8,691,641</u>	<u>330,276</u>
TOTAL NET POSITION	<u>7,004,259</u>	<u>4,952,781</u>	<u>11,957,040</u>	<u>9,291,741</u>	<u>330,276</u>

See accompanying notes to the basic financial statements.

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF ACTIVITIES - MODIFIED CASH BASIS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023						2022 Total	Component Unit
	Expenditures	Program Revenues		Net Revenues (Expenditures) and Changes in Net Position				
		Charges for Services	Operating Grants and Contributions	Governmental Activities	Business-Type Activities	Total		
Functions/programs								
Primary government								
Governmental activities								
General government	869,487	7,755	79,539	(782,193)	(782,193)	(810,331)		
Public Safety	616,292	57,312		(558,980)	(558,980)	(509,697)		
Public Works	422,377	16,660		(405,717)	(405,717)	(375,558)		
Environment and leisure	361,600	44,843		(316,757)	(316,757)	(274,828)		
Capital Outlay	394,669			(394,669)	(394,669)	(175,531)		
Debt Service								
Principal	162,510			(162,510)	(162,510)	(752,650)		
Interest and bond costs	93,002			(93,002)	(93,002)	(42,425)		
Total governmental activities	<u>2,919,937</u>	<u>126,570</u>	<u>79,539</u>	<u>(2,713,828)</u>	<u>(2,713,828)</u>	<u>(2,941,020)</u>		
Business-type activities								
Light	2,356,442	2,674,438			317,996	317,996	569,184	
Water	581,461	703,939			122,478	122,478	64,204	
Sewer	2,677,599	651,962			(2,025,637)	(2,025,637)	(2,741,279)	
Landfill	140,969	157,786			16,817	16,817	18,373	
Total business-type activities	<u>5,756,471</u>	<u>4,188,125</u>			<u>(1,568,346)</u>	<u>(1,568,346)</u>	<u>(2,089,518)</u>	
Total primary government	<u>8,676,408</u>	<u>4,314,695</u>	<u>79,539</u>	<u>(2,713,828)</u>	<u>(1,568,346)</u>	<u>(4,282,174)</u>	<u>(5,030,538)</u>	
Component unit								
St. Paul Development Corporation	<u>266,297</u>		<u>267,504</u>				<u>1,207</u>	

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF ACTIVITIES - MODIFIED CASH BASIS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023						2022 Total	Component Unit
	Program Revenues		Net Revenues (Expenditures) and Changes in Net Position					
	Charges for Services	Operating Grants and Contributions	Governmental Activities	Business-Type Activities	Total			
Expenditures								
General revenues and transfers								
Taxes								
Property and motor vehicle			971,611		971,611	962,179		
Sales tax			556,093		556,093	437,568		
Franchise			26,707		26,707	26,519		
State allocation			611,761		611,761	592,778		
Special assessments			16,088		16,088	12,630		
Keno			89,472		89,472	102,980		
Miscellaneous			189,308		189,308	199,039	8,357	
Interest income			246,774	115,900	362,674	85,618	6,574	
Contributions						10,000		
Rent income							4,750	
Bond proceeds			2,055,000	2,068,759	4,123,759	3,890,516	20,739	
Interfund transfers			323,631	(323,631)				
Total general revenues and transfers			<u>5,086,445</u>	<u>1,861,028</u>	<u>6,947,473</u>	<u>6,319,827</u>	<u>40,420</u>	
CHANGE IN NET POSITION			2,372,617	292,682	2,665,299	1,289,289	41,627	
NET POSITION, beginning of year			<u>4,631,642</u>	<u>4,660,099</u>	<u>9,291,741</u>	<u>8,002,452</u>	<u>288,649</u>	
NET POSITION, end of year			<u>7,004,259</u>	<u>4,952,781</u>	<u>11,957,040</u>	<u>9,291,741</u>	<u>330,276</u>	

See accompanying notes to the basic financial statements.

CITY OF ST. PAUL, NEBRASKA
BALANCE SHEET - MODIFIED CASH BASIS
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2022

	2023							2022 Totals
	Major Fund					Non-Major Fund	Total Governmental Funds	
	General Fund	Street Fund	Sales Tax Fund	Debt Service Fund	Economic Development Fund	Keno Fund		
ASSETS								
ASSETS								
Current assets								
Cash and cash equivalents (claim on cash)	4,073,979	364,626	537,956		774,519	217,490	5,968,570	2,928,717
Cash and cash equivalents - restricted			70,562	384,053			454,615	385,006
Certificates of deposit	128,837						128,837	
Cash held by county treasurer	18,100						18,100	17,558
Cash held by county treasurer - restricted				3,401			3,401	3,761
LB 840 loans receivable					81,264		81,264	117,988
Total current assets	<u>4,220,916</u>	<u>364,626</u>	<u>608,518</u>	<u>387,454</u>	<u>855,783</u>	<u>217,490</u>	<u>6,654,787</u>	<u>3,453,030</u>
Noncurrent assets								
Certificates of deposit, unrestricted								764,770
LB 840 loans receivable					173,985		173,985	255,460
Total noncurrent assets					<u>173,985</u>		<u>173,985</u>	<u>1,020,230</u>
TOTAL ASSETS	<u>4,220,916</u>	<u>364,626</u>	<u>608,518</u>	<u>387,454</u>	<u>1,029,768</u>	<u>217,490</u>	<u>6,828,772</u>	<u>4,473,260</u>
LIABILITIES AND FUND BALANCES								
LIABILITIES								
	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -
FUND BALANCES								
Restricted				387,454			387,454	388,767
Committed			608,518				608,518	308,130
Assigned	2,851,176				1,029,768	217,490	4,098,434	2,185,435
Unassigned	1,369,740	364,626					1,734,366	1,590,928
Total fund balances	<u>4,220,916</u>	<u>364,626</u>	<u>608,518</u>	<u>387,454</u>	<u>1,029,768</u>	<u>217,490</u>	<u>6,828,772</u>	<u>4,473,260</u>
TOTAL LIABILITIES AND FUND BALANCES	<u>4,220,916</u>	<u>364,626</u>	<u>608,518</u>	<u>387,454</u>	<u>1,029,768</u>	<u>217,490</u>	<u>6,828,772</u>	<u>4,473,260</u>

CITY OF ST. PAUL, NEBRASKA
 BALANCE SHEET - MODIFIED CASH BASIS
 GOVERNMENTAL FUNDS
 SEPTEMBER 30, 2023
 WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2022

	2023						Total Governmental Funds	2022 Totals
	Major Fund					Non-Major Fund		
	General Fund	Street Fund	Sales Tax Fund	Debt Service Fund	Economic Development Fund	Keno Fund		
Reconciliation to Statement of Net Position								
Amounts reported for governmental activities in the statement of net position are different because:								
Fund balance - total governmental funds						6,828,772	4,473,260	
Internal service funds are used by management to charge the costs of certain activities, such as insurance, to individual funds. The assets and liabilities of the Internal Service Fund are included in governmental activities in the statement of net position.						<u>175,487</u>	<u>158,382</u>	
NET POSITION OF GOVERNMENTAL ACTIVITIES						<u>7,004,259</u>	<u>4,631,642</u>	

See accompanying notes to the basic financial statements.

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - MODIFIED CASH BASIS
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023							2022 Total
	Major Fund					Non-Major Fund	Total Governmental Funds	
	General Fund	Street Fund	Sales Tax Fund	Debt Service Fund	Economic Development Fund	Keno Fund		
REVENUES								
Taxes								
Property and motor vehicle	686,937	121,744		162,930			971,611	962,179
Special assessments		16,088					16,088	12,630
Sales tax		67,184	488,909				556,093	437,568
Franchise	26,707						26,707	26,519
Intergovernmental	203,267	408,494					611,761	592,778
Charges for services	126,570						126,570	137,880
Grants	79,539						79,539	211,348
Contributions								10,000
Keno receipts						89,472	89,472	102,980
Interest income	188,150	13,433	16,383		13,163	8,701	239,830	52,541
Other	87,059	8,386	1,455		700	2,300	99,900	101,692
Total revenues	<u>1,398,229</u>	<u>635,329</u>	<u>506,747</u>	<u>162,930</u>	<u>13,863</u>	<u>100,473</u>	<u>2,817,571</u>	<u>2,648,115</u>
EXPENDITURES								
Current								
General government	363,437		318,846		6,411	32,213	720,907	894,768
Public Safety	616,292						616,292	586,514
Public Works	30,310	392,067					422,377	386,108
Environment and leisure	361,600						361,600	319,322
Capital Outlay	246,455	60,895				87,319	394,669	175,531
Debt Service								
Principal				162,510			162,510	752,650
Interest	26,586			18,392			44,978	42,425
Bond issue costs	48,024						48,024	
Total expenditures	<u>1,692,704</u>	<u>452,962</u>	<u>318,846</u>	<u>180,902</u>	<u>6,411</u>	<u>119,532</u>	<u>2,771,357</u>	<u>3,157,318</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	<u>(294,475)</u>	<u>182,367</u>	<u>187,901</u>	<u>(17,972)</u>	<u>7,452</u>	<u>(19,059)</u>	<u>46,214</u>	<u>(509,203)</u>

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - MODIFIED CASH BASIS
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023							2022 Total
	Major Fund					Non-Major Fund	Total Governmental Funds	
	General Fund	Street Fund	Sales Tax Fund	Debt Service Fund	Economic Development Fund	Keno Fund		
OTHER FINANCING SOURCES (USES)								
Bond/loan proceeds	2,055,000						2,055,000	620,000
Transfers in	332,428		29,786	16,659			378,873	363,811
Transfers out	(50,136)	(44,653)			(29,786)		(124,575)	(130,658)
Total other financing sources (uses)	<u>2,337,292</u>	<u>(44,653)</u>	<u>29,786</u>	<u>16,659</u>	<u>(29,786)</u>		<u>2,309,298</u>	<u>853,153</u>
NET CHANGE IN FUND BALANCES	2,042,817	137,714	217,687	(1,313)	(22,334)	(19,059)	2,355,512	343,950
FUND BALANCES, beginning of year	<u>2,178,099</u>	<u>226,912</u>	<u>390,831</u>	<u>388,767</u>	<u>1,052,102</u>	<u>236,549</u>	<u>4,473,260</u>	<u>4,129,310</u>
FUND BALANCES, end of year	<u>4,220,916</u>	<u>364,626</u>	<u>608,518</u>	<u>387,454</u>	<u>1,029,768</u>	<u>217,490</u>	<u>6,828,772</u>	<u>4,473,260</u>
Reconciliation to Statement of Activities								
Amounts reported for governmental activities in the statement of activities are different because:								
Net change in fund balances							2,355,512	343,950
Internal service funds are used by management to charge the costs of certain activities, such as insurance, to individual funds. The net revenues (expenditures) of internal service funds is reported with governmental activities.							<u>17,105</u>	<u>41,846</u>
CHANGE IN NET POSITION OF GOVERNMENTAL ACTIVITIES							<u>2,372,617</u>	<u>385,796</u>

See accompanying notes to the basic financial statements.

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF NET POSITION - MODIFIED CASH BASIS
PROPRIETARY FUNDS
SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2022

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	2023					2022 Total	Governmental
	Major Funds			Non-Major	Total		Activities
	Light	Water	Sewer	Funds Landfill			Internal Service Fund
ASSETS							
Current assets							
Cash and cash equivalents	2,720,188	613,352	1,457,907	161,334	4,952,781	4,462,276	175,487
Noncurrent assets							
Certificates of deposit, unrestricted						197,823	
TOTAL ASSETS	<u>2,720,188</u>	<u>613,352</u>	<u>1,457,907</u>	<u>161,334</u>	<u>4,952,781</u>	<u>4,660,099</u>	<u>175,487</u>
NET POSITION							
Unrestricted	<u>2,720,188</u>	<u>613,352</u>	<u>1,457,907</u>	<u>161,334</u>	<u>4,952,781</u>	<u>4,660,099</u>	<u>175,487</u>

See accompanying notes to the basic financial statements.

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN NET POSITION - MODIFIED CASH BASIS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023					2022 Total	Governmental Activities
	Major Funds			Non-Major Funds	Total		Internal Service Fund
	Light	Water	Sewer	Landfill			
OPERATING REVENUES							
Sales	2,666,134	686,957	638,713	154,951	4,146,755	4,159,026	
Rent	4,976	11,260	4,360	652	21,248	20,337	
Health insurance premiums							89,407
Other	3,328	5,722	8,889	2,183	20,122	23,096	
Total operating revenues	<u>2,674,438</u>	<u>703,939</u>	<u>651,962</u>	<u>157,786</u>	<u>4,188,125</u>	<u>4,202,459</u>	<u>89,407</u>
OPERATING EXPENDITURES							
Cost of power	1,863,575				1,863,575	1,801,870	
Personnel services	310,144	228,778	105,205	3,766	647,893	683,405	
Operation of system	60,322	128,965	53,104	5,283	247,674	234,549	
Maintenance of system	32,344	58,781	19,187	5,027	115,339	79,017	
Contract services				126,797	126,797	120,749	
Supplies	44,797	796	522	96	46,211	20,442	
Insurance claims and health premiums							148,580
Total operating expenditures	<u>2,311,182</u>	<u>417,320</u>	<u>178,018</u>	<u>140,969</u>	<u>3,047,489</u>	<u>2,940,032</u>	<u>148,580</u>
OPERATING INCOME (LOSS)	<u>363,256</u>	<u>286,619</u>	<u>473,944</u>	<u>16,817</u>	<u>1,140,636</u>	<u>1,262,427</u>	<u>(59,173)</u>
NONOPERATING REVENUES (EXPENDITURES)							
Interest income	66,882	20,896	28,122		115,900	32,241	6,945
Bond proceeds			2,068,759		2,068,759	3,270,516	
Capital Outlay	(45,260)		(2,460,398)		(2,505,658)	(3,075,457)	
Debt Service							
Principal		(152,250)	(35,240)		(187,490)	(252,675)	
Interest		(11,891)	(3,943)		(15,834)	(23,813)	
Total nonoperating revenues (expenditures)	<u>21,622</u>	<u>(143,245)</u>	<u>(402,700)</u>		<u>(524,323)</u>	<u>(49,188)</u>	<u>6,945</u>

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN NET POSITION - MODIFIED CASH BASIS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023					2022 Total	Governmental
	Major Funds			Non-Major	Internal		
	Light	Water	Sewer	Funds Landfill			Service Fund
NET INCOME (LOSS) BEFORE TRANSFERS	<u>384,878</u>	<u>143,374</u>	<u>71,244</u>	<u>16,817</u>	<u>616,313</u>	<u>1,213,239</u>	<u>(52,228)</u>
TRANSFERS							
Transfers in			24,000		24,000		69,333
Transfers out	<u>(275,835)</u>	<u>(32,350)</u>	<u>(29,446)</u>	<u>(10,000)</u>	<u>(347,631)</u>	<u>(309,746)</u>	
Total transfers	<u>(275,835)</u>	<u>(32,350)</u>	<u>(5,446)</u>	<u>(10,000)</u>	<u>(323,631)</u>	<u>(309,746)</u>	<u>69,333</u>
CHANGE IN NET POSITION	109,043	111,024	65,798	6,817	292,682	903,493	17,105
NET POSITION, beginning of year	<u>2,611,145</u>	<u>502,328</u>	<u>1,392,109</u>	<u>154,517</u>	<u>4,660,099</u>	<u>3,756,606</u>	<u>158,382</u>
NET POSITION, end of year	<u>2,720,188</u>	<u>613,352</u>	<u>1,457,907</u>	<u>161,334</u>	<u>4,952,781</u>	<u>4,660,099</u>	<u>175,487</u>

See accompanying notes to the basic financial statements.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of St. Paul, Nebraska (the City), was incorporated in 1886. The City operates under a Mayor-Council form of government with an elected chief executive, Mayor, and an elected legislative body, Council, composed of four members. The Mayor and Council members are elected for 4-year terms. The day-to-day administration of the City's government is performed by the City Clerk. Services provided to residents include public safety, highways and streets, parks, recreation, electric, water, sewer, landfill, and general administrative services.

The accompanying basic financial statements are presented on the modified cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America (GAAP) established by the Governmental Accounting Standards Board (GASB). These modified cash basis financial statements generally meet the presentation and disclosure requirements applicable to GAAP, in substance, but are limited to the elements presented in the financial statements and the constraints of the measurement and recognition criteria of the modified cash basis of accounting.

A. FINANCIAL REPORTING ENTITY

The City's financial reporting entity is composed of the following:

Primary Government: City of St. Paul, Nebraska

In determining the financial reporting entity, the City complies with the provisions of GASB Statement 14, *The Financial Reporting Entity*, and GASB Statement 39, *Determining Whether Certain Organizations are Component Units*, and has included all organizations that make up the City's legal entity and all component units. Consistent with applicable guidance, the criteria used by the City to include component units within its reporting entity are financial accountability and the nature and significance of the relationship. The City includes organizations as component units under the following financial accountability criteria:

1. Organizations for which the City Council appoints a voting majority of the organization's governing body and for which (a) the City is able to impose its will on the organization or (b) there is a potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the City.
2. Organizations which are fiscally dependent on the City. Fiscal dependency is established if the organization is unable to adopt its budget, levy taxes or set rates or charges, or issue bonded debt without approval by the City.

Discretely Presented Component Unit

The St. Paul Development Corporation (SPDC) is a legally separate, nonprofit corporation which is a component unit of the City of St. Paul, Nebraska. SPDC was formed in 1993 to promote the general business interests of Howard County, Nebraska, and the surrounding trade area.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

A. FINANCIAL REPORTING ENTITY (Continued)

Discretely Presented Component Unit (Continued)

The SPDC's Board consists of a Board of Directors (the Board), which oversees the SPDC's activities and sets policies. No voting members of the Board are members of the City Council. The majority of resources, or income, thereon, which the SPDC holds and invests, originates from support received by the City of St. Paul, Nebraska, and is unrestricted to the activities of the SPDC by the Board. Because the majority of financial support received by SPDC is from the City, the SPDC is considered a component unit of the City and is discretely presented in the City's financial statements.

These financial statements do not contain disclosures of information of the St. Paul Development Corporation. Additional financial information for the SPDC can be obtained at the Corporation's Office, 710 Howard Avenue, P.O. Box 64, St. Paul, Nebraska, 68873.

Blended Component Unit

A blended component unit is a separate legal entity that meets the component unit criteria. In addition, the blended component unit's governing body is the same or substantially the same as the City Council, or the component unit provides services entirely to the City. The component unit's funds are blended into those of the City by appropriate fund type to constitute the primary government presentation. Currently, the City has no blended component units.

Payments Between the City and Component Units

Resource flows (except those that affect the statement of net position/balance sheet only, such as loans and repayments) between a primary government and its discretely presented component units are reported as external transactions - that is, as revenues and expenses. Resource flows between the primary government and blended component units are classified as interfund transactions in the financial statements.

Payments to component units are primarily subsidized funding for economic development projects financed with sales tax revenues for the benefit of the component unit funds. The City subsidy to the St. Paul Development Corporation for general operating expenditures is included in the payments to component units.

B. BASIS OF PRESENTATION

Government-Wide Financial Statements

The statement of net position and statement of activities display information about the reporting government as a whole within the limitations of the modified cash basis of accounting. They include all funds of the reporting entity except for fiduciary funds, and component units that are fiduciary in nature, if applicable. The statements distinguish between governmental and business-type activities. Governmental activities generally

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

B. BASIS OF PRESENTATION (Continued)

Government-Wide Financial Statements (Continued)

are financed through taxes, intergovernmental revenues, and other non-exchange revenues. Business-type activities are financed, in whole or in part, by fees charged to external parties for goods or services.

Fund Financial Statements

Fund financial statements of the reporting entity are organized into funds, each of which is considered to be a separate accounting entity. Each fund is accounted for by providing a separate set of self-balancing accounts that constitutes its assets, liabilities, fund equity, revenues, and expenditures. Funds are organized into two major categories: governmental and proprietary. An emphasis is placed on major funds within the governmental and proprietary categories. A fund is considered major if it is the primary operating fund of the City or meets the following criteria:

- a. Total assets, liabilities, revenues, or expenditures of that individual governmental or enterprise fund are at least 10% of the corresponding total for all funds of that category or type, and
- b. Total assets, liabilities, revenues, or expenditures of the individual governmental or enterprise fund are at least 5% of the corresponding total for all governmental and enterprise funds combined.

The funds of the financial reporting entity are described below:

Governmental Funds

General Fund

The General Fund is the primary operating fund of the City and is always classified as a major fund. It is used to account for all activities except those legally or administratively required to be accounted for in other funds.

Special Revenue Funds

Special revenue funds are used to account for proceeds of the specific revenue sources that are legally restricted to expenditures for specified purposes or designated to finance particular functions or activities of the City. The reporting entity includes the following special revenue funds. The first three funds are to be reported as major funds and the remaining are reported as nonmajor funds:

Fund	Brief Description
Street Fund	Accounts for activities for street improvements and maintenance including funds received from the state for highway allocations.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

B. BASIS OF PRESENTATION (Continued)

Fund Financial Statements (Continued)

Governmental Funds (Continued)

Special Revenue Funds (Continued)

Fund	Brief Description
Economic Development Fund	Accounts for the City's contributions to the economic development program.
Sales Tax Fund	Accounts for receipts of local sales tax collections.
Keno Fund	Accounts for the City's share of gaming proceeds.

Debt Service Fund

The Debt Service Fund accounts for the accumulation of financial resources for the payment of principal and interest on the general long-term debt of the City other than debt service payments made by enterprise funds. Ad valorem taxes are used for the payment of principal and interest on the City's general obligation bonds.

Proprietary Funds

Enterprise Funds

Enterprise funds are used to account for business-like activities provided to the general public. These activities are financed primarily by user charges, and the measurement of financial activity focuses on net income measurement similar to the private sector.

The reporting entity includes the following enterprise funds. The first three funds are reported as major funds. The Landfill Fund is a nonmajor fund.

Fund	Brief Description
Light Fund	Accounts for the activities of the City-owned electric utility.
Water Fund	Accounts for the activities of the City-owned water utility.
Sewer Fund	Accounts for the activities of the City-owned wastewater utility.
Landfill Fund	Accounts for the activities of the cooperative landfill.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

B. BASIS OF PRESENTATION (Continued)

Fund Financial Statements (Continued)

Internal Service Fund

The Internal Service Fund accounts for employee benefit transactions for the other funds of the primary government including but not limited to payments for employee medical costs, employee cafeteria plan deductions, employee non pretax contributions, and employee health reimbursement account transactions.

C. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

Measurement focus is a term used to describe "which" transactions are recorded within the various financial statements. Basis of accounting refers to "when" transactions are recorded regardless of the measurement focus applied.

Measurement Focus

In the governmental and business-type activities of the government-wide statement of net position and statement of activities, governmental activities are presented using the economic resources measurement focus, within the limitations of the modified cash basis of accounting, as defined below.

In the fund financial statements, the current financial resources measurement focus, as applied to the modified cash basis of accounting, is used as appropriate:

All funds utilize a current financial resources measurement focus on the modified cash basis of accounting. Only cash, certificates of deposit, and county treasurer balance are generally included on their balance sheets. Their operating statements present sources and uses of available spendable financial resources during a given period. These funds use fund balance as their measure of available spendable financial resources at the end of the period.

Basis of Accounting

The financial statements are presented on a modified cash basis of accounting, which is a basis of accounting other than GAAP as established by GASB. This basis of accounting recognizes assets, liabilities, net position/fund balance, revenues, and expenditures when they result from cash transactions. This modified cash basis of accounting is based on the recording of cash and cash equivalents and changes therein, and only recognizes revenues, expenditures, assets, and liabilities resulting

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

C. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING (Continued)

Basis of Accounting (Continued)

from cash transactions adjusted for modifications that have substantial support in generally accepted accounting principles. These modifications include adjustments for the following balances arising from cash transactions:

Cash based LB 840 loans receivable

Other cash based loans receivable

Cash based amounts due to others

This modified cash basis of accounting differs from GAAP primarily because certain assets and their related revenues (such as accounts receivable and revenue for billed or provided services not yet collected and other accrued revenue and receivables) and certain liabilities and their related expenses (such as accounts payable and expenses for goods or services received but not yet paid and other accrued expenses and liabilities) are not recorded in these financial statements. In addition, other economic assets, deferred outflows, liabilities, and deferred inflows that do not arise from a cash transaction or event are not reported, and the measurement of reported assets and liabilities does not involve adjustment to fair value.

If the City utilized the basis of accounting recognized as generally accepted in the United States, the fund financial statements for governmental funds would use the modified accrual basis of accounting, and the fund financial statements for proprietary fund types would use the accrual basis of accounting. All government-wide financial statements would be presented on the accrual basis of accounting.

D. ASSETS, LIABILITIES, AND EQUITY

Cash and Cash Equivalents

For the purpose of financial reporting, cash and cash equivalents includes all demand and savings accounts and certificates of deposit or short-term investments with an original maturity of three months or less. Trust account investments in open-ended mutual fund shares are also considered cash equivalents.

Investments

Investments classified in the financial statements consist of certificates of deposit whose original maturity term exceeds three months, and money market accounts. Investments are carried at cost, which approximates fair value.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. ASSETS, LIABILITIES, AND EQUITY (Continued)

Restricted Net Position

Restricted net position includes cash that is legally restricted as to its use. The primary restricted net position is related to required debt service reserves.

Capital Assets

Capital assets resulting from cash transactions are accounted for as capital outlay disbursements of the respective fund upon acquisition. Maintenance and repairs are expended as incurred and are reported as program operating disbursements in the governmental funds and as a separate expense in the proprietary funds.

Bond Issue Costs

Bond discount fees incurred on the issuance of bonds are expensed in the period incurred.

Long-Term Debt

Long-term debt of governmental and proprietary funds is not reported as liabilities in the financial statements. In the governmental funds, the issuance of debt is reported net of premiums or discounts, as other financing sources. Payments of principal and interest are reported as debt service expenditures. Issuance costs, whether or not withheld from the actual debt proceeds received, are also reported as current debt service expenditures. In the proprietary funds, the issuance of debt is reported net of premiums or discounts, as nonoperating revenues. Payments of principal, interest, fees, and issuance costs are reported as current nonoperating expenditures.

Equity Classification

Government-Wide Financial Statements

Equity is classified as net position and displayed in two components:

Restricted net position - Consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets. Generally, a liability relates to restricted assets if the asset results from a resource flow that also results in the recognition of a liability or if the liability will be liquidated with the restricted assets reported.

Unrestricted net position - Consists of assets that do not meet the definition of restricted net position or net position invested in capital assets, net of related debt.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. ASSETS, LIABILITIES, AND EQUITY (Continued)

Equity Classification (Continued)

Government-Wide Financial Statements (Continued)

It is the City's policy to first use restricted components of net position prior to the use of unrestricted components of net position when an expense is incurred for purposes for which both restricted and unrestricted components of net position are available.

Fund Financial Statements

Governmental fund equity is classified as fund balance. Proprietary fund equity is classified the same as in the government-wide statements.

Fund Balance Classification

The governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent. The classifications used in the governmental fund financial statements are as follows:

Nonspendable

This classification includes amounts that cannot be spent because they either (a) are not in spendable form or (b) are legally or contractually required to be maintained intact. The City currently has no amounts classified in this category.

Restricted

This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors (such as through a debt covenant), grantors, contributors, or laws and regulations of other governments or (b) imposed by law through constitutional provisions or enabling legislation.

Committed

This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the City. These amounts cannot be used for any other purpose unless the City Council removes or changes the specified use by taking the same type of action (ordinance or resolution) that was employed when the funds were initially committed. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. ASSETS, LIABILITIES, AND EQUITY (Continued)

Equity Classification (Continued)

Fund Financial Statements (Continued)

Fund Balance Classification (Continued)

Assigned

This classification includes amounts that are constrained by the City's intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by the City Council or through the City Council delegating this responsibility to the City Administrator through the budgetary process.

Unassigned

This classification includes the residual fund balance for the General Fund.

The City would typically use restricted fund balances first, followed by committed resources, and then assigned resources, as appropriate opportunities arise, but reserves the right to selectively spend unassigned resources first to defer the use of these other classified funds.

The City has no formal minimum fund balance policies or any formal stabilization arrangements in place.

Proprietary funds report the difference among assets, deferred outflows, liabilities, and deferred inflows as net position and are classified in the same manner as the government-wide financial statements as previously described.

Restricted Net Position/Debt Reserve

A reserve fund has been imposed by the bonded indebtedness covenants that require funds to be held in a separate account for debt service and debt reserve. It is to be maintained by the City apart from its other funds and to be available by mutual agreement only for the purposes of holding funds for debt service and debt reserve. The funds have been invested in interest-bearing accounts.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

E. REVENUES AND EXPENDITURES

Governmental Funds

In the statement of activities, modified cash basis revenues that are derived directly from each activity or from parties outside the City's taxpayers are reported as program revenues. The City has the following significant program revenues in each activity:

General government	Licenses, permits, operating grants
Public Safety	Licenses, operating, and capital grants
Highways and Streets	State highway funds
Health and Welfare	Lot sales
Culture and Recreation	Recreation fees, donations
Public Building	Rentals, operating grants
Economic Development	Grants, loan repayments
Community Development	Grants, loan repayments

The City presently levies a one-cent sales tax on taxable sales within the City. The sales tax is collected by the Nebraska Department of Revenue and remitted to the City in the month following receipt. The Nebraska Department of Revenue receives the sales tax approximately one month after collection by vendors. The sales tax is recorded in the Special Revenue Fund and used for budgeted appropriations.

Proprietary Funds

Operating revenues and expenditures for proprietary funds result from providing services and producing and delivering goods and/or services. They also include all revenues and expenditures not related to capital and related financing, noncapital financing, or investing activities.

Expenditures

In the government-wide financial statements, expenditures are classified by function for both governmental and business-type activities.

In the fund financial statements, disbursements are classified as follows:

Governmental Funds - by character	Current (further classified by function)
	Capital Outlay
	Debt Service

Proprietary Fund - by operating and nonoperating

In the fund financial statements, all funds report expenditures of financial resources.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

F. INTERNAL AND INTERFUND BALANCES AND ACTIVITIES

In the process of aggregating the financial information for the government-wide statement of net position and statement of activities, some amounts reported as interfund activity and balances in the fund financial statements have been eliminated or reclassified.

Fund Financial Statements

Interfund activity, if any, within and among the governmental and proprietary fund categories is reported as follows in the fund financial statements:

1. Interfund loans - Amounts provided with a requirement for repayment are reported as interfund receivables and payables.
2. Interfund services - Sales or purchases of goods and services between funds are reported as revenues and expenditures/expenses.
3. Interfund reimbursements - Repayments from funds responsible for certain expenditures/expenses to the funds that initially paid for them are not reported as reimbursements but as adjustments to expenditures/expenses in the respective funds.
4. Interfund transfers - Flows of assets from one fund to another where repayment is not expected are reported as transfers in and out.

Government-Wide Financial Statements

Interfund activity and balances, if any, are eliminated or reclassified in the government-wide financial statements as follows:

1. Interfund balances - Amounts reported in the fund financial statements as interfund receivables and payables are eliminated in the governmental and business-type activities columns of the statement of net position, except for the net residual amounts due between governmental and business-type activities, which are reported as internal balances.
2. Internal activities - Amounts reported as interfund transfers in the fund financial statements are eliminated in the government-wide statement of activities except for the net amount of transfers between governmental and business-type activities, which are reported as transfers - internal activities. The effects of interfund services between funds, if any, are not eliminated in the statement of activities.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

G. USE OF ESTIMATES

The preparation of financial statements in conformity with the modified cash basis of accounting and accounting principles generally accepted in the United States of America used by the City requires management to make estimates and assumptions that affect certain reported amounts and disclosures (such as useful lives in determining depreciation expense); accordingly, actual results could differ from those estimates.

H. BUDGET

The City follows these procedures in establishing the budgetary data reflected in the financial statements:

Prior to the first Council meeting in August, the Mayor and City Clerk submit to the City Council, a proposed operating budget for the fiscal year commencing the following October 1. The operating budget includes proposed expenditures and the means of financing them.

Public hearings are conducted to obtain taxpayer comments.

Prior to October 1, the budget is legally enacted through passage of an ordinance.

Any revisions that alter the total expenditures of any fund must be approved by the City Council.

Formal budgetary integration is employed as a management control device during the year for the General Fund and Special Revenue Funds. Formal budgetary integration is not employed for Debt Service Funds because effective budgetary control is alternatively achieved through general obligation bond indenture provisions.

Budgets for the General Fund and Special Revenue Funds are adopted on a cash basis, which is a basis not consistent with GAAP.

I. PROPERTY TAXES

The tax levies for all potential subdivisions in Howard County (the County) are certified by the County Board on or before October 15. Real estate taxes are due on December 31, and attach as an enforceable lien and become delinquent in two equal installments on May 1, and September 1. The County bills and collects property taxes and remits them monthly to the City. City property tax revenues are recognized as income when collected by the County.

The City is permitted by state statute to levy taxes up to 0.450000 cents per \$100 of actual valuation for general governmental services other than the payment of principal and interest on long-term debt and in necessary amounts for the payment of principal and interest on long-term debt. The City has interlocal agreements that

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

I. PROPERTY TAXES (Continued)

statute allows for levy of an additional 0.050000 cents. Valuations are determined by the County Assessor. The following schedule shows comparative tax levies per \$100 of actual assessed valuations:

	Tax Levies Cents Per \$100 of Actual Valuation
	2022
Fund	
General	0.360080
Interlocal agreements	0.050000
Bonded indebtedness	0.096831
Total cents per \$100	0.506911
City actual valuations	166,888,591

J. RECLASSIFICATIONS

Certain accounts in the prior-year financial statements have been reclassified for comparative purposes to conform with the presentation in the current year financial statements.

K. LEASES

Right-to-use assets are not recorded as assets on the government-wide or fund financial statements, and amortization is not recognized. Likewise, the related liabilities for these leases are not recognized in the financial statements. Payment on all leases are recorded as disbursements by function in the financial statements.

L. NEW ACCOUNTING PRONOUNCEMENTS

GASB Statement 87, *Leases*, was implemented in the current year. Under the standard, a lease is defined as a contract that conveys control of the right to use another entity's nonfinancial asset as specified in the contract for a period of time in an exchange or exchange-like transaction. Since the City reports on the modified cash basis of accounting there was no effect on the financial statements other than note disclosures. Leases that transfer ownership (formerly disclosed as capital leases) are now disclosed in the footnote for long-term debt and other leases are disclosed in a separate footnote. Disclosure of terms and lease obligations are disclosed to maturity for leases with the exception of those leases meeting the criteria of short-term leases. Short-term leases are those with maximum possible terms at inception of 12 months or less. No disclosures are required for these leases. The standard does not apply to intangible assets including subscription-based technology arrangements.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 2. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

By its nature as a local government unit, the City and its component units are subject to various federal, state, and local laws and contractual regulations. There are no instances of noncompliance that are considered material to the financial statements.

NOTE 3. CASH AND INVESTMENTS

For the following disclosures, deposits - including checking accounts, savings accounts, money market accounts, and certificates of deposit - are all classified as cash on the financial statements.

The City follows the practice of pooling cash and investments of certain funds except certificates of deposit purchased by individual funds. Each fund's portion of total pooled cash is summarized by fund type and displayed on the statements of net position and balance sheets as "Equity in Pooled Cash." Funds with negative balances include a liability called "Deficit Equity in Pooled Cash."

Custodial Credit Risk - Deposits

All funds of the City are deposited in board-designated official depositories and are required to be collateralized in accordance with Nebraska statutes. Official depositories may be established with any bank whose principal office is located in Nebraska. Also, the City may establish time deposit accounts, money market accounts, and certificates of deposit.

Nebraska statutes require all depositories to collateralize public deposits in excess of federal depository insurance coverage.

Custodial credit risk is the risk that in the event of a bank failure, the City's deposits may not be returned to it. As of September 30, 2023, all of the City's deposits with financial institutions were fully insured or collateralized by securities held in the City's name in the form of joint safekeeping receipts. State law requires all funds in depositories to be fully insured or collateralized, and the City's policy is to require depositories to provide pledged securities to cover deposits in excess of Federal Deposit Insurance Corporation (FDIC) limits.

The City complies with state law; however, the City has no formal written policy regarding deposits or investments.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 3. CASH AND INVESTMENTS (Continued)

Custodial Credit Risk - Deposits (Continued)

The following is a summary of the City's deposits at September 30, 2023:

Type of deposits	Total Bank Balance	Total Carrying Value
Demand deposits	8,675,055	8,789,064
Time deposits	<u>2,891,226</u>	<u>2,891,226</u>
Total deposits	<u>11,566,281</u>	<u>11,680,290</u>
Reconciliation to Government-Wide Statement of Net Position:		
Unrestricted cash, including time deposits		11,096,838
Restricted cash, including time deposits		454,615
Certificates of deposit, current		<u>128,837</u>
		<u>11,680,290</u>

Investments

The City's investments at September 30, 2023, are summarized below:

	Unrestricted
Fixed income securities	
Certificates of deposit	<u>128,837</u>
Maturities	
Less than six months	<u>128,837</u>

NOTE 4. LB 840 LOANS RECEIVABLE

As of September 30, 2023, the City's LB 840 loans receivable consisted of the following:

	Principal Balance	Current Portion
On September 23, 2021, the City entered into a loan agreement with Bootleggers, Inc., to lend them \$50,000, which was disbursed on that date. The note bears an interest rate of 2.75% throughout the life of the loan. Payments of \$1,933 per month began January 15, 2022, and will continue to be received by the City until maturity on December 15, 2026.	33,277	9,912

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 4. LB 840 LOANS RECEIVABLE (Continued)

	Principal Balance	Current Portion
On March 1, 2019, the City entered into a loan agreement with Bed Head Coffee, to lend them \$95,000, which was disbursed on that date. The note bears an interest rate of 2.75% throughout the life of the loan. Payments of \$682 per month began April 15, 2019, and will continue to be received by the City until maturity on March 15, 2033.	71,312	6,384
On March 27, 2015, the City entered into a loan agreement with The County Cage, to lend them \$70,000, which was disbursed on that date. The note bears an interest rate of 2.75% throughout the life of the loan. Payments of \$571 per month began November 15, 2018, and will continue to be received by the City until maturity on October 15, 2030.	43,921	5,715
On March 7, 2018, the City entered into a loan agreement with Escape Tanning, to lend them \$10,000, which was disbursed on that date. The note bears an interest rate of 2.75% throughout the life of the loan. Monthly payments of \$155 began October 24, 2018, and will continue to be received until December 24, 2023.	<u>641</u>	<u>641</u>
Total LB 840 loans receivable	149,151	<u>22,652</u>
Less: current portion	<u>(22,652)</u>	
LB 840 non-current assets	<u>126,499</u>	

The City expects to receive the following future payments from its LB 840 loans receivable:

Years Ending September 30,	Principal	Interest	Total
2024	22,652	3,736	26,388
2025	22,624	3,116	25,740
2026	23,254	2,486	25,740
2027	15,843	1,912	17,755
2028	13,504	1,534	15,038
Thereafter	<u>51,271</u>	<u>2,606</u>	<u>53,877</u>
	<u>149,148</u>	<u>15,390</u>	<u>164,538</u>

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 5. USDA REVOLVING LOAN FUND AND NOTES RECEIVABLE

Revolving Loan Fund

On September 17, 2018, the City was awarded a Rural Economic Development Grant in the amount of \$300,000 by the United States Department of Agriculture Rural Development to set up a Revolving Loan Fund (RLF). The Initial Loan funds were loaned out at a 0% loan for a term not to exceed 10 years. The subsequent (revolving) loans are to be loaned out with a minimum loan amount of \$5,000 and a maximum of \$200,000.

The subsequent loans can be lent out with an interest rate not to exceed the Wall Street Journal prime rate and a term not to exceed 10 years. An annual loan servicing fee of 1% of the unpaid principal loan balance shall be charged to all borrowers, initial and subsequent, on the first day of each year the loan remains unpaid. All loans will be collateralized by a security interest in the real estate or equipment that the loan funds were used to acquire.

An independent Loan Review Committee will review each application that is presented to the City of St. Paul, Nebraska's, Economic Development office. The City Council has final approval of each loan. An applicant does not have to be a customer of the City to be considered for a loan. The City Council is responsible for administering the application process, determining the eligibility/approvability of each loan, loan monitoring, collection procedures, file retention and all applicable requirements for the duration of the agreement including 2 Code of Federal Regulations (CFR) parts 200, 400, 415 - 418, 421, and 422.

Notes Receivable

On September 17, 2018, the City awarded the Initial RLF Loan of \$300,000 to Howard County Medical Center (HCMC). The City matched the Initial Loan up to 20% or \$60,000. The \$360,000 loan will be paid back to the RLF in monthly installments of \$5,000 commencing October 1, 2018. The Initial Loan can be prepaid by HCMC in whole or in part at any time without penalty. The current unpaid balance at September 30, 2023, was \$25,000.

On September 27, 2019, the City awarded a loan of \$18,000 to Teresa's Floral. The \$18,000 loan will be paid back to the RLF in monthly installments of \$271 commencing October 15, 2019, with an interest rate of 2.75% and a term of 6 years. The loan can be prepaid by the borrower in whole or in part at any time without penalty. The loan is collateralized by the borrower's equipment, inventory, and other assets of the business. The current unpaid balance at September 30, 2023, was \$6,055.

On March 3, 2020, the City awarded a loan of \$70,000 to Vogel Auto Repair. The \$70,000 loan will be paid back to the RLF in monthly installments of \$1,251 commencing April 15, 2020, with an interest rate of 2.75% and a term of 5 years. The loan can be prepaid by the borrower in whole or in part at any time without penalty. The loan is collateralized by the borrower's equipment, inventory, and other assets of the business. The current unpaid balance at September 30, 2023, was \$21,798.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 5. USDA REVOLVING LOAN FUND AND NOTES RECEIVABLE (Continued)

Notes Receivable (Continued)

On September 23, 2022, the City awarded a loan of \$80,000 to Bootleggers, Inc. The \$80,000 loan will be paid back to the RLF in monthly installments of \$1,429 commencing January 1, 2023, with an interest rate of 2.75% and a term of 5 years. The loan can be prepaid by the borrower in whole or in part at any time without penalty. The loan is collateralized by the borrower's equipment, inventory, and other assets of the business. The current unpaid balance at September 30, 2023, was \$53,245.

Maturity Schedule

The City expects to receive the following future payments from its USDA Revolving Loan Funds:

Years Ending September 30,	Principal	Interest	Total
2024	58,612	6,789	65,401
2025	26,440	925	27,365
2026	16,775	368	17,143
2027	4,271	19	4,290
	<u>106,098</u>	<u>8,101</u>	<u>114,199</u>

NOTE 6. RESTRICTED ASSETS

The restricted assets as of September 30, 2023, are as follows:

Governmental activities - Debt Service Fund	
Cash and cash equivalents	384,053
Cash held by county treasurer	3,401
	<u>387,454</u>

The governmental funds restricted assets consist of moneys held for the payment of bonded indebtedness.

NOTE 7. OPERATING LEASES - LESSOR

The City leases approximately 360 acres of land to various farmers and ranchers. The land is leased on a bid basis with lease terms ranging from 1 - 5 years.

The following is a schedule of minimum future lease income and noncancelable operating leases with remaining lease terms in excess of one year as of September 30, 2023, net of contingent rentals, which are insignificant in amount:

Year Ending September 30,	Amount
2024	<u>12,510</u>

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 8. LONG-TERM DEBT

The reporting entity's long-term debt arising from cash transactions is segregated between the amounts to be repaid from governmental activities and amounts to be repaid from business-type activities.

Governmental Activities

As of September 30, 2023, the long-term debt, arising from cash transactions, payable from governmental fund resources, consisted of the following:

	Principal Balance	Current Portion
<u>General Debt Obligations</u>		
On November 23, 2020, the City issued \$754,400 of General Obligation Refunding Bonds to refund the 2020 Bond Anticipation Notes. The bonds bear interest ranging from 0.55% - 1.90%. Principal payments are due on November 15 of every odd year through 2035 and begin on November 15, 2023. Interest payments are due semi-annually and began on May 15, 2021. Bonds maturing on or after November 23, 2025, are callable on or after November 23, 2025, at par value plus accrued interest.	656,000	49,200
On June 21, 2021, the City issued \$329,888 of General Obligation Refunding Bonds to refund the 2016 GO Refunding Bonds. The bonds bear interest ranging from 0.30% - 1.25%. Principal payments are due on October 15 of each year through 2031, and began on October 1, 2022. Interest payments are due semi-annually and began on April 1, 2022. Bonds maturing on or after June 21, 2026, are callable on or after June 21, 2026, at par value plus accrued interest.	289,328	41,912
On January 27, 2022, the City issued \$620,000 of General Obligation Refunding Bonds to refund the 2017 GO Refunding Bonds. The bonds bear interest ranging from 0.70% - 1.40%. Principal payments are due on December 15 each year through 2031		

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 8. LONG-TERM DEBT (Continued)

Governmental Activities (Continued)

General Debt Obligations (Continued)

	Principal Balance	Current Portion
and began on December 15, 2022. Interest payments are due semi-annually and began on June 15, 2022. Bonds maturing on or after January 27, 2027, are callable on or after January 27, 2027, at par value plus accrued interest.	555,000	60,000
On January 13, 2023, the City issued \$2,055,000 of General Obligation Municipal Building Bonds for the construction of the new fire hall. The bonds bear interest ranging from 3.40% - 4.00%. Principal payments are due on November 15 each year through 2042 and begin on November 15, 2023. Interest payments are due semi-annually and began on May 15, 2023. Bonds maturing on or after December 15, 2028, are callable on or after December 15, 2028, at par value plus accrued interest.	2,055,000	80,000
On December 22, 2016, the City issued Street, Water, and Sewer Various Purpose Bonds to fund street, water, and sewer improvements. The bonds bear interest rates ranging from 1.10% - 2.60%. Principal payments are due on December 15 of each year until 2026 and began on December 15, 2017. Interest payments are due semi-annually and began on December 15, 2017.	<u>35,650</u>	<u>7,750</u>
Total general debt obligations	<u>3,590,978</u>	<u>238,862</u>

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 8. LONG-TERM DEBT (Continued)

Business-Type Activities

As of September 30, 2023, the long-term debt, arising from cash transactions, payable from proprietary fund resources, consisted of the following:

	Principal Balance	Current Portion
<u>Bonds and Notes Payable</u>		
On October 14, 2016, the City issued \$165,000 of Combined Utilities Revenue Refunding Bonds, Series 2016 to refund the NDEQ SRF Sewer Loan. The bonds bear interest ranging from 0.85% - 1.85%. Principal payments are due on December 15 of each year through 2025 and began on December 15, 2017, which calls for semiannual interest. Interest payments are due semi-annually and began on June 15, 2017. Bonds maturing on or after December 15, 2021, are callable on or after October 14, 2021, at par value plus accrued interest.	75,000	20,000
On April 7, 2020, the City issued \$375,000 of Water Revenue Refunding Bonds, Series 2020 to refund GO Refunding Water Bonds Series 2015. The bonds bear interest ranging from 1.25% - 1.60%. Principal payments are due on December 15 of each year through 2029 and began on December 15, 2020, which calls for semi-annual interest. Interest payments are due semi-annually and began on June 15, 2020.	260,000	35,000
On November 23, 2020, the City issued \$165,600 of General Obligation Refunding Bonds to refund the 2020 Bond Anticipation Notes. The bonds bear interest ranging from 0.55% - 1.90%. Principal payments are due on November 15 of every odd year through 2035 and begin on November 15, 2023. Interest payments are due semi-annually and began on May 15, 2021. Bonds maturing on or after November 23, 2025, are callable on or after November 23, 2025, at par value plus accrued interest.	144,000	10,800

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 8. LONG-TERM DEBT (Continued)

Business-Type Activities (Continued)

	Principal Balance	Current Portion
<u>Bonds and Notes Payable (Continued)</u>		
On September 7, 2021, the City entered into an agreement to borrow up to \$5,820,000 from the Nebraska Department of Environmental Quality for the construction of a wastewater treatment plant. As of September 30, 2023, the City had borrowed \$5,339,275 of this amount. This agreement calls for semiannual principal and interest payments of \$100,720, which will commence at the conclusion of the project and will continue through the end of the 30 year period. The note bears interest of 0.01%.	5,339,275	- 0 -
On June 21, 2021, the City issued \$329,888 of General Obligation Refunding Bonds to refund the 2016 GO Refunding Bonds. The bonds bear interest ranging from 0.30% - 1.25%. Principal payments are due on October 15 each year through 2031 and began on October 1, 2022. Interest payments are due semi-annually and began on April 1, 2022. Bonds maturing on or after June 21, 2026, are callable on or after June 21, 2026, at par value plus accrued interest.	780,672	113,088
On December 22, 2016, the City issued Street, Water, and Sewer various purpose bonds to fund street, water, and sewer improvements. The bonds bear interest rates ranging from 1.10% - 2.60%. Principal payments are due on December 15 of each year until 2026 and began on December 15, 2017. Interest payments are due semi-annually and began on December 15, 2017.	<u>79,350</u>	<u>17,250</u>
Total bonds and notes payable	<u>6,678,297</u>	<u>196,138</u>

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 8. LONG-TERM DEBT (Continued)

Changes in Long-Term Debt

The following is a summary of changes in long-term debt for the year ended September 30, 2023:

	October 1, 2022 Beginning Balance	Additions	Reductions	September 30, 2023 Ending Balance	Amount Due Within One Year
Governmental activities					
General debt obligations	1,698,488	2,055,000	162,510	3,590,978	238,862
Business-type activities					
Bonds and notes payable	<u>4,797,028</u>	<u>2,068,759</u>	<u>187,490</u>	<u>6,678,297</u>	<u>196,138</u>
	<u>6,495,516</u>	<u>4,123,759</u>	<u>350,000</u>	<u>10,269,275</u>	<u>435,000</u>

Debt Service Requirements to Maturity

The annual debt service requirements to maturity, including principal and interest and fees for long-term debt, except for refundable deposits, as of September 30, 2023, are as follows:

Years Ended September 30,	Governmental Funds		Proprietary Funds			
	Bond Principal	Bond Interest	Bond Principal	Bond Interest	Note Principal	Note Interest
2024	238,862	102,229	196,138	14,321		1,791
2025	230,412	98,605	199,588	12,550		1,068
2026	235,412	94,957	214,588	10,401	88,857	1,068
2027	239,060	90,806	175,940	8,251	177,727	1,042
2028	213,536	86,360	116,464	6,586	177,745	1,006
2029 - 2033	1,048,796	353,674	401,204	13,074	888,990	4,494
2034 - 2038	709,900	216,927	35,100	986	889,434	3,606
2039 - 2043	675,000	78,187			889,879	2,715
2044 - 2048					890,324	1,824
2049 - 2053					890,770	901
2054 - 2056					445,549	131
	<u>3,590,978</u>	<u>1,121,745</u>	<u>1,339,022</u>	<u>66,169</u>	<u>5,339,275</u>	<u>19,646</u>

NOTE 9. SEGMENT INFORMATION FOR ENTERPRISE FUNDS

The City has outstanding general obligation bonds related to water and sewer improvements. The improvements of the Water and Sewer Funds are pledged as security for these bonds. The fund financial statements report these funds as major funds.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 10. INTERFUND TRANSFERS AND BALANCES

Transfers between funds of the primary government for the year ended September 30, 2023, were as follows:

	Transfers In	Transfers Out
Major governmental funds		
General Fund	332,428	50,136
Street Fund		44,653
Sales Tax Fund	29,786	
Debt Service Fund	16,659	
Economic Development Fund		29,786
Total major governmental funds	<u>378,873</u>	<u>124,575</u>
Nonmajor governmental funds		
Internal Service Fund	<u>69,333</u>	
Total major and nonmajor governmental funds	<u>448,206</u>	<u>124,575</u>
Proprietary funds		
Light		275,835
Water		35,350
Sewer	24,000	29,446
Landfill		10,000
Total proprietary funds	<u>24,000</u>	<u>350,631</u>
Total governmental funds and proprietary funds	<u>472,206</u>	<u>475,206</u>

The transfers reflected in the above schedule are used to transfer funds to the appropriate fund. The purpose of the above transfers was to primarily fund the General and Street Fund operations with monies from the proprietary fund in accordance with the approved 2022 - 2023 budget.

NOTE 11. RETIREMENT COMMITMENTS

The City offers its employees a deferred compensation plan (the Plan) created in accordance with Internal Revenue Service Code Section 457. The Plan, available to all City employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency. All amounts of compensation deferred under the Plan, all property and rights purchased with those amounts, and all income attributable to these amounts, property, or rights are (until paid or made available to the employee or other beneficiary) solely the property of the City (without being restricted to the provisions of benefits under the Plan), subject only to the claims of the City's general creditors.

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 11. RETIREMENT COMMITMENTS (Continued)

Participants' rights under the Plan are equal to those of general creditors of the City in an amount equal to the fair market value of the deferred account for each participant. It is the opinion of City management that the City has no liability for losses under the Plan, but does have the duty of due care that would be required of an ordinary prudent investor. The City believes that it is unlikely that it will use the assets to satisfy the claims of general creditors in the future. The City contributed \$57,996 towards the Plan during the year ended September 30, 2023.

NOTE 12. INTERLOCAL AGREEMENT - SOLID WASTE

The City has entered into an interlocal agreement as provided by Nebraska's Interlocal Cooperation Act with several counties and cities to provide for solid waste disposal. The agreement created the Loup Central Landfill Association (the Agency). User charges and special assessments against participants are assessed to pay the expenses and indebtedness of the Agency. The City of St. Paul, Nebraska, is allocated 14.82% of the outstanding indebtedness of the Agency, which amounts to \$2,303 at September 30, 2023.

NOTE 13. COMMITMENTS AND CONTINGENCIES

Landfill Closure and Post Closure Care Costs

State and federal laws and regulations require the City to place a final cover on its landfill site, which stopped accepting waste in April 1994. During the year ended September 30, 1996, the City placed a final cover on the landfill site. At September 30, 2023, the City had no estimated liability due for post closure maintenance costs.

Waste Water Treatment Plant Construction Project

On November 15, 2022, the City accepted a construction bid of \$5,516,845 for the replacement of the City's Waste Water Treatment Plant with a substantial completion date of May 1, 2023. At September 30, 2023, the City has uncompleted construction costs of \$525,107.

NOTE 14. DEVELOPMENT AGREEMENT

On June 12, 2015, the City entered into a development agreement with an individual to rehabilitate a facility donated to the City. The purchase price of the facility was \$150,000. Per the agreement, the individual rehabilitated the facility by January 1, 2016, and is currently maintaining the property as a child care center until at least January 1, 2022. The buyer paid \$37,500 on the date of the sale, with the remaining amount of \$112,500 to be due on January 1, 2022. A total of \$12,500 of principal and accrued interest was forgiven on January 1, 2016, upon substantial completion of renovating the property for a child care center. The remaining balance will be forgiven at \$20,000 per year beginning January 1, 2017, until the balance remaining is zero. Should default occur, the borrower will be

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 14. DEVELOPMENT AGREEMENT (Continued)

required to pay all principal, and all accrued interest not yet paid will be due at the time of default. The developer is currently in compliance with this agreement. The estimated forgiveness schedule is as follows:

	Principal	Interest	Total
2023	<u>2,164</u>	<u>108</u>	<u>2,272</u>

NOTE 15. RISK MANAGEMENT

The City is exposed to various risks of loss related to torts; theft of, damage to, or destruction of assets; errors and omissions; injuries to employees; employees' health and life; and natural disasters.

The City manages these various risks of loss as follows:

Type of Loss	Method Managed	Risk of Loss Retained
Torts, errors, and omissions	Purchased commercial insurance	None
Workers' compensation, health, and life	Purchased commercial insurance	None
Physical property loss and natural disasters	Purchased commercial insurance	None

Management believes such coverage is sufficient to preclude any significant uninsured losses to the City. Settled claims have not exceeded this insurance coverage in any of the past three fiscal years.

NOTE 16. RELATED PARTY TRANSACTIONS

The following schedule presents significant transactions between the primary government and its component unit during the year ended September 30, 2023:

Component Unit	Significant Transactions
St. Paul Development Corporation	Support received from the City in the amount of \$267,504

CITY OF ST. PAUL, NEBRASKA
NOTES TO FINANCIAL STATEMENTS

NOTE 17. INTERLOCAL AGREEMENTS

The City has the following interlocal agreements as of September 30, 2023:

Howard County Sheriff	August 5, 2002 - indefinite	Dispatcher service
Rural Fire Department	July 29, 1974 - indefinite	Combined fire departments
Loup Central Landfill	October 7, 1996 - indefinite	Regional landfill
St. Paul Public School	October 7, 1996 - indefinite	Library service
Howard County	July 12, 2011 - indefinite	Firing range

NOTE 18. SUBSEQUENT EVENT

In preparing the financial statements, the City has evaluated events and transactions for potential recognition or disclosure through January 20, 2024, the date the financial statements were available to be issued.

SUPPLEMENTARY INFORMATION

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2022

	2023					2022	Governmental Activities
	Light	Water	Sewer	Landfill	Total	Total	Internal Service Fund
ASSETS							
Current assets							
Cash and cash equivalents	2,720,188	613,352	1,457,907	161,334	4,952,781	4,462,276	175,487
Accounts receivable	210,248	63,923	57,108	13,020	344,299	336,464	
Unbilled revenue	87,603	26,569	23,697	5,425	143,294	139,646	
Inventory	193,443	38,837	2,391		234,671	252,134	
Total current assets	<u>3,211,482</u>	<u>742,681</u>	<u>1,541,103</u>	<u>179,779</u>	<u>5,675,045</u>	<u>5,190,520</u>	<u>175,487</u>
Noncurrent assets							
Certificates of deposit, unrestricted						197,823	
Capital assets							
Land	115,895	275,663	62,000		453,558	453,558	
Distribution and collection systems	1,090,106	5,927,319	8,061,437		15,078,862	12,682,582	
Buildings and improvements	229,766	105,776	23,289	9,000	367,831	367,831	
Equipment	308,115	324,537	193,966	3,500	830,118	720,740	
Accumulated depreciation	<u>(1,289,671)</u>	<u>(3,293,081)</u>	<u>(1,345,065)</u>	<u>(11,810)</u>	<u>(5,939,627)</u>	<u>(5,687,687)</u>	
Total capital assets	<u>454,211</u>	<u>3,340,214</u>	<u>6,995,627</u>	<u>690</u>	<u>10,790,742</u>	<u>8,537,024</u>	
TOTAL ASSETS	<u>3,665,693</u>	<u>4,082,895</u>	<u>8,536,730</u>	<u>180,469</u>	<u>16,465,787</u>	<u>13,925,367</u>	<u>175,487</u>

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR SEPTEMBER 30, 2022

	2023					2022	Governmental Activities
	Light	Water	Sewer	Landfill	Total	Total	Internal Service Fund
LIABILITIES							
Current liabilities							
Accounts payable	167,227	9,127	37,624	10,473	224,451	188,519	
Accrued salaries and vacation	12,787	19,646	4,541	89	37,063	79,563	
Sales tax payable	14,656				14,656	12,986	
Customer deposits		55,201			55,201	52,951	
Accrued interest payable		4,629	1,238		5,867	3,211	
Current portion of long-term obligations		155,730	40,408		196,138	187,490	
Total current liabilities	<u>194,670</u>	<u>244,333</u>	<u>83,811</u>	<u>10,562</u>	<u>533,376</u>	<u>524,720</u>	
Noncurrent liabilities							
Noncurrent portion of long-term obligations		939,540	5,542,619		6,482,159	4,609,538	
TOTAL LIABILITIES	<u>194,670</u>	<u>1,183,873</u>	<u>5,626,430</u>	<u>10,562</u>	<u>7,015,535</u>	<u>5,134,258</u>	
NET POSITION							
Invested in capital assets, net of related debt	454,211	2,244,944	1,412,600	690	4,112,445	3,739,996	
Unrestricted	<u>3,016,812</u>	<u>654,078</u>	<u>1,497,700</u>	<u>169,217</u>	<u>5,337,807</u>	<u>5,051,113</u>	<u>175,487</u>
TOTAL NET POSITION	<u>3,471,023</u>	<u>2,899,022</u>	<u>2,910,300</u>	<u>169,907</u>	<u>9,450,252</u>	<u>8,791,109</u>	<u>175,487</u>

See accompanying notes to the statements of proprietary funds.

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023					2022	Governmental Activities
	Light	Water	Sewer	Landfill	Total	Total	Internal Service Fund
OPERATING REVENUES							
Sales	2,653,479	693,868	640,724	155,352	4,143,423	4,174,065	
Rent	4,976	11,260	4,360	652	21,248	20,337	
Health insurance premiums							89,407
Other	3,328	5,722	8,889	2,183	20,122	23,096	
43 Total operating revenues	<u>2,661,783</u>	<u>710,850</u>	<u>653,973</u>	<u>158,187</u>	<u>4,184,793</u>	<u>4,217,498</u>	<u>89,407</u>
OPERATING EXPENSES							
Cost of power	1,863,575				1,863,575	1,801,870	
Personnel services	310,144	228,778	105,205	3,766	647,893	683,405	
Operation of system	60,322	128,965	53,104	5,283	247,674	234,549	
Maintenance of system	32,344	58,781	19,187	5,027	115,339	79,017	
Contract services				126,797	126,797	120,749	
Supplies	44,797	796	522	96	46,211	20,442	
Insurance claims and health premiums							148,580
Depreciation	30,007	141,566	80,007	360	251,940	237,909	
Total operating expenses	<u>2,341,189</u>	<u>558,886</u>	<u>258,025</u>	<u>141,329</u>	<u>3,299,429</u>	<u>3,177,941</u>	<u>148,580</u>
OPERATING INCOME (LOSS)	<u>320,594</u>	<u>151,964</u>	<u>395,948</u>	<u>16,858</u>	<u>885,364</u>	<u>1,039,557</u>	<u>(59,173)</u>
NONOPERATING REVENUES (EXPENSES)							
Interest income	66,882	20,896	28,122		115,900	32,241	6,945
Interest expense		(14,660)	(3,830)		(18,490)	(10,819)	
Total nonoperating revenues (expenses)	<u>66,882</u>	<u>6,236</u>	<u>24,292</u>		<u>97,410</u>	<u>21,422</u>	<u>6,945</u>

CITY OF ST. PAUL, NEBRASKA
 STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
 PROPRIETARY FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2023
 WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023					2022	Governmental Activities
	Light	Water	Sewer	Landfill	Total	Total	Internal Service Fund
NET INCOME (LOSS) BEFORE TRANSFERS	<u>387,476</u>	<u>158,200</u>	<u>420,240</u>	<u>16,858</u>	<u>982,774</u>	<u>1,060,979</u>	<u>(52,228)</u>
TRANSFERS							
Transfers in			24,000		24,000		69,333
Transfers out	<u>(275,835)</u>	<u>(32,350)</u>	<u>(29,446)</u>	<u>(10,000)</u>	<u>(347,631)</u>	<u>(309,746)</u>	
Total transfers	<u>(275,835)</u>	<u>(32,350)</u>	<u>(5,446)</u>	<u>(10,000)</u>	<u>(323,631)</u>	<u>(309,746)</u>	<u>69,333</u>
CHANGE IN NET POSITION	111,641	125,850	414,794	6,858	659,143	751,233	17,105
NET POSITION, beginning of year	<u>3,359,382</u>	<u>2,773,172</u>	<u>2,495,506</u>	<u>163,049</u>	<u>8,791,109</u>	<u>8,039,876</u>	<u>158,382</u>
NET POSITION, end of year	<u>3,471,023</u>	<u>2,899,022</u>	<u>2,910,300</u>	<u>169,907</u>	<u>9,450,252</u>	<u>8,791,109</u>	<u>175,487</u>

See accompanying notes to the statements of proprietary funds.

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023					2022	Governmental Activities
	Light	Water	Sewer	Landfill	Total	Total	Internal Service Fund
CASH FLOWS FROM OPERATING ACTIVITIES							
Receipts from customers	2,664,894	712,516	640,502	157,644	4,175,556	4,182,912	89,407
Payments to suppliers	(1,963,789)	(189,390)	(54,293)	(137,055)	(2,344,527)	(2,238,872)	(148,580)
Payments to employees	(337,849)	(236,507)	(112,265)	(3,772)	(690,393)	(681,613)	
Net cash provided by (used in) operating activities	<u>363,256</u>	<u>286,619</u>	<u>473,944</u>	<u>16,817</u>	<u>1,140,636</u>	<u>1,262,427</u>	<u>(59,173)</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES							
Transfers to other funds	(275,835)	(32,350)	(29,446)	(10,000)	(347,631)	(309,746)	
Receipts from other funds			24,000		24,000		69,333
Net cash provided by (used in) noncapital financing activities	<u>(275,835)</u>	<u>(32,350)</u>	<u>(5,446)</u>	<u>(10,000)</u>	<u>(323,631)</u>	<u>(309,746)</u>	<u>69,333</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES							
Purchase of property and equipment	(45,260)		(2,460,398)		(2,505,658)	(3,075,457)	
Net proceeds from the issuance of capital debt			2,068,759		2,068,759	3,270,516	
Principal payments on capital debt		(152,250)	(35,240)		(187,490)	(252,675)	
Interest paid on capital debt		(11,891)	(3,943)		(15,834)	(23,813)	
Net cash used in capital and related financing activities	<u>(45,260)</u>	<u>(164,141)</u>	<u>(430,822)</u>		<u>(640,223)</u>	<u>(81,429)</u>	
CASH FLOWS FROM INVESTING ACTIVITIES							
(Increase) decrease in certificates of deposit	88,857	32,690	76,276		197,823	(2,491)	
Interest received	<u>66,882</u>	<u>20,896</u>	<u>28,122</u>		<u>115,900</u>	<u>32,241</u>	<u>6,945</u>
Net cash provided by investing activities	<u>155,739</u>	<u>53,586</u>	<u>104,398</u>		<u>313,723</u>	<u>29,750</u>	<u>6,945</u>

CITY OF ST. PAUL, NEBRASKA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

	2023					2022	Governmental Activities
	Light	Water	Sewer	Landfill	Total	Total	Internal Service Fund
NET INCREASE IN CASH AND CASH EQUIVALENTS	197,900	143,714	142,074	6,817	490,505	901,002	17,105
CASH AND CASH EQUIVALENTS, beginning of year	<u>2,522,288</u>	<u>469,638</u>	<u>1,315,833</u>	<u>154,517</u>	<u>4,462,276</u>	<u>3,561,274</u>	<u>158,382</u>
CASH AND CASH EQUIVALENTS, end of year	<u>2,720,188</u>	<u>613,352</u>	<u>1,457,907</u>	<u>161,334</u>	<u>4,952,781</u>	<u>4,462,276</u>	<u>175,487</u>
Reconciliation of Operating Income (Loss) to Net Cash Provided by (Used in) Operating Activities							
Operating income (loss)	<u>320,594</u>	<u>151,964</u>	<u>395,948</u>	<u>16,858</u>	<u>885,364</u>	<u>1,039,557</u>	<u>(59,173)</u>
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:							
Depreciation expense	30,007	141,566	80,007	360	251,940	237,909	
Bond issue costs							
Changes in assets and liabilities:							
Accounts receivable and unbilled revenue	3,111	(580)	(13,471)	(543)	(11,483)	(34,307)	
Inventories	15,350	(4,380)	6,493		17,463	(2,709)	
Accounts payable	20,229	3,528	12,027	148	35,932	19,790	
Deferred revenue and customer deposits		2,250			2,250	(277)	
Accrued expenses	(26,035)	(7,729)	(7,060)	(6)	(40,830)	2,464	
Total adjustments	<u>42,662</u>	<u>134,655</u>	<u>77,996</u>	<u>(41)</u>	<u>255,272</u>	<u>222,870</u>	
Net cash provided by (used in) operating activities	<u>363,256</u>	<u>286,619</u>	<u>473,944</u>	<u>16,817</u>	<u>1,140,636</u>	<u>1,262,427</u>	<u>(59,173)</u>

See accompanying notes to the statements of proprietary funds.

CITY OF ST. PAUL, NEBRASKA
NOTES TO STATEMENTS OF PROPRIETARY FUNDS

NOTE A. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Presentation

The statements of proprietary funds (supplementary information) have been included and prepared in conformity with accounting principles generally accepted in the United States of America to satisfy Nebraska Revised Statute 19-2903.

Measurement Focus

The statements of proprietary funds utilize an economic resources measurement focus. The accounting objectives of this measurement focus are the determination of operating income, changes in net position (or cost recovery), and net financial position. All assets, deferred outflows, liabilities, and deferred inflows (whether current or noncurrent, financial or nonfinancial) associated with their activities are reported.

Basis of Accounting

The City of St. Paul, Nebraska's proprietary fund statements have been prepared using the economic resources measurement focus and the accrual basis of accounting. Under this method, revenues, expenditures, transfers, assets, deferred outflows of resources, liabilities, and deferred inflows of resources resulting from exchange and exchange-like transactions should be recognized when the exchange takes place.

Operating income reported in proprietary fund financial statements includes revenues and expenses related to the primary continuing operations of the fund. Principal operating revenues for proprietary funds are charges to customers for sales or services. Principal operating expenses are the costs of providing goods or services and include administrative expenses and depreciation of capital assets. Other revenues and expenses are classified as nonoperating in the financial statements.

Use of Estimates

In preparing the statements of proprietary funds in conformity with accounting principles generally accepted in the United States of America, management is required to make estimates and assumptions that will affect the reported amounts of assets and liabilities, the disclosures of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Cash, Cash Equivalents, and Investments

These items are presented in the same manner as in the modified cash basis financial statements.

CITY OF ST. PAUL, NEBRASKA
NOTES TO STATEMENTS OF PROPRIETARY FUNDS

NOTE A. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Equity Classification

Equity is classified as net position and displayed in three components as in the government-wide statements: net investment in capital assets, restricted, and unrestricted.

Invested in capital assets, net of related debt - Consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets. Deferred outflows of resources and deferred inflows of resources that are attributable to the acquisition, construction, or improvement of those assets or related debt are included in this component of net position, if applicable.

Restricted net position - Consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets. Generally, a liability relates to restricted assets if the asset results from a resource flow that also results in the recognition of a liability or if the liability will be liquidated with the restricted assets reported.

Unrestricted net position - Consists of assets that do not meet the definition of restricted net position or net position invested in capital assets, net of related debt.

Accounts Receivable

The City considers all of its business-type funds accounts receivable to be collectible and, accordingly, has not established an allowance for doubtful accounts.

Unbilled Revenue

Billings for electric, water, and sewer revenues are rendered on a monthly-cycle basis. Unbilled revenues from the last billing date to the end of the period are accrued in the period of usage and included in accounts receivable.

NOTE B. INVENTORY

All inventories are valued at cost using the first-in, first-out (FIFO) method.

NOTE C. CUSTOMER DEPOSITS

All customer utility deposits are held until utility service is disconnected.

NOTE D. CAPITAL ASSETS

All capital assets are valued at historical cost or estimated historical cost if actual is unavailable. Prior to July 1, 1980, governmental funds' infrastructure assets were not capitalized. These assets (back to July 1, 1980) have been valued at estimated historical cost. The costs of normal maintenance, preservation, and repairs that do not add to the value of the asset or materially extend the assets' lives are not capitalized.

CITY OF ST. PAUL, NEBRASKA
NOTES TO STATEMENTS OF PROPRIETARY FUNDS

NOTE D. CAPITAL ASSETS (Continued)

Depreciation of all exhaustible capital assets is recorded as an allocated expense in the statement of activities, with accumulated depreciation reflected in the statement of net position. Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. A capitalization threshold of \$1,000 is used to report capital assets. The range of estimated useful lives by type of assets is as follows:

Infrastructure	25 years
Buildings and improvements	15 - 25 years
Equipment	5 - 10 years
Vehicles	5 - 10 years
Distribution systems	40 - 50 years

Capital asset activity for the fiscal year ended September 30, 2023, was as follows:

	October 1, 2022	Additions	Deletions	September 30, 2023
<u>Business-Type Activities</u>				
Capital assets, nondepreciable				
Land	<u>453,558</u>			<u>453,558</u>
Capital assets, depreciable				
Distribution systems	12,682,583	2,396,280		15,078,863
Buildings and improvements	367,831			367,831
Equipment	<u>720,739</u>	<u>109,378</u>		<u>830,117</u>
Total	<u>13,771,153</u>	<u>2,505,658</u>		<u>16,276,811</u>
Accumulated depreciation				
Distribution systems	(4,761,420)	(216,210)		(4,977,630)
Buildings and improvements	(324,745)	(11,474)		(336,219)
Equipment	<u>(601,522)</u>	<u>(24,256)</u>		<u>(625,778)</u>
Total	<u>(5,687,687)</u>	<u>(251,940)</u>		<u>(5,939,627)</u>
Capital assets, depreciable, net	<u>8,083,466</u>	<u>2,253,718</u>		<u>10,337,184</u>
Business-type activities, capital assets, net	<u>8,537,024</u>	<u>2,253,718</u>		<u>10,790,742</u>

CITY OF ST. PAUL, NEBRASKA
GENERAL FUND
COMBINING SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
MODIFIED CASH BASIS
FOR THE YEAR ENDED SEPTEMBER 30, 2023
WITH COMPARATIVE TOTALS FOR THE YEAR ENDED SEPTEMBER 30, 2022

		2023									2022	
		General Fund	Police Fund	Fire Fund	Ambulance Fund	Cemetery Fund	Pool Fund	Library Fund	Parks Fund	Recreation Fund	Total	Total
REVENUES												
Taxes												
	Property	146,926	273,409	27,341		27,341	68,380	75,188	61,517	6,835	686,937	658,543
	Franchise	26,707									26,707	26,519
	Intergovernmental	129,049	1,500	21,755	19,358			31,605			203,267	216,950
	Charges for services	7,755			57,312	16,660	44,843				126,570	137,880
	Grants		2,800		75,000			1,739			79,539	211,348
	Contributions											10,000
	Interest income	82,600	989	75,112	14,160	1,713	1,245	5,002	7,323	6	188,150	28,332
	Bond/loan proceeds			2,055,000							2,055,000	
	Other	4,936	16,879	15,068		24,291	83	8,598	17,204		87,059	87,023
	Total revenues	<u>397,973</u>	<u>295,577</u>	<u>2,194,276</u>	<u>165,830</u>	<u>70,005</u>	<u>114,551</u>	<u>122,132</u>	<u>86,044</u>	<u>6,841</u>	<u>3,453,229</u>	<u>1,376,595</u>
EXPENDITURES												
	Personnel services	290,289	327,452	3,499	2,074	18,652	52,302	37,499	81,512		813,279	827,082
	Operating expenses	70,264	111,149	46,432	108,912	6,958	36,511	68,456	69,024	8,000	525,706	463,482
	Supplies	1,759	1,811	9,785	5,178		3,341	2,415			24,289	21,659
	Other expenses	1,125				4,700	2,540				8,365	6,262
	Capital Outlay	91,926	49,191		100,682	2,356		2,300			246,455	137,319
	Debt Service											
	Interest			26,586							26,586	
	Bond issue cost			48,024							48,024	
	Total expenditures	<u>455,363</u>	<u>489,603</u>	<u>134,326</u>	<u>216,846</u>	<u>32,666</u>	<u>94,694</u>	<u>110,670</u>	<u>150,536</u>	<u>8,000</u>	<u>1,692,704</u>	<u>1,455,804</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE TRANSFERS												
		<u>(57,390)</u>	<u>(194,026)</u>	<u>2,059,950</u>	<u>(51,016)</u>	<u>37,339</u>	<u>19,857</u>	<u>11,462</u>	<u>(64,492)</u>	<u>(1,159)</u>	<u>1,760,525</u>	<u>(79,209)</u>
TRANSFERS FROM (TO) OTHER FUNDS												
	Transfers in	77,128	178,500						76,800		332,428	291,640
	Transfers out	(32,712)	(13,068)						(4,356)		(50,136)	(29,040)
	Net transfers	<u>44,416</u>	<u>165,432</u>						<u>72,444</u>		<u>282,292</u>	<u>262,600</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES												
		<u>(12,974)</u>	<u>(28,594)</u>	<u>2,059,950</u>	<u>(51,016)</u>	<u>37,339</u>	<u>19,857</u>	<u>11,462</u>	<u>7,952</u>	<u>(1,159)</u>	<u>2,042,817</u>	<u>183,391</u>

CITY OF ST. PAUL, NEBRASKA
 BUDGETARY COMPARISON SCHEDULE - CASH BASIS
 GENERAL FUND
 FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Original and Final Budget	Actual Amounts	Variance With Final Budget Positive (Negative)
RESOURCES (INFLOWS)			
Taxes			
Property	677,600	686,937	9,337
Franchise	26,000	26,707	707
Intergovernmental	190,939	203,267	12,328
Charges for services	101,850	126,570	24,720
Grants	150,000	79,539	(70,461)
Contributions	250		(250)
Interest income	25,175	188,150	162,975
Loan proceeds		2,055,000	2,055,000
Other	54,465	87,059	32,594
Total resources (inflows)	<u>1,226,279</u>	<u>3,453,229</u>	<u>2,226,950</u>
CHARGES TO APPROPRIATIONS (OUTFLOWS)			
Administrative	<u>543,366</u>	<u>455,363</u>	<u>88,003</u>
Public Safety			
Fire	57,314	134,326	(77,012)
Ambulance	371,221	216,846	154,375
Police	499,525	489,603	9,922
Total Public Safety	<u>928,060</u>	<u>840,775</u>	<u>87,285</u>
Public Works			
Cemetery	<u>47,128</u>	<u>32,666</u>	<u>14,462</u>
Environment and leisure			
Library	130,997	110,670	20,327
Park	149,106	150,536	(1,430)
Recreation	11,425	8,000	3,425
Pool	137,105	94,694	42,411
Total environment and leisure	<u>428,633</u>	<u>363,900</u>	<u>64,733</u>
Total charges to appropriations (outflows)	<u>1,947,187</u>	<u>1,692,704</u>	<u>254,483</u>

CITY OF ST. PAUL, NEBRASKA
 BUDGETARY COMPARISON SCHEDULE - CASH BASIS
 GENERAL FUND
 FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Original and Final Budget	Actual Amounts	Variance With Final Budget Positive (Negative)
RESOURCES UNDER CHARGES TO APPROPRIATIONS	<u>(720,908)</u>	<u>1,760,525</u>	<u>2,481,433</u>
OTHER FINANCING SOURCES (USES)			
Transfers in	439,239	332,428	106,811
Transfers out		<u>(50,136)</u>	<u>50,136</u>
Total other financing sources (uses)	<u>439,239</u>	<u>282,292</u>	<u>156,947</u>
RESOURCES AND OTHER FINANCING SOURCES OVER (UNDER) CHARGES TO APPROPRIATIONS AND OTHER FINANCING USES	<u>(281,669)</u>	<u>2,042,817</u>	<u>2,638,380</u>

See accompanying notes to budgetary schedules.

CITY OF ST. PAUL, NEBRASKA
 BUDGETARY COMPARISON SCHEDULE - CASH BASIS
 STREET FUND
 FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Original and Final Budget	Actual Amounts	Variance With Final Budget Positive (Negative)
RESOURCES (INFLOWS)			
Property and motor vehicle taxes	46,000	121,744	75,744
Special assessments	8,058	16,088	8,030
Sales taxes	45,000	67,184	22,184
Highway allocation	392,581	408,494	15,913
Charges for services	1,000		(1,000)
Interest income	8,851	13,433	4,582
Other		8,386	8,386
Total resources (inflows)	<u>501,490</u>	<u>635,329</u>	<u>133,839</u>
CHARGES TO APPROPRIATIONS (OUTFLOWS)			
Public works projects	335,857	392,067	(56,210)
Capital Outlay	<u>124,000</u>	<u>60,895</u>	<u>63,105</u>
Total charges to appropriations (outflows)	<u>459,857</u>	<u>452,962</u>	<u>6,895</u>
RESOURCES OVER CHARGES TO APPROPRIATIONS	41,633	182,367	140,734
OTHER FINANCING USES			
Transfers out	<u>(35,941)</u>	<u>(44,653)</u>	<u>(8,712)</u>
RESOURCES OVER (UNDER) CHARGES TO APPROPRIATIONS AND OTHER FINANCING USES	<u>5,692</u>	<u>137,714</u>	<u>132,022</u>

See accompanying notes to budgetary schedules.

CITY OF ST. PAUL, NEBRASKA
 BUDGETARY COMPARISON SCHEDULE - CASH BASIS
 DEBT SERVICE FUND
 FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Original and Final Budget	Actual Amounts	Variance With Final Budget Positive (Negative)
RESOURCES (INFLOWS)			
Property taxes	<u>160,000</u>	<u>162,930</u>	<u>2,930</u>
CHARGES TO APPROPRIATIONS (OUTFLOWS)			
Principal payments	147,510	162,510	(15,000)
Interest expense	<u>27,664</u>	<u>18,392</u>	<u>9,272</u>
Total charges to appropriation (outflows)	<u>175,174</u>	<u>180,902</u>	<u>(5,728)</u>
RESOURCES UNDER CHARGES TO APPROPRIATIONS	(15,174)	(17,972)	(2,798)
OTHER FINANCING SOURCES			
Transfers in	<u>16,659</u>	<u>16,659</u>	<u> </u>
RESOURCES AND OTHER FINANCING SOURCES UNDER CHARGES TO APPROPRIATIONS AND OTHER FINANCING USES	<u>1,485</u>	<u>(1,313)</u>	<u>(2,798)</u>

See accompanying notes to budgetary schedules.

CITY OF ST. PAUL, NEBRASKA
 BUDGETARY COMPARISON SCHEDULE - CASH BASIS
 ALL FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Original and Final Budget	Actual Amounts	Variance With Final Budget Positive (Negative)
RESOURCES (INFLOWS)			
Taxes			
Property and motor vehicle	882,600	971,611	89,011
Franchise	26,000	26,707	707
Sales	385,000	556,093	171,093
Intergovernmental	583,520	611,761	28,241
Charges for services	4,100,336	4,314,695	214,359
Grants	226,000	79,539	(146,461)
Special assessments	9,038	16,088	7,050
Bond and loan proceeds	3,202,000	4,123,759	921,759
Interest income	56,980	362,674	305,694
Other	515,617	278,780	(236,837)
Total resources (inflows)	<u>9,987,091</u>	<u>11,341,707</u>	<u>1,354,616</u>
CHARGES TO APPROPRIATIONS (OUTFLOWS)			
Administrative	981,046	720,907	260,139
Public Safety	570,610	616,292	(45,682)
Public Works	396,985	422,377	(25,392)
Environment and leisure	387,775	361,600	26,175
Sanitation	134,482	140,827	(6,345)
Wastewater	361,365	166,558	194,807
Water	454,138	425,897	28,241
Light	2,335,822	2,301,638	34,184
Capital Outlay	4,938,401	2,900,327	2,038,074
Other	27,560		27,560
Debt Service			
Principal	1,675,714	350,000	1,325,714
Interest and bond issue costs	43,496	108,836	(65,340)
Total charges to appropriations (outflows)	<u>12,307,394</u>	<u>8,515,259</u>	<u>3,792,135</u>
RESOURCES OVER (UNDER) CHARGES TO APPROPRIATIONS	<u>(2,320,303)</u>	<u>2,826,448</u>	<u>5,146,751</u>

CITY OF ST. PAUL, NEBRASKA
 BUDGETARY COMPARISON SCHEDULE - CASH BASIS
 ALL FUNDS
 FOR THE YEAR ENDED SEPTEMBER 30, 2023

	Original and Final Budget	Actual Amounts	Variance With Final Budget Positive (Negative)
OTHER FINANCING SOURCES (USES)			
Transfers in	455,898	472,206	16,308
Transfers out	<u>(455,898)</u>	<u>(472,206)</u>	<u>(16,308)</u>
Total other financing sources (uses)	<u> </u>	<u> </u>	<u> </u>
 RESOURCES AND OTHER FINANCING SOURCES OVER (UNDER) CHARGES TO APPROPRIATIONS AND OTHER FINANCING USES	 <u>(2,320,303)</u>	 <u>2,826,448</u>	 <u>5,146,751</u>

See accompanying notes to budgetary schedules.

CITY OF ST. PAUL, NEBRASKA
NOTES TO BUDGETARY SCHEDULES

NOTE 1. BUDGETARY COMPARISON SCHEDULE - CASH BASIS - ALL FUNDS

Basis of Accounting

The budget is prepared on the cash basis of accounting. Receipts and disbursements are reported when they result from cash transactions. Because state law requires that a municipality's annual budget be prepared on the cash basis of accounting, the budget adopted by the City Council is inconsistent with generally accepted accounting principles.

Budget Law

The City is required by state law to hold public hearings and adopt an annual budget for all funds on the cash basis of accounting. Total disbursements of all funds may not exceed the total budgeted disbursements. Appropriations for disbursements lapse at year end. Any revisions to the adopted budget of total disbursements to any fund require a public hearing.

CITY OF ST. PAUL, NEBRASKA
SCHEDULE OF NET POSITION - MODIFIED CASH BASIS
DISCRETELY PRESENTED COMPONENT UNIT
SEPTEMBER 30, 2023

	St. Paul Development Corporation
ASSETS	
Current assets	
Cash and cash equivalents	<u>330,276</u>
LIABILITIES	<u>- 0 -</u>
NET POSITION	
Unrestricted	<u>330,276</u>

CITY OF ST. PAUL, NEBRASKA
 SCHEDULE OF REVENUES, EXPENDITURES, AND
 CHANGES IN NET POSITION - MODIFIED CASH BASIS
 DISCRETELY PRESENTED COMPONENT UNIT
 FOR THE YEAR ENDED SEPTEMBER 30, 2023

	St. Paul Development Corporation
REVENUES	
Support - City of St. Paul	
Operating expense reimbursement and contributions	267,504
Rent income	4,750
Interest	6,574
Loan proceeds	20,739
Other	<u>8,357</u>
Total revenues	<u>307,924</u>
EXPENDITURES	
Wages and benefits	80,487
Insurance	4,853
Office expense	5,877
Professional fees	2,435
Utilities	4,526
Repairs and maintenance	6,118
Capital Outlay	62,252
Principal payments	34,805
Interest payments	52,222
Miscellaneous	<u>12,722</u>
Total expenditures	<u>266,297</u>
INCREASE IN NET POSITION	41,627
NET POSITION, beginning of year	<u>288,649</u>
NET POSITION, end of year	<u><u>330,276</u></u>



INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Honorable Mayor and City Council
City of St. Paul, Nebraska

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the modified cash basis financial statements of the governmental activities, the business-type activities, each major fund, the discretely presented component unit, and the aggregate remaining fund information of the City of St. Paul, Nebraska, as of and for the year ended September 30, 2023, which collectively comprise the City of St. Paul, Nebraska's basic financial statements, and have issued our report thereon dated January 20, 2024.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of St. Paul, Nebraska's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of St. Paul, Nebraska's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of St. Paul, Nebraska's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies, and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify certain deficiencies in internal control, described in the accompanying schedule of findings and responses as items 2023-001 and 2023-002 that we consider to be significant deficiencies.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of St. Paul, Nebraska's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

The City of St. Paul, Nebraska's Response to Findings

The City of St. Paul, Nebraska's responses to the findings identified in our audit are described in the accompanying schedule of findings and responses. The City of St. Paul, Nebraska's responses were not subjected to the auditing procedures applied in the audit of the financial statements, and accordingly, we express no opinion on them.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of St. Paul, Nebraska's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of St. Paul, Nebraska's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Dana J Cole + Company, LLP

Ord, Nebraska
January 20, 2024

CITY OF ST. PAUL, NEBRASKA
SCHEDULE OF FINDINGS AND RESPONSES
YEAR ENDED SEPTEMBER 30, 2023

2023-001 SEGREGATION OF DUTIES

Criteria

The auditor is required to plan tests of controls to support a low level of control risk for major programs.

Condition

The City has a limited number of personnel involved in the accounting function, thus limiting its internal control procedures. The City has implemented some mitigating controls, and the present system seems to be operating as understood by all parties involved.

Cause

Management does not have enough personnel in the accounting department to have effective internal controls to limit errors, omissions, or fraud.

Potential Effect

Inadequate segregation of duties could lead to the misappropriation of assets or improper reporting.

Recommendation

We recommend that the City continue to monitor and evaluate its internal controls with the use of limited personnel and to provide as much segregation of duties as determined to be feasible within its operations.

Management's Response

The cost to the City for additional staff to segregate accounting functions would be prohibitive. Measures have been put in place to segregate as many duties as possible.

2023-002 ESTABLISH INTERNAL CONTROL OVER FINANCIAL STATEMENT PREPARATION AND REVIEW

Criteria

As described in our engagement letter, management is responsible for establishing and maintaining internal controls, including monitoring, and for the fair presentation of financial statements, including the notes to the financial statements, in conformity with the modified cash basis of accounting.

CITY OF ST. PAUL, NEBRASKA
SCHEDULE OF FINDINGS AND RESPONSES
YEAR ENDED SEPTEMBER 30, 2023

2023-002 ESTABLISH INTERNAL CONTROL OVER FINANCIAL STATEMENT PREPARATION AND REVIEW
(Continued)

Condition

The City does not have a system of internal control that would provide management with reasonable assurance that the City's financial statements and related disclosures are complete and presented in accordance with the modified cash basis of accounting. As such, management requested us to compile the trial balance from the general ledger and prepare a draft of the financial statements, including the related note disclosures.

Cause

Management does not prepare the financial statements in accordance with the modified cash basis of accounting.

Potential Effect

The potential exists that a material misstatement of the financial statements could occur and not be prevented or detected by the City's internal control.

Recommendation

We recommend that the City review and approve the proposed auditor adjusting entries and the adequacy of financial statement disclosures prepared by the auditors and apply analytic procedures to the draft financial statements among other procedures as considered necessary by management.

Management's Response

The City relies on the auditor to propose adjustments necessary to prepare the financial statements including the related note disclosures. The City reviews such financial statements and approves all adjustments.

CITY OF ST. PAUL, NEBRASKA
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
YEAR ENDED SEPTEMBER 30, 2023

2022-001 SEGREGATION OF DUTIES

Due to the size of the City, there is limited segregation of duties in certain areas. The City has responded where practical by reassignment and rotation of duties, in addition to reviews by other individuals. However, the same individual routinely reconciles the bank statements, makes journal entries, manages the general ledger functions, reconciles to subsidiary records, and is responsible for preparation of financial statements. We recommend that the City consider someone separate from other general ledger functions to reconcile bank statements or at least to receive the statements and review. The reviewer should receive the statements directly from the bank and examine support for all banking transactions. Transfers and bank debits should be traced to supporting documentation.

Management's Response

The City has implemented procedures to improve segregation of duties issues and, within the constraints of existing time and cost considerations, will continue to review the situation and make improvements.

This is a continuing finding and is reported as item 2023-001.

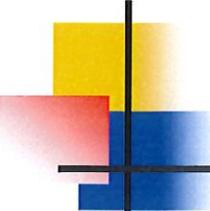
2022-002 ESTABLISH INTERNAL CONTROL OVER FINANCIAL STATEMENT PREPARATION AND REVIEW

Management should possess the ability to prepare financial statements in accordance with the modified cash basis of accounting. The preparation of financial statements under this basis of accounting requires that management possess the ability to properly record and classify transactions in a general ledger, reconcile all accounts, measure and record needed adjustments to the accounts, and prepare the financial statements and related disclosures without the assistance from the auditors. We recommend that the City review and approve the proposed auditor adjusting entries and the adequacy of financial statement disclosures prepared by the auditors and apply analytic procedures to the draft financial statements among other procedures as considered necessary by management.

Management's Response

The City continues to rely on the auditor to propose adjustments necessary to prepare the financial statements including the related note disclosures. The City will continue to review such financial statements and approves all adjustments. The City also uses analytic procedures among other procedures necessary to complete the management discussion and analysis.

This is a continuing finding and is reported as item 2023-002.



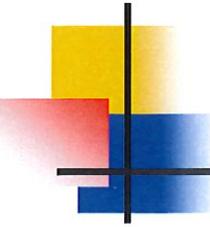
City of St. Paul, Nebraska

Audit Presentation For the Year Ended September 30, 2023

DANA F. COLE & COMPANY, LLP

CERTIFIED PUBLIC ACCOUNTANTS

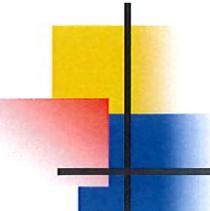




City of St. Paul, Nebraska

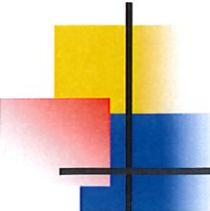
- Unmodified audit report
 - The financial statements are presented fairly in all material respects in accordance with the modified cash basis of accounting.

- Report on Internal Control Over Financial Reporting and Compliance.
 - Two current year findings.



Summary of Fund Balances/Net Position (Page 10, 13 & 50 of Financial Statements)

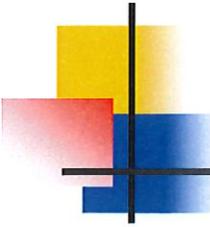
	9/30/2023	9/30/2022	Change
<u>GOVERNMENTAL FUNDS</u>			
General	4,220,916	2,178,099	2,042,817
Street	364,626	226,912	137,714
Debt Service	387,454	388,767	(1,313)
Economic Development	1,029,768	1,052,102	(22,334)
Keno	217,490	236,549	(19,059)
Sales tax	<u>608,518</u>	<u>390,831</u>	<u>217,687</u>
Total Governmental Funds	<u>6,828,772</u>	<u>4,473,260</u>	<u>2,355,512</u>
<u>PROPRIETARY FUNDS</u>			
Light	2,720,188	2,611,145	109,043
Water	613,352	502,328	111,024
Sewer	1,457,907	1,392,109	65,798
Landfill	<u>161,334</u>	<u>154,517</u>	<u>6,817</u>
Total Proprietary Funds	<u>4,952,781</u>	<u>4,660,099</u>	<u>292,682</u>



Summary of Fund Balances/Net Position (continued)

- Fund balances/net position in both the governmental and proprietary funds include all cash, investments, and balances held by the County Treasurer.

- At September 30, 2023 there were not any funds that had a negative cash balance.



Fund Balance Changes (Summary)

- The governmental fund balances increased in the Street and Sales Tax fund due to operating revenues exceeding operating expenditures. The fund balance in the General Fund increased due to the receipt of the bonds for the fire hall. The proprietary fund balances increased mainly due to operating revenues exceeding operating expenditures.
- The proprietary funds generated \$1,140,636 in operating cash during the fiscal year which was used to service the existing debt for \$203,324, purchase equipment and infrastructure improvements for \$45,260 and transfer \$347,631 to the governmental funds for operations.

Governmental Fund Receipts and Disbursements (Summary)

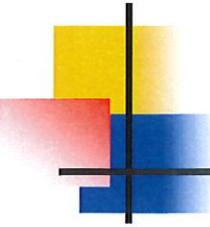
(Page 9 & 10 of Financial Statements)

		9/30/2023	9/30/2022	Change
Support and Receipts				
	Property and motor vehicle taxes	971,611	962,179	9,432
	Other taxes and state sources	1,416,758	1,280,843	135,915
	Charges for services	126,570	137,880	(11,310)
	Bond/loan proceeds	2,055,000	620,000	1,435,000
	Other sources	<u>299,632</u>	<u>267,213</u>	<u>32,419</u>
		<u>4,869,571</u>	<u>3,268,115</u>	<u>1,601,456</u>
Disbursements				
	Current	2,121,176	2,186,712	(65,536)
	Debt Service	255,512	795,075	(539,563)
	Capital outlay	<u>394,669</u>	<u>175,531</u>	<u>219,138</u>
		<u>2,771,357</u>	<u>3,157,318</u>	<u>(385,961)</u>

Proprietary Funds Receipts and Disbursements (Summary)

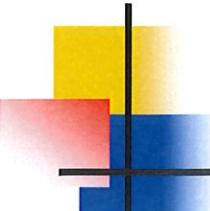
(Page 12 of Financial Statements)

	9/30/2023	9/30/2022	Change
Operating Receipts			
Light	2,674,438	2,799,738	(125,300)
Water	703,939	724,841	(20,902)
Sewer	651,962	527,006	124,956
Landfill	<u>157,786</u>	<u>150,874</u>	<u>6,912</u>
	<u>4,188,125</u>	<u>4,202,459</u>	<u>(14,334)</u>
Operating Disbursements			
Light	2,311,182	2,230,554	80,628
Water	417,320	403,333	13,987
Sewer	178,018	173,644	4,374
Landfill	<u>140,969</u>	<u>132,501</u>	<u>8,468</u>
	<u>3,047,489</u>	<u>2,940,032</u>	<u>107,457</u>
Non-Operating Receipts (Disbursements)			
Light	21,622	10,282	11,340
Water	(143,245)	(246,450)	103,205
Sewer	(402,700)	186,980	(589,680)
Landfill	<u>-</u>	<u>-</u>	<u>-</u>
	<u>(524,323)</u>	<u>(49,188)</u>	<u>(475,135)</u>



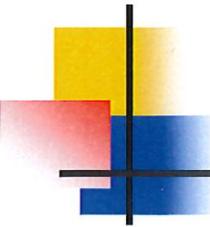
Proprietary Funds Receipts and Disbursements (Summary)

- Non-operating receipts and disbursements included interest income, bond proceeds, capital outlay, and debt service.
- Operating revenues decreased \$14,334 and operating expenses increased by \$107,457 from the previous year.



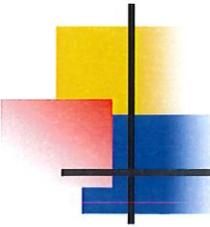
Summary of Findings and Responses

- We have summarized on pages 62 through 63 our two findings.
 - Segregation of duties
 - The City has a limited number of personnel in the accounting function, thus limiting its internal control procedures.
 - We recommend that the City continue to monitor and evaluate its internal controls with the use of limited personnel and provide as much segregation of duties as determined to be feasible within its operations.



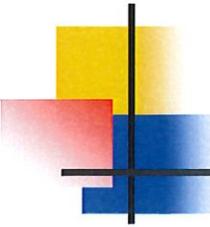
Summary of Findings and Responses (continued)

- Establish Internal Control Over Financial Statement Preparation and Review
 - The City management should possess the ability to prepare financial statements in accordance with the modified cash basis of accounting.
 - Management currently relies on the auditor to propose adjustments necessary to prepare the financial statements including the related note disclosures. Management reviews such financial statements and approves all adjustments. We recommend that the City's management continue to review the auditors adjustments and apply analytical procedures to the draft financial statements as considered necessary.



General Discussion (continued)

- Component unit financial information for the St. Paul Development Corporation is shown on Pages 58-59
- As in the past, the financial statement presentation layout for the proprietary funds has been modified
- Modified-cash basis is presented on pages 11 through 13
- Accrual basis is presented on pages 41 through 46
- There are separate notes to the financial statements for the accrual basis proprietary funds statements on pages 47 through 49



General Discussion (continued)

- Most other footnote disclosures are similar in nature to prior year disclosures.
- We noted all expenditures were within approved budget limits.
- We encountered no difficulties in dealing with management and the staff in performing and completing our audit.
- We recommended and management approved our proposed adjusting journal entries. We have provided these to the City Clerk to post to the City records and we will assist the City Clerk if the need arises.
- The City Clerk and her staff does an exceptional job of maintaining city records.

Connie Beck

From: Hinrichs, Gary <hinrichs@danacole.com>
Sent: Wednesday, February 28, 2024 10:28 AM
To: Connie Beck
Subject: Presentation
Attachments: City of St Paul, Nebraska.pdf

This message was sent securely using Zix®

Here is the presentation for Monday. Please provide to everyone.



Gary Hinrichs, C.P.A. | Dana F. Cole & Company, LLP
111 North 16th Street; P.O. Box 226 | Ord, NE 68862
Email hinrichs@danacole.com | Phone 308.728.3014 | Fax 308.728.5492

[Click Here to Send Me Files Securely](#)

DFC's newsletters and briefings are available to you via email. Click on our link and sign up to have timely, accurate accounting and tax information delivered to your inbox! www.danacole.com

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Any accounting, business, or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Dana F. Cole & Company, LLP, would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limitations of the desired consultation services.

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City of St. Paul Letterhead

**NOTICE OF HEARING TO BE DETERMINED
EXISTENCE OF PUBLIC NUISANCE AND TO ABATE IN WHOLE OR IN PART**

TO: LANDRY WELCH
807 7th Street
St. Paul NE 68873

Notice is hereby given that on the 10th day of January, 2024, the City Council of the City of St. Paul passed a motion declaring its intent to ascertain whether certain premises situated in the City of St. Paul, State of Nebraska, know and designated as 807 7th Street in said City and more particularly described as follows:

Description of Property: N 71' of Lots Four (4), Five (5), Six (6) and Seven (7), Block Seventy-Eight (78), Original Town, Howard County, St. Paul, Nebraska

constitute a public nuisance subject to abatement. Hearing upon said Motion to determine whether the above noted premises constitute a public nuisance shall be on the **18th day of March, 2024, at 6:30 p.m., before the City Council in the Council Chamber, City Hall, St. Paul, Nebraska**, at which time the City Council shall hear all evidence from any interested party pertaining to the above noted issue. If said premises in whole or part, are found to constitute a public nuisance, as defined by Section 4-302 of the St. Paul Municipal Code and if the same are not promptly abated, the Municipal Authorities shall abate the same and the cost of abatement shall be assessed upon such premises and such costs shall constitute a lien upon such land until paid.

Said alleged violations consist of the following: Rubbish, Uncleaned Sidewalk regarding Snow; Junk Vehicles and Unlicensed Vehicles

Dated: March 4, 2024

CITY OF ST. PAUL, NEBRASKA

By: _____
Connie Jo Beck, City Clerk / Deputy Treasurer

DATE: March 5, 2024

CERTIFICATE OF SERVICE:

The undersigned hereby certifies that a copy of the foregoing "Notice" was mailed by registered or Certified U.S. Mail, postage prepaid, on this 5th day of March, 2024, to the following: Landry Welch - 807 7th Street, St. Paul, Nebraska.

CITY OF ST. PAUL, NEBRASKA BY: _____.

3-4-24



ST. PAUL POLICE DEPARTMENT

514 Grand Street · Saint Paul, Nebraska 68873 · Phone: (308) 754-9112 · Fax: (308) 754-9125

January 10, 2024

E-MAIL: STPAULPDNE@CITYOFSTPAULNE.ORG

NOTICE OF NUISANCE

TO: Landry Welch
807 7th St.
St. Paul, NE 68873

Pursuant to Section 4-312 of the Municipal Code of the City of St. Paul, Nebraska, the following premise in the City of St. Paul, Nebraska, known as **807 7th St.**, and more particularly described as follows:

N 71' OF LOTS 4, 5, 6, & 7 BLOCK 78 OT ST PAUL

Is being maintained as a public nuisance contrary to Section 4-301 to 4-327 of the Municipal Code of the City of St. Paul, Nebraska. The conditions which constitute the public nuisance upon the above described, real estate are as follows: **ARTICLE 3: NUISANCES 4-302-RUBBISH, UNCLEARED SIDEWALKS OF SNOW, JUNK VEHICLES AND UNLICENSED VEHICLE.**

You shall have ten (10) days from the date of this notice to abate said above described Nuisances.

Dated January 10, 2024
CITY OF ST. PAUL, NEBRASKA

BY: _____

You shall have ten (10) days from the date of this Notice to abate said above described nuisance's or the City may correct said conditions and assess the cost to you. Please feel free to contact me at 308-754-9112, or stop in at the Police Department at 514 Grand Street to discuss this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Daniel Howard", written over a horizontal line.

Chief of Police Daniel Howard
St. Paul Police Department
514 Grand St.
St. Paul, NE 68873

Cc: Connie Beck

ST. PAUL POLICE DEPARTMENT

514 Grand Street · Saint Paul, Nebraska 68873 · Phone: (308) 754-9112 · Fax: (308) 754-9125



E-MAIL:STPAULPDNE@CITYOFSTPAULNE.ORG

CERTIFICATE OF SERVICE *Landry Welch*
807 7th St.

The undersigned hereby certifies that a copy of the foregoing Notice of Nuisance was served by personal delivery or by certified U.S. Mail, postage prepaid, on the 11th day of January, 2024, to the individuals at their respective address, as noted above.

CITY OF ST. PAUL, NEBRASA

A handwritten signature in cursive script, appearing to read "Daniel Howard", is written over a horizontal line.

Chief Daniel Howard

St. Paul Police Department

St. Paul, NE 68873

City Department 6-Month Status Update

FY 2023-2024: As of March 1st, 2024

Date: 2/27/2024

Department: Library

Submitted By: Kelli Helton, Library Director

Items to be submitted:

1. Budget: (Income & Expenditure Guidelines as of March 1st, 2024)

- See attached
 - a. Long term indebtedness: (terms of project bonds)
 - None

2. Personnel: (Employee roster with wage & anniversary dates)

- Trisha Hedman, \$12/hr., 11/9/2024
- Jennifer Meinecke, \$12/hr., 11/6/2024
- Chelesa Wiese, \$12/hr., 8/2/2021
- Kim Johnson, \$12.06/hr., 5/5/2018
- Kelli Helton, \$18.53/hr., 1/17/2017
 - a. Training and Development that has been completed or will be completed.
 - Staff development day (July 2023)
 - Staff development day to be scheduled summer 2024

3. Needs: We are slowly replacing outdated computers.

a. Non-budgeted equipment/resource needs:

- 4 outdated (2014) adult patron computers
- 3 outdated (2013 & 2014) staff computers

b. Items budgeted for but not yet purchased:

- 1 adult patron computer & 1 staff computer

4. Overall Outlook:

a. Challenges:

- Keeping up to date with ever changing technology

b. Achievements and Milestones:

- New Community room flooring & paint (Jan./Feb. 2024)
- 25 years of consolidation school/city
- Silver Library Accreditation

5. Goals/Upcoming Projects for the Next 6 Months:

- Summer Reading and many other programs for all ages
- Grants in progress to digitizing St. Paul Yearbooks dating back to 1910

6. Additional Comments/Notes: The library is constantly thinking of ways to provide our community with educational and technology resources and continue to be a gateway for community connection.

CITY OF ST PAUL
 *Revenue Guideline©

Current Period: FEBRUARY 23-24

		23-24 YTD Budget	23-24 YTD Amt	FEBRUARY MTD Amt	23-24 YTD Balance	% of YTD Budget
LIBRARY						
Active	R 44-010 PROPERTY TAX	\$78,950.00	\$9,910.89	\$0.00	\$69,039.11	12.55%
Active	R 44-015 STATE AID TO LIBR	\$1,115.00	\$0.00	\$0.00	\$1,115.00	0.00%
Active	R 44-100 SINKING FUND	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 44-220 Donation - Unrestricted	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 44-251 Book Fair	\$2,690.00	\$0.00	\$0.00	\$2,690.00	0.00%
Active	R 44-260 REFUNDS	\$43,375.00	\$5,939.48	\$0.00	\$37,435.52	13.69%
Active	R 44-290 INVESTMENT INT	\$1,000.00	\$2,273.50	\$0.00	-\$1,273.50	227.35%
Active	R 44-310 FINE/Penalty	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 44-420 TRANSFER IN	\$0.00	\$5,049.32	\$0.00	-\$5,049.32	0.00%
Active	R 44-511 MAINTENANCE RESERV	\$2,500.00	\$0.00	\$0.00	\$2,500.00	0.00%
Active	R 44-600 TIME CD	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 44-610 GRANT	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 44-630 REIMBURSEMENT	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 44-950 Error Code	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
	Total LIBRARY	\$129,630.00	\$23,173.19	\$0.00	\$106,456.81	17.88%

CITY OF ST PAUL
 *Expenditure Guideline©

Current Period: FEBRUARY 23-24

		23-24	23-24	FEBRUARY	Enc	23-24	% of YTD
		YTD Budget	YTD Amt	MTD Amt	Current	YTD Balance	Budget
LIBRARY							
Active	E 44-10-110 SALARY & WAGES	\$41,500.00	\$12,405.73	\$2,244.33	\$0.00	\$29,094.27	29.89%
Active	E 44-10-115 FICA	\$2,573.00	\$769.15	\$139.14	\$0.00	\$1,803.85	29.89%
Active	E 44-10-116 MEDICARE	\$602.00	\$179.87	\$32.53	\$0.00	\$422.13	29.88%
Active	E 44-20-117 JANITOR	\$9,000.00	\$4,500.00	\$2,250.00	\$0.00	\$4,500.00	50.00%
Active	E 44-20-210 PROF&SCHOOLS	\$740.00	\$25.00	\$0.00	\$0.00	\$715.00	3.38%
Active	E 44-20-220 COMMUNICATION	\$1,075.00	\$195.03	\$39.00	\$0.00	\$879.97	18.14%
Active	E 44-20-234 MAGAZINE & PAPER	\$1,800.00	\$377.00	\$0.00	\$0.00	\$1,423.00	20.94%
Active	E 44-20-240 PUBLISH / CODIF	\$75.00	\$144.61	\$4.31	\$0.00	-\$69.61	192.81%
Active	E 44-20-242 BOOKS	\$27,000.00	\$6,990.28	\$1,433.57	\$0.00	\$20,009.72	25.89%
Active	E 44-20-243 Libr Mgmt System	\$2,400.00	\$0.00	\$0.00	\$0.00	\$2,400.00	0.00%
Active	E 44-20-245 Book Fair	\$2,690.00	\$0.00	\$0.00	\$0.00	\$2,690.00	0.00%
Active	E 44-20-250 CITY INSURANCE	\$13,159.00	\$11,226.12	\$0.00	\$0.00	\$1,932.88	85.31%
Active	E 44-20-261 CITY LIGHTS	\$8,500.00	\$2,108.59	\$389.39	\$0.00	\$6,391.41	24.81%
Active	E 44-20-262 BLACKHILLS GAS	\$3,500.00	\$1,908.08	\$1,374.81	\$0.00	\$1,591.92	54.52%
Active	E 44-20-270 UTILITY R & M	\$2,500.00	\$40.00	\$40.00	\$0.00	\$2,460.00	1.60%
Active	E 44-20-309 COMPUTER	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00	0.00%
Active	E 44-20-310 OFFICE SUPPLIES	\$3,000.00	\$539.00	\$0.00	\$0.00	\$2,461.00	17.97%
Active	E 44-20-322 PROGRAM EXPENS	\$2,000.00	\$300.00	\$300.00	\$0.00	\$1,700.00	15.00%
Active	E 44-20-345 ACCOUNTING FEE	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	100.00%
Active	E 44-20-520 BLDG/ R & M	\$33,500.00	\$19,173.39	\$56.14	\$0.00	\$14,326.61	57.23%
Active	E 44-20-541 EQUIP RESERVE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 44-50-541 EQUIP RESERVE	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00	0.00%
Active	E 44-50-550 IMPROVEMENTS	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	0.00%
Active	E 44-70-160 TRANSFER OUT	\$0.00	\$5,049.32	\$0.00	\$0.00	-\$5,049.32	0.00%
	Total LIBRARY	\$162,614.00	\$66,931.17	\$8,303.22	\$0.00	\$95,682.83	41.16%

FEBRUARY 2024 LIBRARY DISBURSEMENTS - FINAL		
Vendor Name	Check #	Amount
Black Hills Energy	70659	\$593.31
City of St. Paul Light	70712	\$389.39
Clearly	1521E	\$39.00
Amazon Capital Services	70656	\$1,043.36
Cengage Learning, Inc.	70662	\$31.99
Phonograph	70748	\$4.31
Overdrive, Inc.	70746	\$182.49
Amazon Capital Services	70705	\$175.73
Hydro Tech, Inc.	70727	\$40.00
Adam White	70756	\$300.00
Eakes Office Solutions	70719	\$56.14
Black Hills Energy	70709	\$781.50
	TOTAL	\$3,637.22
Payroll		
Gross - Payroll #3		\$1,118.71
Gross - Payroll #4		\$1,125.62
FICA - Payroll #3		\$69.35
FICA - Payroll #4		\$69.79
Medicare - Payroll #3		\$16.21
Medicare - Payroll #4		\$16.32
	TOTAL	\$2,416.00
	COMBINED TOTAL	<u>\$6,053.22</u>

CITY OF ST PAUL
 *Cash Disbursement *2/16/2024 update*

02/16/24 9:39 AM

Page 1

FEB 2024
 '23-24'

Account	Last Dim Descr	Batch Name	Invoice	Amount	Tran Date	Search Name	PO Nbr	Check #	Comments	Tran Nbr
Fund 44 LIBRARY										
Act Type G General Ledger										
G 44-11100	CHECKING 100-02	PAY03 020224		-\$1,204.27	2/2/2024		0		Payroll #03 Journal Entries 01/30/2	31
G 44-11100	CHECKING 100-02	PAY04 021624		-\$1,211.73	2/16/2024		0		Payroll #04 Journal Entries 02/14/2	31
Total G 44-11100 CHECKING 100-027				-\$2,416.00						
Total Act Type G General Ledger				-\$2,416.00						
Act Type E Expenditure										
E 44-10-110	SALARY & WAGE	PAY03 020224		\$1,118.71	2/2/2024		0 ✓		Payroll #03 Journal Entries 01/30/2	31
E 44-10-110	SALARY & WAGE	PAY04 021624		\$1,125.62	2/16/2024		0 ✓		Payroll #04 Journal Entries 02/14/2	31
Total E 44-10-110 SALARY & WAGES				\$2,244.33						
E 44-10-115	FICA	PAY03 020224		\$69.35	2/2/2024		0 ✓		Payroll #03 Journal Entries 01/30/2	31
E 44-10-115	FICA	PAY04 021624		\$69.79	2/16/2024		0 ✓		Payroll #04 Journal Entries 02/14/2	31
Total E 44-10-115 FICA				\$139.14						
E 44-10-116	MEDICARE	PAY03 020224		\$16.21	2/2/2024		0 ✓		Payroll #03 Journal Entries 01/30/2	31
E 44-10-116	MEDICARE	PAY04 021624		\$16.32	2/16/2024		0 ✓		Payroll #04 Journal Entries 02/14/2	31
Total E 44-10-116 MEDICARE				\$32.53						
E 44-20-117	JANITOR	Disb Feb5 2024		\$2,250.00	2/5/2024	ST PAUL PUBLIC SCHOOL		070698 ✓	Lib - custodial services (Oct-Dec 20	20
Total E 44-20-117 JANITOR				\$2,250.00						
E 44-20-220	COMMUNICATIO	clearfly Feb 2024	INV579557	\$39.00	2/10/2024	CLEARFLY		001521E ✓	Lib - telephone service	20
Total E 44-20-220 COMMUNICATION				\$39.00						
E 44-20-240	PUBLISH / CODIF	Disb Feb20 2024		\$4.31	2/20/2024	PHONOGRAPH-HERALD		070748 ✓	Lib - public meeting notice	20
Total E 44-20-240 PUBLISH / CODIF				\$4.31						
E 44-20-242	BOOKS	Disb Feb5 2024	1G3F-CK7V-	\$194.93	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	14LV-3HGX-	\$20.98	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	1KXG-NKDX	\$233.56	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	1DHR-D4JX-	\$207.18	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	17KM-1X4P-	\$25.60	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	1NQD-1MFT	\$20.05	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	1V94-7FQ1-	\$8.76	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	1Q3W-YKH	\$20.28	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	1V99-9W1W	\$9.99	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	19VV-RFPD-	\$74.18	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20
E 44-20-242	BOOKS	Disb Feb5 2024	1NG7-1J6L-	\$227.85	2/5/2024	AMAZON CAPITAL SERVICES		070656	Lib - books	20

*Cash Disbursement

'23-24'

Account	Last Dim Descr	Batch Name	Invoice	Amount	Tran Date Search Name	PO Nbr	Check #	Comments	Tran Nbr
E 44-20-242	BOOKS	Disb Feb5 2024	83186196	\$31.99	2/5/2024 CENGAGE LEARNING INC / GALE		✓070662	Lib - books	20
E 44-20-242	BOOKS	Disb Feb20 2024	1419CO2403	\$182.49	2/20/2024 OVERDRIVE INC		✓070746	Lib - ebooks	20
E 44-20-242	BOOKS	Disb Feb20 2024	1GLD-RQD6	\$20.11	2/20/2024 AMAZON CAPITAL SERVICES		070705	Lib - books	20
E 44-20-242	BOOKS	Disb Feb20 2024	1PG9-DYFF-	\$22.49	2/20/2024 AMAZON CAPITAL SERVICES		070705	Lib - books	20
E 44-20-242	BOOKS	Disb Feb20 2024	13NH-6LWM	\$12.99	2/20/2024 AMAZON CAPITAL SERVICES		070705	Lib - books	20
E 44-20-242	BOOKS	Disb Feb20 2024	17XM-3X3R-	\$11.69	2/20/2024 AMAZON CAPITAL SERVICES		070705	Lib - books	20
E 44-20-242	BOOKS	Disb Feb20 2024	1KPG-THW7	\$55.41	2/20/2024 AMAZON CAPITAL SERVICES		070705	Lib - books	20
E 44-20-242	BOOKS	Disb Feb20 2024	13LL-DK6L-J	\$53.04	2/20/2024 AMAZON CAPITAL SERVICES		070705	Lib - books	20
Total E 44-20-242 BOOKS				\$1,433.57					
E 44-20-261	CITY LIGHTS	Disb Feb20 2024		\$389.39	2/20/2024 CITY OF ST PAUL LIGHT		✓ 070712	Lib - library utilities	20
Total E 44-20-261 CITY LIGHTS				\$389.39					
E 44-20-262	BLACKHILLS GAS	Disb Feb5 2024		\$593.31	2/5/2024 BLACK HILLS ENERGY		✓/ 070659	Lib - natural gas	20
E 44-20-262	BLACKHILLS GAS	Disb Feb20 2024		\$781.50	2/20/2024 BLACK HILLS ENERGY		✓ 070709	Lib - natural gas	20
Total E 44-20-262 BLACKHILLS GAS				\$1,374.81					
E 44-20-270	UTILITY R & M	Disb Feb20 2024	48446	\$40.00	2/20/2024 HYDRO TECH INC		✓ 070727	Lib - fire extinguisher inspection	20
Total E 44-20-270 UTILITY R & M				\$40.00					
E 44-20-322	PROGRAM EXPE	Disb Feb20 2024		\$300.00	2/20/2024 WHITE, ADAM		✓070756	Lib - 2024 Summer Reading Progra	20
Total E 44-20-322 PROGRAM EXPENSE				\$300.00					
E 44-20-520	BLDG/ R & M	Disb Feb20 2024	INV524190	\$56.14	2/20/2024 EAKES OFFICE SOLUTIONS		✓ 070719	Lib - copier contract (12/27/23 to 1/	20
Total E 44-20-520 BLDG/ R & M				\$56.14					
Total Act Type E Expenditure				\$8,303.22					
Total Fund 44 LIBRARY				\$5,887.22					
Grand Total				\$5,887.22					

2/16/24

Fire EMS

St. Paul Fire and EMS

	Badge	Rank	Name	Address	City	State	Zip	Phone	E-mail Address
1	501	Fire Chief	Becker, Mike	1109 Baxter Street	St. Paul	NE	68873	308-750-3161	mikeb6684@gmail.com
2	502	Assistant Fire Chief	Haggerty, Leo	364 Carol Avenue	St. Paul	NE	68873	308-750-5395	leohag74@gmail.com
3	503	Assistant Fire Chief	Augustyn, Chad	821 8th Street	St. Paul	NE	68873	308-754-7899	caugustyn@live.com
4	504	Assistant Fire Chief	Wilson, Mark	123 Grant Street	St. Paul	NE	68873	308-571-0017	dei_structurefire@hotmail.com
5	505	FF Training Officer	Becker, Nathan	1109 Baxter Street	St. Paul	NE	68873	308-750-3833	nathanbecker98@gmail.com
6	5027	FF/Lieutenant	Huneke, Barrett	1518 Jay Street	St. Paul	NE	68873	402-821-5286	B_Jimele@hotmail.com
7	5120	FF Captain	Koperski, Pat	410 Center Avenue	St. Paul	NE	68873	308-571-0002	patkoperski1962@gmail.com
8	5151	FF/Rescue Captain/FF Lt.	Meyer, Nate	504 Grant Street	St. Paul	NE	68873	308-750-5918	nsmeyer1982@hotmail.com
9	5024	FF Captain	Mrkvicka, Monte	522 M Street	St. Paul	NE	68873	308-571-0036	deertm@gmail.com
10	5034	FF	Anderson, Trae	1010 7th Street	St. Paul	NE	68873	308-750-3202	
11	5104	FF	Becker, James	506 Baxter Street	St. Paul	NE	68873	308-754-4814	jamesbecker72@gmail.com
12	5018	FF / Rescue	Benzel, Fred	993 15 th Avenue	St. Paul	NE	68873	308-370-6163	fredrickbenzel@gmail.com
13	5156	FF	Bonczynski, Scott	811 O Street	St. Paul	NE	68873	308-750-6021	s_bonzi@yahoo.com
14	5029	FF	Brown, James	1309 6th Street	St. Paul	NE	68873	308-379-4052	jbrownh414@icloud.com
15	8603	FF	Busse, Brian	1218 Grant Street	St. Paul	NE	68873	402-380-9672	bbtd8603@hotmail.com
16	5107	FF	Koperski, Daniel	416 Center Avenue	St. Paul	NE	68873	308-750-6022	dkoperski1283@gmail.com
17	5022	FF	Kult, Kyle	1502 Indian Street	St. Paul	NE	68873	402-631-1605	bullhauler1976ne@gmail.com
18	5154	FF	Landers, Bob	Wolbach, NE	St. Paul	NE	68873	303-200-0335	robertlanders@gmail.com
19	5026	FF	Moslander, Tyler	522 6th Apt. 1	St. Paul	NE	68873	402-335-0645	tylermoslander3@gmail.com
20	5117	FF	Seward, Shawn	1119 Davis Street	St. Paul	NE	68873	308-750-2556	sewardshawn@hotmail.com
21	5035	FF	Synowski, Spencer	1320 7th Street	St. Paul	NE	68873	308-750-4864	
22	5051	FF	Treat, Shon	50817 Highway 22	Wolbach	NE	68882	308-390-2767	shontreat1968@gmail.com
23	5033	FF	Wilshusen, Andrew	332 Nelson Street	St. Paul	NE	68873	402-768-1120	awilshusen@jeo.com
24		FF	Woodgate, Kyle	1133 Hwy 92	St. Paul	NE	68873	308-571-0163	
25	5125	FF/Rescue	Brown, Chris	1309 6th Street	St. Paul	NE	68873	308-379-5750	halloweentwinki@yahoo.com
26	5137	FF/Rescue	Koperski, Ladonna	410 Center Avenue	St. Paul	NE	68873	308-850-7052	lad.36@hotmail.com
27	5128	FF/Rescue	Meyer, Nick	312 Sheridan Street	St. Paul	NE	68873	308-750-0239	nicholasmeyer7787@gmail.com
28	5122	Rescue / Treasurer	Beck, Connie Jo	901 13th. Avenue	St. Paul	NE	68873	308-754-4269	cjbeck@cityofstpaulne.org
29	5041	Rescue	Greenwalt, Scott	1108 Grant Street	St. Paul	NE	68873	308-383-2471	scottg32@hotmail.com
30	5134	Rescue	Meyer, Deb	504 Grant Street	St. Paul	NE	68873	308-754-5635	ladyclipper@hotmail.com
31	5126	Rescue	Mitteis, Jen	1013 Grand Street	St. Paul	NE	68873	308-750-4340	jennmz28@gmail.com
32	5124	Rescue	Paczosa, Emily	411 Mill Street	Dannebrog	NE	68831	308-750-1776	webbea@live.com
33	5105	Rescue	Paczosa, Marcus	110 Grant Street	St. Paul	NE	68873	308-754-5560	msspdpd@hotmail.com
34	5123	Rescue	Pierson, Kari	1218 5th. Street	St. Paul	NE	68873	308-754-4161	kair68@hotmail.com
35		Rescue	Valasek, Heather	Howard Co Med Ctr	St Paul	NE	68873		
36	5127	Rescue	Wilkins, Devan	508 N Mill Street	Dannebrog	NE	68831	308-529-3650	devilwilkins94@gmail.com
37	5098	Rescue	Wroblewski, Barb	919 Grant Street	St. Paul	NE	68873	308-754-4776	barbwroblewski@hotmail.com
38	Student	FF/EMT 7/17/23	Brumbaugh, Steven	921 Sherman	St. Paul	NE	68873	308-627-8196	
39		FF 7/17/23	Powell, Adam	919 Grant Street	St. Paul	NE	68873	531-229-2565	adam.l.powell@outlook.com
40		FF 8/07/23	Paczosa, Marcus A	924 Wallace Street	St. Paul	NE	68873	308-571-0248	N/A
41	Student	Rescue 7/5/23	Burk, Kerrigan	420 Jay Apt 3B	St. Paul	NE	68873	308-223-0708	kerriganBurk25@gmail.com
42	Student	Rescue 7/5/23	Powell, Brendan	420 Jay Apt 4D	St. Paul	NE	68873	308-750-0940	powellbrendan2004@gmail.com
43		Driver	Howard, Daniel	311 Jackson	St. Paul	NE	68873	402-429-0699	dhoward@cityofstpaulne.org
44		Driver	BearHeels, Malik	611 6th Street	St. Paul	NE	68873	308-233-1803	
45		Rescue	Woodgate, Lisa M.	1133 Hwy 92	St. Paul	NE	68873	308-391-1773	
46	5146	Driver	Meyer, Rod	504 Grant Street	St. Paul	NE	68873	308-750-1807	meyer@auroracoop.com
47	5144	Driver	Wilson, Lisa	123 Grant Street	St. Paul	NE	68873	308-571-0170	lisa_strobbe@hotmail.com
48	110	Driver/NSP	Bergman, Joel	404 3rd Street	St. Paul	NE	68873	402-874-1767	Joel.bergman110@gmail.com
49		Rescue Medical Director	Dr. Jared Kramer	1306 Wallace	St. Paul	NE	68873	308-754-4421	

Reviewed 2/5/24

Mike Becker

30 Firefighters
 13 EMT's
 1 EMS Medical Director
 5 Driver's
 49 Fire / EMS

Connie Beck

From: Hinrichs, Gary <hinrichs@danacole.com>
Sent: Friday, January 19, 2024 2:02 PM
To: Connie Beck
Subject: RE: Volunteer Firefighter has City Truck to take on Volunteer Fire and EMS Calls -



The only type of fringe benefit that would be reported is any vehicle expense paid for by the City for personal use. If he is paying for fuel when he uses it for personal use then there is nothing to report. Sounds very immaterial so probably nothing to report.



Gary Hinrichs, C.P.A. | Dana F. Cole & Company, LLP
111 North 16th Street; P.O. Box 226 | Ord, NE 68862
Email hinrichs@danacole.com | Phone 308.728.3014 | Fax 308.728.5492

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DFC's newsletters and briefings are available to you via email. Click on our link and sign up to have timely, accurate accounting and tax information delivered to your inbox! www.danacole.com

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From: Connie Beck <cjbeck@cityofstpaulne.org>
Sent: Friday, January 19, 2024 1:50 PM
To: Hinrichs, Gary <hinrichs@danacole.com>
Cc: Mike Feeken <mfeeken@cityofstpaulne.org>
Subject: Volunteer Firefighter has City Truck to take on Volunteer Fire and EMS Calls -
Importance: High

Fire Veh #50

 Good Afternoon, Mr. Hinrichs, the St. Paul Fire Chief is utilizing a City Response Vehicle to be the FIRST person on scene pertaining to the Fire and EMS calls; this is to relay information back to the other Fire and EMS personnel regarding happenings on scene prior to arrival. The Chief takes the vehicle home every day; if the Chief doesn't have it, then the Assistant Fire Chief has the vehicle. The City pays most of the fuel and oil changes; the Fire Chief also pays for some fuel for personal use.

I need some guidance on IRS regulations of usage of a qualified nonpersonal use vehicle by a VOLUNTEER (not employee) and whether that needs to be reported as a type of a fringe benefit and a de minimis amount of personal purposes.

Thank you.

*Connie Jo Beck
City of St. Paul*

1st Council Regular Meeting

City Hall
704 6th Street
St. Paul, NE 68873

Monday, January 3, 2022 7:00 PM

Agenda

1. Mayor Bergman calls meeting to order, with the "Pledge of Allegiance" and the "Open Meeting Statement" as required by NE State Statutes 84-1407 through 84-1414; Mayor Bergman also states that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Statute 84-1410.

2. Submittal of Request for Future Agenda Items

3. Reserve time to Speak on an Agenda Item

4. Discuss - Approve / Deny the City of St. Paul's 2020-2021 Financial Statement; Gary Hinrichs with Dana F. Cole & Co., Ord, NE will be in attendance to perform an audit presentation.

5. Discuss - Approve / Deny the City of St. Paul's 2020-2021 Financial Statement Journal Entries from City Auditors Dana F. Cole & Company, Ord, Nebraska.

6. Discuss - Approve / Deny placing the excess Department funds from the 2020-2021 Financial Report into the Department ICS Accounts: (1) Police \$44,362; (2) Ambulance \$12,265; and (3) Parks \$13,201.

a. Approve / Deny deducting \$14,541 from the Elmwood Cemetery ICS and placing it into the City Checking account; this is due to the Elmwood Cemetery shortage in the 2020-2021 Financial Statement; the shortages comes from cemetery stone repair; purchase of camera's; and fence.

7. Discussion regarding the City of St. Paul requesting the additional NE Dept. of Environment & Energy (NDEE) State Revolving Loan funds (SRF) pertaining to the City's Wastewater Treatment Facility (WWTF). City Clerk Beck received an email from Brian Friedrichsen (Olsson) stating that the additional requested funds would be at an interest rate of one percent (1%). Steve McNulty with the State of Nebraska recommended pushing the additional asking of funds until the project is closer to the completion date in case there are additional change orders that would either decrease or increase the project amount. By doing this, there may be a new cycle of zero percent (0%) money available at this time (possible action).

8. Discuss - Approve / Deny St. Paul Fire Department purchasing an "equipment and command" vehicle described as a 2015 Ford F-250 Super Duty XL 4x4 four (4) door Super Cab 6.8 ft., short box truck from Jacobs Ford costing \$22,995. The St. Paul Rural Fire Board approved the purchase of the truck on December 13, 2021; they will pay half (1/2) the cost.

Speaker(s): Fire Chief Mike Becker

9. Discuss - Approve / Deny Consent Agenda Items: (1) December 20, 2021 Council minutes; (2) December 27, 2021 zoning permits; and (3) January 3, 2022 disbursements.

10. Discuss - Approve / Deny transferring \$73,000 from the City (Utility Deposit) Heritage Bank account and transferring it into the City Checking account; this is to pay disbursements.

January 3, 2022

Council member Schmid moved to approve placing the excess Department funds from the 2020-2021 Financial Report into the ICS Accounts: (1) Police \$44,362; (2) Ambulance \$12,265; and (3) Parks \$13,201. Council member Kowalski seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Council member Kowalski moved to approve deducting \$14,541 from the Elmwood Cemetery ICS and placing it into the City Checking account. This is due to the Elmwood Cemetery shortage in the 2020-2021 Financial Statement; the shortages come from cemetery stone repair; purchase of cameras; and fencing. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Brian Friedrichsen with Olsson discussed the City of St. Paul potentially requesting additional funds from the NE Dept. of Environment & Energy (NDEE) State Revolving Loan funds (SRF) pertaining to the City's Wastewater Treatment Facility (WWTF). Mr. Friedrichsen stated that at this time, any additional requested funds would be at an interest rate of one percent (1%). Based on a conversation Mr. Friedrichsen had with Steve McNulty with the State of Nebraska, it was recommended to wait until the project is closer to the completion date in case there are additional change orders that would either decrease or increase the project amount. By doing this, there may be a new cycle of zero percent (0%) money available. No action was taken on this agenda item. Mr. Friedrichsen is anticipating a pre-construction meeting in mid-February 2022. Construction plans are available for public review at the City office.

St. Paul Fire Chief Mike Becker provided justification for purchasing an "equipment and command" vehicle for the St. Paul Fire Department described as a 2015 Ford F-250 Super Duty XL 4x4 four (4) door Super Cab 6.8 ft., short box truck from Jacobs Ford at a cost of \$22,995. The St. Paul Rural Fire Board approved the purchase of the truck on December 13, 2021; they will pay half (1/2) the cost. Council member Schmid moved to approve the purchase of the 2015 Ford F-250 Super Duty XL 4x4 four (4) door Super Cab 6.8 ft., short box truck from Jacobs Ford at a cost of \$22,995. Council member Feeken seconded the motion. Council members Kowalski, Schmid & Feeken voted aye, Council member Thompson voted nay. Motion carried 3/1. Mr. Becker said he will personally pay for fuel and oil changes on the vehicle since he will be driving the vehicle so it is readily accessible when needed for fire calls. Mr. Becker assured the City Council that the pickup will not be driven out of town unless it is used in response to a fire call.

Council member Kowalski moved to approve the Consent Agenda Items: (1) December 20, 2021 Council minutes; (2) December 27, 2021 zoning permits; and (3) January 3, 2022 disbursements. Council member Thompson seconded the motion. Council members Kowalski, Thompson, Schmid & Feeken voted aye, nays none. Motion carried 4/0.

Gross Wages - December	84679.26
Bomgaars (Supplies)	1466.36
Bound Tree (supplies)	1135.56
Cardmember Services (supplies, postage, meals)	1352.48
Charter/Spectrum (Service)	229.96

Bid good
for 30 days



February 15, 2024

City of St. Paul
Attn: Mayor and City Council
704 6th St.
St Paul NE 68873

Re: St. Paul Development Corporation
Middle Loup Subdivision
St. Paul, Nebraska 2023
Olsson Project 023-00398

Dear Mayor and City Council:

Bids for the above referenced project were received and opened on February 14, 2024. A total of four bids were submitted and have been reviewed.

After review of the bids, it is our recommendation that Notice of Award be given to the apparent low bidder, Elsbury Construction LLC, in the contract amount of \$3,218,403.94. Upon your approval, we will commence with the processing of the contract for the project.

Please do not hesitate to call with any questions, comments, or if any further information or documentation is required.

Sincerely,

A handwritten signature in black ink that reads "Brian Friedrichsen".
Brian Friedrichsen

ST. PAUL DEVELOPMENT CORPORATION
 MIDDLE LOUP SUBDIVISION
 ST. PAUL NEBRASKA - 2023



CONTRACTOR				Elsbury		The Diamond		Werner		Heartland Concrete	
Item No.	ITEM	UNIT	QTY.	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
BID SECTION A											
1	MOBILIZATION / DEMOLITION	L.S.	1	\$77,959.11	\$77,959.11	\$37,350.00	\$37,350.00	\$50,000.00	\$50,000.00	\$126,060.22	\$126,060.22
2	REMOVE PAVEMENT	S.Y.	31	5.97	\$185.07	10.30	\$319.30	25.00	\$775.00	37.80	\$1,171.80
3	REMOVE CONCRETE HEADER	L.F.	37	11.04	\$408.48	6.00	\$222.00	10.00	\$370.00	52.50	\$1,942.50
4	REMOVE TREE	L.S.	1	202,735.15	\$202,735.15	186,600.00	\$186,600.00	182,000.00	\$182,000.00	169,870.63	\$169,870.63
5	REMOVE EXISTING PLUG	EA.	1	900.95	\$900.95	48.10	\$48.10	1,000.00	\$1,000.00	1,045.17	\$1,045.17
6	7" CONCRETE PAVEMENT W/ INTEGRAL CURB	S.Y.	17552	57.39	\$1,007,309.28	59.10	\$1,037,323.20	67.27	\$1,180,723.04	60.23	\$1,057,156.96
7	5" CONCRETE PAVEMENT	S.Y.	45	57.39	\$2,582.55	67.60	\$3,042.00	70.00	\$3,150.00	221.10	\$9,949.50
8	BUILD CONCRETE HEADER	L.F.	74	27.59	\$2,041.66	15.50	\$1,147.00	21.50	\$1,591.00	113.68	\$8,412.32
9	8" PVC SANITARY SEWER	L.F.	2215	36.16	\$80,094.40	28.80	\$63,792.00	40.00	\$88,600.00	41.95	\$92,919.25
10	4" PVC SANITARY SEWER SERVICE	L.F.	795	27.37	\$21,759.15	19.70	\$15,661.50	31.00	\$24,645.00	31.75	\$25,241.25
11	2" HDPE FORCE MAIN	L.F.	789	23.39	\$18,454.71	10.30	\$8,126.70	26.00	\$20,514.00	27.13	\$21,405.67
12	48" DIA. SANITARY SEWER MANHOLE, TYPE 1	EA.	9	4,517.24	\$40,655.16	5,040.00	\$45,360.00	5,000.00	\$45,000.00	5,240.33	\$47,162.97
13	4" SEWER SERVICE CONNECTION	EA.	20	181.64	\$3,632.80	310.00	\$6,200.00	201.00	\$4,020.00	210.71	\$4,214.20
14	PACKAGED LIFT STATION	EA.	1	152,774.68	\$152,774.68	134,400.00	\$134,400.00	170,000.00	\$170,000.00	179,854.71	\$179,854.71
15	FLUSHING STATION	EA.	1	2,785.83	\$2,785.83	4,504.18	\$4,504.18	3,100.00	\$3,100.00	3,231.76	\$3,231.76
16	CONNECT TO EXISTING MANHOLE	EA.	1	732.98	\$732.98	1,150.00	\$1,150.00	900.00	\$900.00	850.31	\$850.31
17	8" D.I. WATER MAIN	L.F.	3818	54.99	\$209,951.82	60.48	\$230,912.64	58.00	\$221,444.00	60.83	\$232,248.94
18	8" M.J. 45° BEND	EA.	8	576.62	\$4,612.96	502.97	\$4,023.76	612.00	\$4,896.00	641.75	\$5,134.00
19	8" M.J. TEE	EA.	2	878.00	\$1,756.00	710.00	\$1,420.00	927.00	\$1,854.00	973.06	\$1,946.12
20	8"X6" M.J. TEE	EA.	5	790.01	\$3,950.05	649.00	\$3,245.00	836.00	\$4,180.00	8,647.49	\$43,237.45
21	8" M.J. SLEEVE	EA.	2	522.90	\$1,045.80	435.00	\$870.00	561.00	\$1,122.00	589.03	\$1,178.06
22	8" GATE VALVE W/ BOX	EA.	7	2,355.93	\$16,491.51	2,650.00	\$18,550.00	2,500.00	\$17,500.00	2,580.20	\$18,061.40
23	8" TAPPING TEE WITH VALVE	EA.	1	4,386.09	\$4,386.09	5,445.00	\$5,445.00	4,600.00	\$4,600.00	4,789.31	\$4,789.31
24	8"X6" M.J. REDUCER	EA.	1	407.01	\$407.01	288.27	\$288.27	433.00	\$433.00	453.80	\$453.80
25	FIRE HYDRANT ASSEMBLY W/ AUX. VALVE	EA.	6	6,510.73	\$39,064.38	7,720.00	\$46,320.00	7,000.00	\$42,000.00	7,269.28	\$43,615.68
26	1" WATER SERVICE TUBING	L.F.	1110	15.80	\$17,538.00	21.70	\$24,087.00	17.00	\$18,870.00	17.67	\$19,613.70
27	WATER SERVICE CONNECTION	EA.	21	1,115.24	\$23,420.04	932.00	\$19,572.00	1,233.00	\$25,893.00	1,293.76	\$27,168.96
28	TRACER WIRE TEST BOX	EA.	3	300.46	\$901.38	135.00	\$405.00	328.00	\$984.00	343.62	\$1,030.86
29	36" STORM SEWER PIPE	L.F.	1568	94.36	\$147,956.48	120.30	\$188,630.40	105.00	\$164,640.00	109.47	\$171,648.96
30	24" STORM SEWER PIPE	L.F.	701	50.58	\$35,456.58	66.90	\$46,896.90	56.00	\$39,256.00	58.67	\$41,127.67
31	18" STORM SEWER PIPE	L.F.	1135	33.78	\$38,340.30	46.60	\$52,891.00	38.00	\$43,130.00	39.19	\$44,480.65
32	36" FLARED-END SECTION (RC)	EA.	1	1,555.47	\$1,555.47	2,101.00	\$2,101.00	1,800.00	\$1,800.00	1,804.46	\$1,804.46
33	18" FLARED-END SECTION (RC)	EA.	2	812.71	\$1,625.42	1,241.00	\$2,482.00	900.00	\$1,800.00	942.80	\$1,885.60
34	STORM JUNCTION BOX	EA.	5	6,477.22	\$32,386.10	5,630.00	\$28,150.00	7,200.00	\$36,000.00	7,514.05	\$37,570.25
35	CURB INLET	EA.	10	3,947.66	\$39,476.60	3,475.00	\$34,750.00	4,400.00	\$44,000.00	4,579.58	\$45,795.80
36	AREA INLET	EA.	2	5,329.66	\$10,659.32	5,185.00	\$10,370.00	6,000.00	\$12,000.00	6,182.80	\$12,365.60
37	RIP RAP	TN.	13.6	50.21	\$682.86	100.00	\$1,360.00	175.00	\$2,380.00	330.75	\$4,498.20
38	EARTHWORK	L.S.	1	324,902.88	\$324,902.88	425,750.00	\$425,750.00	411,000.00	\$411,000.00	949,620.39	\$949,620.39
39	SUBGRADE PREP	S.Y.	17852	1.79	\$31,955.08	1.80	\$32,133.60	2.30	\$41,059.60	1.31	\$23,386.12
40	GRAVEL SURFACING	TN.	354	32.56	\$11,526.24	25.20	\$8,920.80	49.00	\$17,346.00	47.25	\$16,726.50
41	DEWATERING	L.S.	1	230,694.52	\$230,694.52	210,330.00	\$210,330.00	255,000.00	\$255,000.00	267,622.39	\$267,622.39
42	EROSION CONTROL	L.S.	1	9,932.59	\$9,932.59	2,250.00	\$2,250.00	10,000.00	\$10,000.00	10,041.73	\$10,041.73
43	SILT FENCE	L.F.	2032	4.97	\$10,099.04	4.30	\$8,737.60	4.00	\$8,128.00	4.73	\$9,611.36
44	SEEDING	AC.	37	1,655.43	\$61,250.91	2,500.00	\$92,500.00	1,000.00	\$37,000.00	1,575.00	\$58,275.00
45	CONSTRUCTION ENTRANCE	EA.	1	3,862.67	\$3,862.67	4,310.00	\$4,310.00	4,000.00	\$4,000.00	8,925.00	\$8,925.00
46	RELOCATE GAS LINE	L.S.	1	50,000.00	\$50,000.00	50,000.00	\$50,000.00	50,000.00	\$50,000.00	50,000.00	\$50,000.00
TOTAL OF ALL UNIT PRICE BID ITEMS BID SECTION A					\$2,980,900.06		\$3,102,947.95		\$3,298,703.64		\$3,904,353.08
BID SECTION B											
1	MOBILIZATION / DEMOLITION	L.S.	1	49,744.99	\$49,744.99	43,000.00	\$43,000.00	50,000.00	\$50,000.00	37,212.64	\$37,212.64
2	REMOVE CONCRETE PAVEMENT	S.Y.	81	5.97	\$483.57	11.50	\$931.50	25.00	\$2,025.00	18.90	\$1,530.90

CONTRACTOR				Elsbury Construction LLC		The Diamond Engineering Company		Werner Construction, Inc		Heartland Concrete Company, LLC	
Item No.	ITEM	UNIT	QTY.	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
3	REMOVE ASPHALT PAVEMENT	S.Y.	265	5.97	\$1,582.05	13.00	\$3,445.00	15.00	\$3,975.00	9.45	\$2,504.25
4	REMOVE STRUCTURE	EA.	1	2,759.05	\$2,759.05	400.00	\$400.00	3,000.00	\$3,000.00	2,625.00	\$2,625.00
5	REMOVE TREE	EA.	2	1,931.34	\$3,862.68	315.00	\$630.00	200.00	\$400.00	892.50	\$1,785.00
6	REMOVE & RESET SIGN	EA.	3	331.09	\$993.27	113.00	\$339.00	200.00	\$600.00	997.50	\$2,992.50
7	BUILD 10" DOWELED CONCRETE PAVEMENT	S.Y.	975	83.88	\$81,783.00	106.80	\$104,130.00	115.50	\$112,612.50	105.60	\$102,960.00
8	18" REINFORCED CONCRETE STORM SEWER PIPE	L.F.	8	45.48	\$363.84	170.00	\$1,360.00	51.00	\$408.00	52.76	\$422.08
9	BUILD CURB INLET	EA.	1	5,064.68	\$5,064.68	3,540.00	\$3,540.00	6,000.00	\$6,000.00	5,875.40	\$5,875.40
10	BUILD STORM MANHOLE	EA.	1	4,595.82	\$4,595.82	5,705.00	\$5,705.00	6,000.00	\$6,000.00	5,331.49	\$5,331.49
11	ADJUST MANHOLE TO GRADE	EA.	2	1,103.62	\$2,207.24	660.00	\$1,320.00	1,000.00	\$2,000.00	420.00	\$840.00
12	TRAFFIC CONTROL	L.S.	1	6,897.63	\$6,897.63	565.00	\$565.00	10,000.00	\$10,000.00	6,300.00	\$6,300.00
13	5" YELLOW, WET REFLECTIVE POLYUREA	L.F.	2284	2.48	\$5,664.32	3.50	\$7,994.00	2.75	\$6,281.00	2.36	\$5,390.24
14	5" WHITE, WET REFLECTIVE POLYUREA	L.F.	790	2.48	\$1,959.20	3.50	\$2,765.00	2.75	\$2,172.50	2.36	\$1,864.40
15	12" YELLOW, WET REFLECTIVE POLYUREA	L.F.	64	9.10	\$582.40	12.60	\$806.40	8.75	\$560.00	8.66	\$554.24
16	LED STREET LIGHT/BREAKAWAY BASE POLE ASSEMBLY	EA.	3	6,069.91	\$18,209.73	8,350.00	\$25,050.00	5,500.00	\$16,500.00	4,813.54	\$14,440.62
17	REMOVAL EXISTING STREET LIGHT	EA.	1	772.53	\$772.53	1,075.00	\$1,075.00	700.00	\$700.00	436.80	\$436.80
18	RELOCATION OF EXISTING STREET LIGHT	EA.	1	2,317.61	\$2,317.61	3,177.00	\$3,177.00	2,100.00	\$2,100.00	1,387.84	\$1,387.84
19	POLE CONCRETE FOUNDATION	EA.	4	1,489.89	\$5,959.56	2,045.00	\$8,180.00	1,350.00	\$5,400.00	2,751.00	\$11,004.00
20	#12 CU. POLE AND BRACKET	L.F.	400	0.55	\$220.00	0.90	\$360.00	0.50	\$200.00	2.77	\$1,108.00
21	#6 600V THWN STRANDED CU.	L.F.	2340	2.21	\$5,171.40	3.10	\$7,254.00	2.00	\$4,680.00	1.62	\$3,790.80
22	1-1/2" SCHED 40 PVC TRENCHED	L.F.	630	7.73	\$4,869.90	10.70	\$6,741.00	7.00	\$4,410.00	18.01	\$11,346.30
23	1-1/2" SCHED 40 PVC BORED	L.F.	150	27.59	\$4,138.50	37.80	\$5,670.00	25.00	\$3,750.00	33.18	\$4,977.00
24	EARTHWORK	L.S.	1	7,173.54	\$7,173.54	7,015.00	\$7,015.00	6,500.00	\$6,500.00	31,766.23	\$31,766.23
25	SUBGRADE PREP	S.Y.	1142	1.79	\$2,044.18	1.90	\$2,169.80	4.00	\$4,568.00	6.30	\$7,194.60
26	4" FOUNDATION COURSE	S.Y.	1142	8.78	\$10,026.76	12.50	\$14,275.00	14.00	\$15,988.00	14.18	\$16,193.56
27	EROSION CONTROL	L.S.	1	6,069.91	\$6,069.91	3,315.00	\$3,315.00	3,000.00	\$3,000.00	5,775.00	\$5,775.00
28	SEEDING	AC.	0.45	4,414.49	\$1,986.52	12,686.00	\$5,708.70	2,500.00	\$1,125.00	4,200.00	\$1,890.00
TOTAL OF ALL UNIT PRICE BID ITEMS BID SECTION B					\$237,503.88		\$266,921.40		\$274,955.00		\$289,498.89
TOTAL OF BID SECTION A AND BID SECTION B					\$3,218,403.94		\$3,369,869.35		\$3,573,658.64		\$4,193,851.97
Substantially Complete On or Before:					11/15/24		11/15/24		11/15/24		11/15/24
Complete and Ready for Final Payment On or Before:					12/06/24		12/06/24		12/06/24		12/06/24
Addendas					1		1		1		1
Bid Guarantee:					5%		5%		5%		5%
Remarks:							Bid form had the following: Section A, Item 17: \$230,897.63 Section A, Item 18: \$4,023.73 Section A Total: \$3,102,932.91 Section B, Item 20; \$360.33 Section B Total: \$266,921.73 Total Sect A and B: \$3,369,854.64				Bid form had the following: Section A, Item 38: \$949,620.86 Section A Total: \$3,904,353.55 Total Sect A and B: \$4,193,852.44

Connie Beck

From: Chris Dethlefs <cdethlefs@olsson.com>
Sent: Thursday, February 15, 2024 3:51 PM
To: Connie Beck
Cc: Brian Friedrichsen
Subject: Middle Loup Subdivision
Attachments: 24-02-14_SDN_LRECOMMEND AWARD TO OWNER_City of St. Paul.pdf

Connie, attached is the Recommendation for Award letter and also the bid tab for the project.

Thanks,

Chris Dethlefs
Office Administrative Manager

D 308.398.2940

201 E. Second Street
Grand Island, NE 68801
O 308.384.8750



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[View Legal Disclaimer](#)

CITY OF SAINT PAUL
704 6TH STREET
SAINT PAUL, NEBRASKA 68873

NOTICE OF TIME AND PLACE OF
SPECIAL MEETING

NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAINT PAUL, NEBRASKA, WILL BE HELD **WEDNESDAY, FEBRUARY 14, 2024** **BEGINNING AT 2:00 P.M.** IN THE CITY COUNCIL CHAMBERS. THIS MEETING WILL BE OPEN TO THE PUBLIC. AN AGENDA FOR SUCH MEETING IS KEPT CONTINUALLY CURRENT AND IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE CITY CLERK AT THE CITY UTILITIES OFFICE. THE PURPOSE OF THE MEETING IS FOR THE MIDDLE LOUP SUBDIVISION BID OPENING. POSTED THIS 7TH DAY OF FEBRUARY 2024.



CONNIE JO BECK
CITY CLERK/DEPUTY TREASURER

Post in four (4) public places:

- City Utility Office
- US Post Office
- Citizens Bank & Trust
- Howard County Court House (lower level)

CITY OF ST. PAUL
704 6TH STREET
ST. PAUL, NEBRASKA 68873

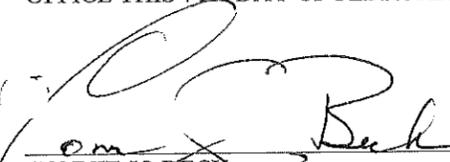
CERTIFICATION OF POSTING (February 7, 2024)

Middle Loup Subdivision Bid Opening on Wednesday, February 14, 2024 at 2:00 p.m.

I, THE UNDERSIGNED, CITY CLERK OF THE CITY OF ST. PAUL, NEBRASKA, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF WHICH ANNOUNCEMENT WAS POSTED IN FOUR (4) USUAL PUBLIC PLACES ON WEDNESDAY, FEBRUARY 7, 2024

- 1) CITY UTILITIES OFFICE OF CITY OF ST. PAUL
- 2) CITIZENS BANK AND TRUST
- 3) HOWARD COUNTY COURT HOUSE (LOWER LEVEL)
- 4) U S POST OFFICE - ST. PAUL

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND OFFICIALLY AND AFFIXED THE SEAL OF MY OFFICE THIS 7TH DAY OF FEBRUARY 2024.



CONNIE JO BECK
CITY CLERK/DEPUTY TREASURER



MATTHEW HELZER
UTILITIES SUPERINTENDENT

(Seal)

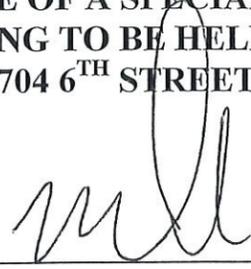


CITY OF SAINT PAUL
704 6TH STREET
SAINT PAUL, NEBRASKA 68873

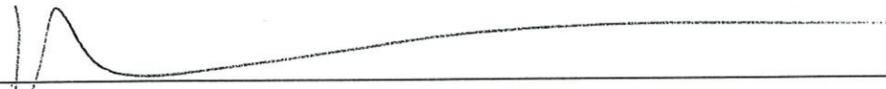
ACKNOWLEDGMENT OF SPECIAL NOTICE OF MEETING

MIDDLE LOUP SUBDIVISION BID OPENING

THE UNDERSIGNED MEMBERS OF THE GOVERNING BODY OF THE CITY OF SAINT PAUL, NEBRASKA HEREBY ACKNOWLEDGE RECEIPT OF ADVANCE NOTICE OF A SPECIAL MEETING OF SAID BODY AND THE AGENDA FOR SUCH MEETING TO BE HELD WEDNESDAY, FEBRUARY 14, 2024 AT 2:00 P.M. AT CITY HALL, 704 6TH STREET, SAINT PAUL, NEBRASKA.



MAYOR



MEMBER



MEMBER



MEMBER

MEMBER



ATTENDANCE RECORD

BID OPENING

St. Paul Development Corporation
Middle Loup Subdivision
St. Paul, Nebraska
Olsson Project No. (023-00398)

2:00 PM
February 14, 2024
St. Paul City Office

PLEASE PRINT

Name of Attendees	Company Representing	Email Address	Cell Phone No.	Office No.
Brian Friedrichson	Olsson	bfriedrichson@olsson.com	308-750-4306	
Conne Jo Beck	City St Paul	cjbeck@cityofstpaulne.org	308-571-0045	
James Summers	City St Paul	jsummers@cityofstpaulne.org		
Bill Peters	CITY ST PAUL	BP	308-750-2943	
Mike Feecken	City	mfeecken@cityofstpaulne.org	308 754-3010	
Katie Kowalski	City St Paul	kkowalski@cityofstpaulne.org	308 750-0665	
RAY SMITH	WERNER LEIST	RS@WERNERLEIST.COM	402 465 4545	
DAVE QUINN	HEARLAND CONC	DAVED@HCCNEB.COM	(402) 984-7925	
Cory Montea	Montea Construction	Cory Montea 96@gmail.com	308-991-1973	
MARC STAROSIKA	SKM		308-390-3707	
Matt Elsbury	Elsbury Construction	matt@elsburycanstruction.com	308.390.3282	
Parker Klinginsmith	St. Paul Development Corp	stPaulDevCorp@gmail.com	308-754-2181	
Dillon Paczosa	city of St. Paul	dpaczosa@cityofstpaulne.org	308-571-0325	
Matt Helzer	City of St. Paul	mhelzer@cityofstpaulne.org	308-750-5843	
Jeremy Gorecki	City of St. Paul	jgorecki@cityofstpaulne.org	308-219-1064	
Chuck Schmid	CITY OF ST PAUL	Schmidchuck@gmail.com	308-750-6149	
Vincent Christensen	Christensen Ins. SPDC			

Trae Anderson City
Trae Anderson City

Connie Beck

Middle Loup Subdivision Update!

From: Brian Friedrichsen <bfriedrichsen@olsson.com>
Sent: Friday, January 5, 2024 1:54 PM
To: stpauldevcorp@gmail.com; Connie Beck
Subject: Middle Loup Subdivision - NDEE Review Fee

City Bonds

Parker/Connie,

Wanted to give you an update on the Middle Loup Subdivision. The plans and specs came together quick this week and we will be ready to sign and submit the plans to the state on Monday (8th). There should not be any review fee for the sanitary sewer portion or the NDOT permits (as long as this one is filled out under the City's name) but there will be a fee for the water side. The state charges 0.5% of the water construction cost + \$100 for the review. Our estimate for the water came up to \$464,340. This would leave us with a review fee of \$2,421.70. Parker – You had mentioned that you would be able to get a check to me to cover this fee with a couple of signatures from your board members. I will actually be in St. Paul Monday morning for a doctors appointment. Would there be anyway that check could be ready by then so I could grab it on the way out of town? If not I can swing by and get it that evening. When writing the check, it will need to be made out to NDEE. This step can all happen in this time frame as long as we do not need approval from the EDC board or City Council. If we need any of those approvals please let me know right away.

Next steps, I would like to give the state next week to start looking over the plans before we begin advertising the project. So I would like to submit our invite to bids to the Phonograph Herald on Monday the 15th so that it comes out in that Thursday's paper. Our office will take care of submitting the info to the paper and we will instruct them to send the EDC the invoice for the advertisement (if that works with you). I would like to advertise this project for four weeks. This means it would be in the paper on 1/18, 1/28, 2/1, and 2/8. I would then like to hold a bid opening on Wednesday February 14th at 2 pm at City Hall.

Now comes the tricky part. Who will need to approve the bids. I would like to have at least the 16th to review the bids for errors and omissions. If everything checks out, I could have a recommendation letter submitted to the EDC and City by end of day on the 16th. I am assuming that we will need both the EDC board and City council to approve the bids. Would there be any way the EDC could hold a meeting on Friday the 17th to approve/deny the bids? If so, this would allow the City council to approve/deny the bids at there regular meeting on Tuesday the 20th.

Febr. 2024 20th

If this will not work, could we still at least allow the City council to approve/deny the bids on the 20th but make it contingent on the EDC decision? If we need to push things back a week or so to not rush, that can be done as well. I am open either way.

It typically takes about a month to get all the insurance and contracts in place with the contractor so if the above schedule holds, we should be ready to roll as soon as the weather turns nice. I have spoken with multiple contractors who are interested in this project but two that are really banking on getting this project for their 2024 schedule. I asked both of them if having a completion date of December of 2024 would work and they both said yes. The project estimate that we are looking at is \$4,070,465. If my memory serves me correctly, this was under what was presented when this project came back to life. This number does not include the engineering to get us to this point or the construction phase services that we would like to provide. If the bids are approved, Olsson would draft a project amendment to provide the construction phase services and present it to both the EDC and City council for approval.

As far as the subdivision vacate and replat go, our survey team is planning on having the documentation ready by the end of next week. Once that is done and reviewed by all parties, the EDC can request the vacate and we can start going through the process to get that wrapped up. Unless there are concerns on your end, I am not to worried about moving forward with this project construction if the plat isn't fully in place.

I apologize for the saga of an email but I believe I have everything covered. If there are any questions, or if there is any missing information, please let me know. Once the plans are signed, I will send out an electronic copy to the EDC and City for their use.

Enjoy your weekend.

2nd Council Regular Meeting

Tuesday, February 20, 2024 6:30 PM

City Hall
704 6th Street
St. Paul, NE 68873

Agenda

1. Mayor Mike Feeken calls City Council meeting to order, with the "Pledge of Allegiance" and the "Open Meeting Statement" as required by NE State Statutes 84-1407 through 84-1414; Mayor Feeken also states that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Statute 84-1410.

2. Submittal of Requests for Future Agenda Items

3. Reserve Time to Speak on an Agenda Item

4. Mayor Mike Feeken opens five (5) Public Hearings:

(1) Public Hearing on request by Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue regarding a "Class C" Liquor License #126231.

(2) Public Hearing on request by Evelyn Dvorak to rezone parts of Lots One (1), Two (2), and Three (3), Block 116, Original Town of St. Paul, NE and a part of the vacated street from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the southwest corner of 4th and Baxter Streets;

(3) Public Hearing on request by Dan Scheer to rezone Lot Four (4), Block 109, Original Town of St. Paul, NE from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the northwest corner of 4th and Baxter Streets;

(4) Public Hearing on request to amend Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers"; and

(5) Public Hearing on request by St. Paul Development Corp. (SPDC) to amend Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning Districts.

5. The Middle Loup Subdivision bids were received and opened on Wednesday, February 14, 2024, at 2:00 p.m. in the City Council Chambers. A total of four (4) bids were submitted and have been reviewed by Olsson's, Grand Island, NE. After the review of the bids, Olsson's recommendation that "Notice of Award" be given to the apparent low bidder, Elsbury Construction LLC, in the contract amount of \$3,218,403.94.

Discuss - Approve / Deny the Middle Loup Subdivision "Notice of Award" to be given to Elsbury Construction, LLC in the contract amount of \$3,218,403.94.

6. Discuss - Approve / Deny the City of St. Paul abating nuisance at 304 8th Street (David Eiberger) pertaining to an unlicensed Blue Honda Civic vehicle.

*Bid
Tabled*

Middle
Low
Bid
Approval

City of St. Paul Regular Meeting
704 6th Street
St. Paul, NE 68873

Tuesday, February 20, 2024

A meeting of the Mayor and City Council of the City of St. Paul, Nebraska was held at City Hall in said City on Tuesday, February 20, 2024, at 6:30 p.m. Present were Mayor Mike Feeken and Council members Chuck Schmid, Bill Peters & Brian Sack. Absent: Council member Katie Kowalski. Notice of the meeting was given in advance thereof by publication in the Phonograph Herald, a legal newspaper published in said City and County. Notice of the meeting was also posted in four (4) public places. Notice of this meeting was communicated in the advance notice. All proceeds thereafter shown were taken while the convened meeting was opened to the attendance of the public.

Mayor Feeken opened the meeting at 6:30 p.m. with the "Pledge of Allegiance" and thanking the public for attending and announcing that the City of St. Paul abides by the Open Meetings Act, which is posted on the west wall as required by Nebraska State Law §84-1407 through §84-1414. Mayor Feeken also stated that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Law §84-1410.

Mayor Feeken continued the meeting by announcing that individuals who have appropriate agenda items for City Council consideration should complete the "Request for Future Agenda Items" form located at the City Office. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given. Also, any City patrons that are requesting "Public Records" or have "Questions or Concerns" in regard to the City, they need to be submitted in writing to the City of St. Paul, so that it can be addressed appropriately. These forms are available online, in a file folder on the back wall of the Council Chambers or at the City Office.

There was an opportunity for individuals wishing to provide input on any of tonight's agenda items. Those individuals were asked to reserve time to speak; per Mayor Feeken, there will be a five (5) minute limit per person on speaking.

Mayor Feeken opened five (5) public hearings at 6:32 p.m.

(1) Public Hearing on request by Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue regarding a "Class C" Liquor License #126231 application;

(2) Public Hearing on request by Evelyn Dvorak to rezone parts of Lots One (1), Two (2), and Three (3), Block 116, Original Town of St. Paul, NE and a part of the vacated street from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the southwest corner of 4th and Baxter Streets;

(3) Public Hearing on request by Dan Scheer to rezone Lot Four (4), Block 109, Original Town of St. Paul, NE from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the northwest corner of 4th and Baxter Streets;

(4) Public Hearing on request to amend Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers"; and

(5) Public Hearing on request by St. Paul Development Corp. (SPDC) to amend Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning Districts.

The Royal Coachmen Car Club will be hosting its 3rd Annual Cars and Coffee event. The event has doubled in size from the first (1st) year to the second (2nd) year; parking was nearly an issue in 2023. Council member Sack moved to approve Royal Coachmen Car Club closing 7th Street from Howard Avenue to Jay Street and Indian Street from 7th Street to the Hometown Market parking lot entrance. The event is scheduled on Saturday, April 6, 2024, from 7:00 a.m. to 12:00 p.m. The City will provide four (4) barricades for the event. At this time there is no fee, due to it not being on the fee schedule. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0. Mayor Feecken questioned access to the Hometown Market, U. S. Post Office and for emergency personnel. The areas will remain open so patrons can access. Chief of Police Howard stated to Marcus Paczosa (Royal Coachman member), not to have any burnouts this year.

Brian Friedrichsen with Olsson's was in attendance to discuss the Middle Loup Subdivision bids that were received and opened on Wednesday, February 14, 2024, at 2:00 p.m. in the City Council Chambers. A total of four (4) bids were submitted and reviewed by Olsson's. After the review of the bids, Olsson's recommended that the "Notice of Award" be given to the apparent low bidder, Elsbury Construction LLC, in the contract amount of \$3,218,403.94. At this time, the bid approval was tabled until the March 4, 2024 Council meeting; this is due to a hiccup in the Black Hills Energy gas line that is running through (east and west) the Middle Loup Subdivision. Since this transmission line feeds the Village of Dannebrog, NE (4" High Pressure), there were federal regulations that would not allow building improvements within 440 feet each side of the gas line. Olsson's is continuing to investigate the matter with Black Hills Energy; the NE State Fire Marshall is also reviewing the matter. The Middle Loup Subdivision bids are good for 30 days from the opening of the bids on Wednesday, February 14, 2024.

A brief discussion ensued regarding the City of St. Paul abating the nuisance at 304 8th Street (David Eiberger) pertaining to an unlicensed Blue Honda Civic vehicle. Council member Sack moved to approve abating the vehicle nuisance. The vehicle will be moved by a towing service per Chief of Police Howard. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Peters moved to approve the Consent Agenda Items: (1) Treasurer's Report January 2024; (2) February 5, 2024 (regular) Council minutes and February 14, 2024 (special) Council minutes; (3) Planning Commission Zoning Permits and Minutes; and (4) February 20,

Connie Beck

From: Brian Friedrichsen <bfriedrichsen@olsson.com>
Sent: Friday, February 23, 2024 11:20 AM
To: Matt Helzer; Mike Feeken; Connie Beck; stpauldevcorp@gmail.com
Subject: Middle Loup Subdivision - Gas Line Update

All,

Just wanted to give everyone an update on how things went the rest of this week with the gas line. I received an updated quote to relocate the gas line and it went from \$900K to \$250K. I still told the gas company that relocating was not our best option due to the time it would take to complete. I met with the construction rep out of Holdrege and the local rep onsite and had a good discussion of our plans and what we would like to see. We did find out that the gas line is further east of the trees that was originally expected (good news). This should allow the gas company enough room to install a new line in the same area if they can not get enough vertical drop with the existing line. To help out, we will be sending our survey crew out to the site next week to stake out the gas line and the easement so Black Hills can get a better view of their corridor.

We still do not have an answer on the 440' distance issue. I have reached out to the gas company and told them that we would like to award the project at the March 4th council meeting so this needed to be resolved as soon as possible. I will keep everyone posted when I know more.

I know this isn't super great news but it isn't necessarily bad either. If there are any questions, please let me know.

Thanks,

Brian J. Friedrichsen, PE

Project Engineer / Civil

D 308.398.2946

C 308.750.4326

201 E. Second Street
Grand Island, NE 68801
O 308.384.8750



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[View Legal Disclaimer](#)

Connie Beck

From: Brian Friedrichsen <bfriedrichsen@olsson.com>
Sent: Monday, February 26, 2024 1:35 PM
To: stpauldevcorp@gmail.com; Mike Feeken; Matt Helzer; Connie Beck
Subject: FW: St. Paul Middle Loup Subdivision - Gas Line Questions
Attachments: Olssen Land Development near Pipeline.docx

All,

Please see attached and the email below from the fire marshal. I am out of the office today and most of tomorrow so will not be able to really dive into this until Wednesday. From reading the email and letter, it would appear that the most a setback could be would be 50'. We could lay this out and see what that would look like but with a 20' setback already out there, I don't know if an additional 30' would be a large issue. I will continue working with Black Hills and hopefully can come to an agreement to get this work moving forward to allow us to award this contract next Monday. I wanted to be sure you had this information as soon as possible. If there are any questions, please let me know.

Thanks,

From: Bumgardner, Kevin <kevin.bumgardner@nebraska.gov>
Sent: Monday, February 26, 2024 8:55 AM
To: Brian Friedrichsen <bfriedrichsen@olsson.com>; Levering, David <david.levering@nebraska.gov>; Knoles, Scott <Scott.Knoles@nebraska.gov>; Petersen, Scott <scott.petersen@nebraska.gov>
Subject: RE: St. Paul Middle Loup Subdivision - Gas Line Questions

This Message Is From an External Sender

This message came from outside your organization. Please take care when clicking links or opening attachments. When in doubt, use the Report Phish button or contact IT to have the message analyzed.

Brain, I have attached a letter for your question of development restrictions near pipeline. In brief, there is a recommendation from API (American Pipeline Institute) that PHMSA (Pipeline and Hazardous Materials Safety Administration) uses for interpretations when this question is asked. No federal regulation specifies a distance in code. I would like to know who the individual was that you spoke with to ensure all parties are aware of regulations. Let me know if you need anything additional from us.

Kevin Bumgardner C.L.S.S.Y.B

Deputy 8732 | Pipeline Safety Section

Nebraska State Fire Marshal Agency

Cell | 402-705-7100

kevin.bumgardner@nebraska.gov

sfm.nebraska.gov | [Facebook](#)

Arson Hotline 1-800-WY-ARSON



Know what's below.
Call before you dig.

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From: Brian Friedrichsen <bfriedrichsen@olsson.com>
Sent: Tuesday, February 20, 2024 10:23 AM
To: Bumgardner, Kevin <kevin.bumgardner@nebraska.gov>
Subject: St. Paul Middle Loup Subdivision - Gas Line Questions

You don't often get email from bfriedrichsen@olsson.com. [Learn why this is important](#)
Kevin,

I appreciate you taking my call this morning to discuss the gas line we are working with at the St. Paul Middle Loup Subdivision. I have attached a copy of the subdivision and have highlighted the easement that the gas line falls in. Also attached is a Google Earth kmz showing the approximate boundary of the subdivision. This subdivision is zoned as light industrial with a small possibility of multi-family dwellings. The information that was provided by Black Hills is that we will not be allowed to build a structure with a certain occupancy class within 440' of this line. This would basically make this parcel undevelopable. We all want to be sure public safety is our priority but wanted to get your input on what other options we may have besides relocating the line to other private property. If there are any further questions or if you need any additional information, please let me know.

Thanks,

Brian J. Friedrichsen, PE
Project Engineer / Civil

D 308.398.2946
C 308.750.4326

201 E. Second Street
Grand Island, NE 68801
O 308.384.8750



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NEBRASKA

Good Life. Great Safety.

STATE FIRE MARSHAL AGENCY



Jim Pillen, Governor

Brian J. Friedrichsen, PE
Project Engineer / Civil

February 26, 2024

201 E. Second Street
Grand Island, NE 68801

Brian, thank you for reaching out for clarification on regulations related to land development around pipelines. A review of Federal Regulations resulted in no findings of specified distances for development near pipelines. I will say local County and/or City Ordinances may exist and include limitations and will need to be reviewed and followed. The pipeline located on the land is a 2-inch steel pipeline operating at 843 pounds per square inch with a maximum allowable operating pressure of 925 pounds per square inch.

Development in this location is not restricted by federal regulations. The Easement shall be preserved. API [American Petroleum Institute] "recommends setbacks of 50 feet from petroleum and hazardous liquids lines for new homes, businesses, and places of public assembly (API 2003). It also recommends 25 feet for garden sheds, septic tanks, and water wells and 10 feet for mailboxes and yard lights." PHMSA [Pipeline and Hazardous Materials Safety Administration] has used the API recommendation in Interpretation letters asking the question of separation of building to hazardous liquid or gas pipelines.

Operators of transmission pipeline segments that could affect HCAs are subject to additional requirements for periodically testing, inspecting, and assessing the integrity of these segments and repairing defects that could compromise pipe integrity. These operators are also subject to reporting requirements for these pipeline segments that are greater than the reporting requirements for other segments of their pipelines.

MAIN / DISTRICTS A & B / BOILERS / FIRE PREVENTION / INVESTIGATIONS / PLANS
246 South 14th Street, Suite 1
Lincoln, NE 68508
(402) 471-2027

FUELS DIVISION
 FLST PIPELINE SAFETY
246 South 14th Street, Suite 1
Lincoln, NE 68508
(402) 471-9465

ELEVATOR DIVISION
1313 Farnam Street, Room 233
Omaha, NE 68102
(402) 595-3184

TRAINING DIVISION
3347 West Capital Avenue
Grand Island, NE 68803
(308) 385-6892

If you need further information or would like additional conversations on this item, please reach to us.



Kevin Bumgardner
Deputy Fire Marshal
Pipeline Safety Section

MAIN OFFICE
246 South 14th Street
Lincoln, NE 68508-1804
Office (402) 471-2027

DISTRICT A OFFICE
246 South 14th Street
Lincoln, NE 68508-1804
Office (402) 471-2590

DISTRICT B/C OFFICE
438 West Market
Albion, NE 68620-1241
Office (402) 395-2164

FUELS DIVISION
 FLST Pipeline Safety
246 South 14th Street
Lincoln, NE 68508-1804
Office (402) 471-9465

TRAINING DIVISION
3347 W Capital Ave
Grand Island, NE 68801
Office (308) 385-6892



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1 / 9



Volvo G720B Motor Grader

\$21,000.00 USD (10 Bids)

Closes:

1d 7h (Mar 01, 2024 09:00 PM CST)

Reserve Not Met ⓘ

\$200.00 USD

Bid Increment

Sales/Lot Type:

Online Auction

Location:

[Lincoln, Nebraska, USA](#)

Subject to an auto-extension of the auction end time. ⓘ

[Sign In to Place Bid](#)

CITY OF ST PAUL
***Revenue Guideline©**

02/29/24 7:29 AM

Page 8

Current Period: FEBRUARY 23-24

		23-24	23-24	FEBRUARY	23-24	% of YTD
		YTD Budget	YTD Amt	MTD Amt	YTD Balance	Budget
STREETS						
Active	R 21-010 PROPERTY TAX	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-022 Mtr Veh Sales Tax	\$45,000.00	\$35,246.71	\$6,464.77	\$9,753.29	78.33%
Active	R 21-023 Prorate -Mtr Veh Collection	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
Active	R 21-024 MotorTaxColl (Regist)	\$45,000.00	\$15,146.78	\$0.00	\$29,853.22	33.66%
Active	R 21-100 SINKING FUND	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-110 HWY ALLOCATION	\$398,341.00	\$133,523.08	\$0.00	\$264,817.92	33.52%
Active	R 21-115 Street - Build NE Act	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-130 INCENTIVE PMNT	\$3,000.00	\$0.00	\$0.00	\$3,000.00	0.00%
Active	R 21-131 Motor Veh. Fee (Hwy Alloc)	\$23,000.00	\$12,645.53	\$0.00	\$10,354.47	54.98%
Active	R 21-216 RECORDING FEE	\$0.00	\$10.00	\$0.00	-\$10.00	0.00%
Active	R 21-222 BRICKS	\$0.00	\$30.00	\$0.00	-\$30.00	0.00%
Active	R 21-235 FLAGS	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-260 REFUNDS	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-272 Scrape Iron/Brass	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-275 MOWING	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-276 CURB GRIND	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%
Active	R 21-290 INVESTMENT INT	\$1,000.00	\$1,750.79	\$0.00	-\$750.79	175.08%
Active	R 21-330 SPECIAL ASSESSMENT	\$7,543.00	\$15,608.85	\$324.85	-\$8,065.85	206.93%
Active	R 21-350 ASSESSMENT INTEREST	\$2,685.00	\$2,720.48	\$265.27	-\$35.48	101.32%
Active	R 21-410 LOT/ LAND SALES	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-420 TRANSFER IN	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-580 SHOP SALES	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-589 BOND ANTICIPATION	\$2,792,220.00	\$0.00	\$0.00	\$2,792,220.00	0.00%
Active	R 21-615 BOND PROCEEDS	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	R 21-630 REIMBURSEMENT	\$0.00	\$2,280.81	\$0.00	-\$2,280.81	0.00%
Total STREETS		\$3,319,789.00	\$218,963.03	\$7,054.89	\$3,100,825.97	6.60%

Mobile Loups

CITY OF ST PAUL
***Expenditure Guideline©**

Current Period: FEBRUARY 23-24

			23-24	23-24	FEBRUARY	Enc	23-24	% of YTD
			YTD Budget	YTD Amt	MTD Amt	Current	YTD Balance	Budget
STREETS								
Active	E 21-10-110	SALARY & WAGES	\$118,371.00	\$47,167.56	\$9,420.06	\$0.00	\$71,203.44	39.85%
Active	E 21-10-111	OVERTIME	\$10,500.00	\$6,500.19	\$3,237.09	\$0.00	\$3,999.81	61.91%
Active	E 21-10-115	FICA	\$7,990.00	\$3,004.50	\$716.25	\$0.00	\$4,985.50	37.60%
Active	E 21-10-116	MEDICARE	\$1,869.00	\$702.69	\$167.51	\$0.00	\$1,166.31	37.60%
Active	E 21-10-120	PENSION	\$7,732.00	\$2,739.69	\$652.70	\$0.00	\$4,992.31	35.43%
Active	E 21-10-130	INSURANCE	\$47,964.00	\$19,832.79	\$3,940.72	\$0.00	\$28,131.21	41.35%
Active	E 21-20-210	PROF&SCHOOLS	\$750.00	-\$51.99	\$35.00	\$0.00	\$801.99	-6.93%
Active	E 21-20-211	ADM. & DUES	\$4,000.00	\$1,220.00	\$0.00	\$0.00	\$2,780.00	30.50%
Active	E 21-20-212	LEGAL FEES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-20-213	ENGINEER FEES	\$4,250.00	\$1,596.67	\$0.00	\$0.00	\$2,653.33	37.57%
Active	E 21-20-231	CITY GAS & OIL	\$20,000.00	\$8,388.96	\$3,995.55	\$0.00	\$11,611.04	41.94%
Active	E 21-20-240	PUBLISH / CODIF	\$500.00	\$108.00	\$0.00	\$0.00	\$392.00	21.60%
Active	E 21-20-250	CITY INSURANCE	\$15,970.00	\$13,566.37	\$0.00	\$0.00	\$2,403.63	84.95%
Active	E 21-20-261	CITY LIGHTS	\$39,000.00	\$16,420.73	\$3,685.86	\$0.00	\$22,579.27	42.10%
Active	E 21-20-262	BLACKHILLS GAS	\$3,800.00	\$2,348.98	\$1,678.30	\$0.00	\$1,451.02	61.82%
Active	E 21-20-268	Uniforms	\$800.00	\$800.00	\$0.00	\$0.00	\$0.00	100.00%
Active	E 21-20-270	UTILITY R & M	\$39,000.00	\$7,153.36	\$805.70	\$0.00	\$31,846.64	18.34%
Active	E 21-20-271	VEHICLE R & M	\$20,000.00	\$21,508.60	\$11,233.71	\$0.00	-\$1,508.60	107.54%
Active	E 21-20-272	TOOLS	\$1,000.00	\$136.37	\$26.09	\$0.00	\$863.63	13.64%
Active	E 21-20-275	PUBLIC HEALTH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-20-279	St Concrete Grind	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-20-280	Concrete - Streets	\$25,000.00	\$6,013.55	\$0.00	\$0.00	\$18,986.45	24.05%
Active	E 21-20-309	COMPUTER	\$2,600.00	\$813.30	\$162.66	\$0.00	\$1,786.70	31.28%
Active	E 21-20-313	POSTAGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-20-340	SAND, GRAVEL, SAL	\$7,500.00	\$0.00	\$0.00	\$0.00	\$7,500.00	0.00%
Active	E 21-20-345	ACCOUNTING FEE	\$3,000.00	\$3,000.00	\$0.00	\$0.00	\$0.00	100.00%
Active	E 21-20-511	Survey Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-20-515	Assess Reimb	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-20-520	BLDG/ R & M	\$750.00	\$76.00	\$0.00	\$0.00	\$674.00	10.13%
Active	E 21-20-530	EQUIP RENTAL	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0.00%
Active	E 21-30-320	MERCH & SUPPLY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-40-540	MACH & EQUIPMEN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-50-540	MACH & EQUIPMEN	\$99,000.00	\$2,150.00	\$2,150.00	\$0.00	\$96,850.00	2.17%
Active	E 21-50-550	IMPROVEMENTS	\$2,792,220.00	\$0.00	\$0.00	\$0.00	\$2,792,220.00	0.00%
Active	E 21-60-630	EQUIP SINKING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-60-640	DEBT SERVICE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Active	E 21-70-160	TRANSFER OUT	\$31,247.00	\$0.00	\$0.00	\$0.00	\$31,247.00	0.00%
Total STREETS			\$3,305,813.00	\$165,196.32	\$41,907.20	\$0.00	\$3,140,616.68	5.00%

1	Street June 2023	21-22 Actual	22-23 Budget	22-23 Estimate	23-24 Budget
2	<u>REVENUE</u>	A	B	C	D
3	Motor Veh Tax (Sales Tax)	\$ 50,075.00	\$ 45,000.00	\$ 59,000.00	\$ 45,000.00
4	Prorate-Motor Veh. Tax	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
5	Motor Tax Coll: Co. Treas.	\$ 50,453.00	\$ 45,000.00	\$ 50,351.00	\$ 45,000.00
6	Highway Alloc (Dept. Transp)	\$ 347,247.00	\$ 366,581.00	\$ 366,581.00	\$ 398,341.00
7	Incentive Pymts	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
8	Motor Tax Fee (Hwy Alloc.)	\$ 25,581.00	\$ 23,000.00	\$ 25,000.00	\$ 23,000.00
9	Recording Fee: Tommy-Rene	\$ 26.00	\$ -	\$ 10.00	\$ -
10	Bricks Sold: Eiberger	\$ 455.00	\$ -	\$ 2,740.00	\$ -
11	Scrape Iron/Brass	\$ 2,025.00	\$ -	\$ -	\$ -
12	Mowing	\$ -	\$ -	\$ 170.00	\$ -
13	Curb Grind	\$ 1,154.00	\$ 1,000.00	\$ 3,758.00	\$ 1,000.00
14	Int: 504915; 505014; ICS	\$ 522.00	\$ 250.00	\$ 2,500.00	\$ 1,000.00
15	Assess: Ho Ave; Osterman; Hamilton	\$ 12,630.00	\$ 8,058.00	\$ 12,774.00	\$ 7,543.00
16	(TO VP BOND)				
17	Assess Interest	\$ 11,041.00	\$ 8,601.00	\$ 8,245.00	\$ 2,685.00
18	(TO VP BOND)				
19	Reimb: T Davis Dirt; D McIntyre Loader	\$ 3,170.00	\$ -	\$ 359.00	\$ -
20	RESERVES:	\$ -	\$ -	\$ -	\$ -
21	Bond Proceeds OR RESERVES: Middle Loup	\$ -	\$ -	\$ -	\$ 2,792,220.00
22	Reserve Funds: \$1.5 Millon (Lts / Gen)				
23	TOTAL REVENUES	\$ 507,379.00	\$ 501,490.00	\$ 535,488.00	\$ 3,319,789.00
24	<u>EXPENSE</u>				
25	PERSONNEL SERVICES				
26	Salary/Wages:	\$ 103,107.00	\$ 108,323.00	\$ 109,107.00	\$ 118,371.00
27	Overtime	\$ 1,444.00	\$ 10,500.00	\$ 4,897.00	\$ 10,500.00
28	Fica - 6.20%	\$ 5,816.00	\$ 7,367.00	\$ 7,068.00	\$ 7,990.00
29	Medicare - 1.45%	\$ 1,360.00	\$ 1,723.00	\$ 1,653.00	\$ 1,869.00
30	Pension 6%	\$ 5,343.00	\$ 7,129.00	\$ 6,840.00	\$ 7,732.00
31	Insurance: BCBS / LTD	\$ 41,446.00	\$ 47,143.00	\$ 46,351.00	\$ 47,964.00
32	<u>OPERATING EXPENSE</u>				
33	Prof. & School: Pesticide Cert.	\$ 583.00	\$ 750.00	\$ 250.00	\$ 750.00
34	Adm & Dues: League, Utility Sec,	\$ 4,127.00	\$ 4,000.00	\$ 3,500.00	\$ 4,000.00
35	Sparq, BOK				
36	Eng Fee: 1& 6 \$2000; NBCS 1500.00	\$ 3,500.00	\$ 4,000.00	\$ 4,250.00	\$ 4,250.00
37	Gas & Oil - Snow Removal	\$ 12,959.00	\$ 20,000.00	\$ 16,500.00	\$ 20,000.00
38	Publish/Code: Snow Emerg; Str Assess	\$ 101.00	\$ 500.00	\$ 250.00	\$ 500.00
39	Insurance: LARM: 20%	\$ 11,952.00	\$ 14,522.00	\$ 13,308.00	\$ 15,970.00
40	City Lights	\$ 35,775.00	\$ 39,000.00	\$ 35,042.00	\$ 39,000.00
41	Blackhills Gas	\$ 2,232.00	\$ 3,500.00	\$ 3,730.00	\$ 3,800.00
42	Uniforms: 2 persons	\$ 664.00	\$ 800.00	\$ 800.00	\$ 800.00
43	Util R&M: Pole; Lamp; Rebar; Sign; TAR;	\$ 30,992.00	\$ 39,000.00	\$ 35,000.00	\$ 39,000.00
44	Paint; Hose; Public Health \$1,000				
45	Veh R&M: sweeper; tires; repairs;	\$ 9,036.00	\$ 18,000.00	\$ 26,650.00	\$ 20,000.00
46	Road Builders;				
47	Tools: pressure washer	\$ 656.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
48	Concrete - Cement Repairs	\$ 7,096.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
49	Computer: Cyber 1600	\$ 1,600.00	\$ 2,600.00	\$ 2,224.00	\$ 2,600.00
50	Sand, Gravel & Salt: NE Salt & Grain;	\$ 3,808.00	\$ 4,500.00	\$ 4,000.00	\$ 7,500.00
51	Overland Ready Mix				

Revenue/Expenditure
Audit Detail Full

Audit 22-23

Fund 21 STREETS

Expenditure

E 21-40-540 MACH & EQUIPMENT Budget \$69,000.00 Total \$60,895.00 Balance \$8,105.00

		Vendor SearchNam	Invoice	-----Check-----	Batch Name	Debit	Credit
		Comments	Refer	PO		Begin	
22-23-12	SEPTEMBER						\$0.00
22-23-12	Pay	B C Murphy Enterpris Street: 2002 Int'l with Plow & Wing	415584 070280	9/19/2023	BC Murphy Dump	\$27,420.00	\$0.00
22-23-12	Pay	Vander Haags Inc Street: 2005 Int'l with Plow & Wings	2-239508 070281	9/19/2023	VanderHaagsDu	\$33,475.00	\$0.00
Total 22-23-12 SEPTEMBER						\$60,895.00	\$0.00
						Ending	\$60,895.00
Control Act	21-13300 CHANG	Tota	E 21-40-540	MACH & EQUIPMENT		\$60,895.00	\$0.00
		<i>In Balance</i>	Total Year	\$60,895.00		Ending	\$60,895.00
Total	Expenditure					\$60,895.00	\$0.00
	Fund 21					\$60,895.00	\$0.00

City of St. Paul Regular Meeting
704 6th Street
St. Paul, NE 68873

Tuesday, February 20, 2024

A meeting of the Mayor and City Council of the City of St. Paul, Nebraska was held at City Hall in said City on Tuesday, February 20, 2024, at 6:30 p.m. Present were Mayor Mike Feeken and Council members Chuck Schmid, Bill Peters & Brian Sack. Absent: Council member Katie Kowalski. Notice of the meeting was given in advance thereof by publication in the Phonograph Herald, a legal newspaper published in said City and County. Notice of the meeting was also posted in four (4) public places. Notice of this meeting was communicated in the advance notice. All proceeds thereafter shown were taken while the convened meeting was opened to the attendance of the public.

Mayor Feeken opened the meeting at 6:30 p.m. with the "Pledge of Allegiance" and thanking the public for attending and announcing that the City of St. Paul abides by the Open Meetings Act, which is posted on the west wall as required by Nebraska State Law §84-1407 through §84-1414. Mayor Feeken also stated that the City Council may vote to go into Closed Session on any agenda item as allowed by NE State Law §84-1410.

Mayor Feeken continued the meeting by announcing that individuals who have appropriate agenda items for City Council consideration should complete the "Request for Future Agenda Items" form located at the City Office. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given. Also, any City patrons that are requesting "Public Records" or have "Questions or Concerns" in regard to the City, they need to be submitted in writing to the City of St. Paul, so that it can be addressed appropriately. These forms are available online, in a file folder on the back wall of the Council Chambers or at the City Office.

There was an opportunity for individuals wishing to provide input on any of tonight's agenda items. Those individuals were asked to reserve time to speak; per Mayor Feeken, there will be a five (5) minute limit per person on speaking.

Mayor Feeken opened five (5) public hearings at 6:32 p.m.

(1) Public Hearing on request by Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue regarding a "Class C" Liquor License #126231 application;

(2) Public Hearing on request by Evelyn Dvorak to rezone parts of Lots One (1), Two (2), and Three (3), Block 116, Original Town of St. Paul, NE and a part of the vacated street from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the southwest corner of 4th and Baxter Streets;

(3) Public Hearing on request by Dan Scheer to rezone Lot Four (4), Block 109, Original Town of St. Paul, NE from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the northwest corner of 4th and Baxter Streets;

(4) Public Hearing on request to amend Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers"; and

(5) Public Hearing on request by St. Paul Development Corp. (SPDC) to amend Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning Districts.

The Royal Coachmen Car Club will be hosting its 3rd Annual Cars and Coffee event. The event has doubled in size from the first (1st) year to the second (2nd) year; parking was nearly an issue in 2023. Council member Sack moved to approve Royal Coachmen Car Club closing 7th Street from Howard Avenue to Jay Street and Indian Street from 7th Street to the Hometown Market parking lot entrance. The event is scheduled on Saturday, April 6, 2024, from 7:00 a.m. to 12:00 p.m. The City will provide four (4) barricades for the event. At this time there is no fee, due to it not being on the fee schedule. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0. Mayor Feeken questioned access to the Hometown Market, U. S. Post Office and for emergency personnel. The areas will remain open so patrons can access. Chief of Police Howard stated to Marcus Paczosa (Royal Coachman member), not to have any burnouts this year.

Brian Friedrichsen with Olsson's was in attendance to discuss the Middle Loup Subdivision bids that were received and opened on Wednesday, February 14, 2024, at 2:00 p.m. in the City Council Chambers. A total of four (4) bids were submitted and reviewed by Olsson's. After the review of the bids, Olsson's recommended that the "Notice of Award" be given to the apparent low bidder, Elsbury Construction LLC, in the contract amount of \$3,218,403.94. At this time, the bid approval was tabled until the March 4, 2024 Council meeting; this is due to a hiccup in the Black Hills Energy gas line that is running through (east and west) the Middle Loup Subdivision. Since this transmission line feeds the Village of Dannebrog, NE (4" High Pressure), there were federal regulations that would not allow building improvements within 440 feet each side of the gas line. Olsson's is continuing to investigate the matter with Black Hills Energy; the NE State Fire Marshall is also reviewing the matter. The Middle Loup Subdivision bids are good for 30 days from the opening of the bids on Wednesday, February 14, 2024.

A brief discussion ensued regarding the City of St. Paul abating the nuisance at 304 8th Street (David Eiberger) pertaining to an unlicensed Blue Honda Civic vehicle. Council member Sack moved to approve abating the vehicle nuisance. The vehicle will be moved by a towing service per Chief of Police Howard. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Peters moved to approve the Consent Agenda Items: (1) Treasurer's Report January 2024; (2) February 5, 2024 (regular) Council minutes and February 14, 2024 (special) Council minutes; (3) Planning Commission Zoning Permits and Minutes; and (4) February 20,

2024, disbursements. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Disbursements February 20, 2024

Amazon Capital Svcs (books, supplies)	175.73
AT&T Mobility (service)	414.34
Aurora Coop (fuel)	1555.51
Awards Plus (supplies)	78.75
Black Hills Energy (natural gas)	3682.58
Central NE Bobcat (oil)	129.32
Charter/Spectrum (service)	177.95
City Lights (utilities)	10289.75
City of St. Paul (Light) from Checking 100027 to Light NE Class (American Tower)	14153.23
Clearly (service)	195.00
Consumer Deposit - Rental Deposit for Cross (rent deposit)	250.00
Core & Main (supplies)	438.00
Cornhusker State Ind (furniture)	3118.00
Custer County Recycling (service)	29.00
Dept of Correctional Svcs (supplies)	135.00
Dept of Health & Human Svcs (refund)	517.13
Dutton Lainson (supplies)	1886.34
Eakes Office Solutions (service)	56.14
First Concord Benefits (service)	120.00
Fousek, Kris (uniforms)	400.00
GB Auto Service (supplies, service)	1236.29
GW Brown Co: Sewer WWTF Microscope (microscope)	4630.91
Hamilton Information Systems (service)	1558.50
Heartland Disposal (service)	6016.01
Homestead Bank (fees)	21.80
Homestead Bank (fee)	3.00
Howard Greeley RPPD (utilities)	178493.27
Howard, Dan (mileage)	172.19
Hydro Tech (service)	2032.70
Inand Truck Parts & Service (repair)	3527.28
Island Glass: Civic Center Automatic Door (repairs)	2853.00
Jack's Uniform (uniforms)	298.79
Jarecke Motors (service)	237.42
Jerabek, Randy (mileage, meal)	45.77
Jim's Champlin (fuel)	4358.28
JK Energy Consulting (service)	6000.00
John Deere Financial (supplies)	434.45
Kramers Wrecker Svc (service)	401.10

Menards (supplies)	304.77
Meyer, Deb (lodging)	384.84
Meyer, Nathan (meal, mileage)	125.87
Meyer, Nicholas (mileage, lodging, meals)	515.12
Mid-Nebraska Disposal (service)	4688.03
NE Dept of Envir & Energy (permit)	40.00
NEMSA (dues)	340.00
Olsson (engineering)	11474.48
One Call Concepts (service)	7.20
Open Caret (service)	200.00
Overdrive (books)	182.49
Parts Bin (supplies)	1717.26
Phonograph Herald (publish)	402.00
Quick Med Claims (service)	
Robinson, Grady (car wash)	13.00
Rose Equipment (supplies)	121.77
Rutjens Construction: Partial WWTF Pay Request #13 (Partial Final Pay Request #13)	270524.27
S E Smith & Sons (supplies)	302.69
Servi-Tech (lab)	168.00
State of NE Revenue: Sales & Use Tax January 2024 (tax)	17259.88
Triple T Disposal (service)	256.00
US Post Office (postage)	525.00
United State Post Office (rent)	84.00
White, Adam (program)	300.00

Non-General Disbursements

Sales Tax 25% Infrastructure: RVW Inc. - GIS subscription	800.00
Rutjens Construction: American Rescue Plan (ARP) Funds: WWTF Partial Pay Request #13 (Final Pay Request)	257569.00
American Rescue Plan Act (ARPA) Funds: GW Brown Co.: Sewer WWTF Microscope (microscope)	349.09
Sales Tax: SPDC: Middle Loup Subd Engineering Fees (engineering fees)	13816.76
TIF: SPDC (Bed Head Coffee Proceeds) (tif)	121.38
TIF: S Squared Enterprises Proceeds (tif)	1032.70
TIF: City of St. Paul (MAD Dev 1/2 Share of TIF Proceeds (tif)	1903.68
TIF: MAD Dev (1/2 Share of MAD Dev. Proceeds) (tif)	1903.67

Don and Megan Yutesler with Bed Head Coffee (716 Howard Avenue) were in attendance to answer questions regarding the "Property Improvement" application pertaining to the paving of the west parking lot with six (6) inch concrete. The total project cost is \$25,638. St. Paul

Development Corp. (SPDC) Executive Director Parker Klinginsmith stated that the maximum projects are paid 50% of \$10,000; therefore each project can receive up to \$5,000. Mr. Klinginsmith stated that SPDC denied the application, due to the precedence of the matter. Other businesses requested to utilize property improvement funds for concrete, but were turned down.

Council member Sack moved to deny the Bed Head Coffee "Property Improvement" application, due to the precedence that was already set. The motion died for a lack of a second. After additional discussion, Council member Schmid moved to approve the "Property Improvement" application regarding the parking lot six (6) inch concrete. Council member Peters seconded the motion. Council members Schmid and Peters voted aye, Council member Sack voted nay. Motion carried 2/1. Mrs. Yutesler stated that bus tours and retired folks have been stopping to have dinner or coffee; this is easier access for these people.

Mayor Feeken opened the public comment period at 7:13 p.m. regarding the request from Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue for a Class "C" Liquor License #126231. A patron from St. Paul spoke on placing restrictions on the license such as utilizing it for certain hours, days or just for special events/occasions. Others from the audience spoke in support of the license application. There was also some confusion regarding the dimensions of the establishment in the application; that matter was cleared up. Mayor Feeken closed the public hearing at 7:25 p.m. Council member Sack moved to approve Shannon Bergman dba Sweet Shoppe Café, 605 Howard Avenue for a Class "C" Liquor License #126231. Council member Peters seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Mayor Feeken opened the public comment period at 7:26 p.m. regarding a request by Evelyn Dvorak to rezone parts of Lots One (1), Two (2), and Three (3), Block 116, Original Town of St. Paul, NE and a part of the vacated street from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the southwest corner of 4th and Baxter Streets. Bob Dvorak (son) spoke on behalf of Evelyn Dvorak about the request. A portion of the property is designated as light industrial and a portion is designated as residential. For this reason, it is difficult to develop the property. Dr. Dvorak wants the entire property to be zoned the same. Based on the location by the railroad tracks, there isn't much use other than for industrial purposes. The location is not conducive for building a home, so the preference would be to designate it as a light industrial zone. Mayor Feeken closed the public hearing at 7:29 p.m. Council member Schmid moved to approve Evelyn Dvorak's request to rezone parts of Lots One (1), Two (2), and Three (3), Block 116, Original Town of St. Paul, NE and a part of the vacated street from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. Council member Sack seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Schmid introduced Ordinance 1044; relating to the re-zoning of real property in the City of Saint Paul, Howard County, Nebraska, to change the zoning map and comprehensive plan of the City of Saint Paul in conformity with said change; and to provide for an effective date (March 15, 2024). This pertains to a tract of land more legally described as a part of Lots One (1), Two (2) and Three (3), Block 116, Original Town of Saint Paul, and a part of

the vacated street, Howard County, Nebraska. Council member Peters waived the three (3) readings of Ordinance 1044. Council member Sack seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0. Council member Schmid moved for final passage of Ordinance 1044. Council member Sack seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Mayor Feeken opened the public comment period at 7:32 p.m. regarding Dan Scheer requesting to rezone Lot Four (4), Block 109, Original Town of Saint Paul, NE from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. The property is located at the northwest corner of 4th and Baxter Streets. Mr. Scheer indicated that the property is not a good place for a home due to the proximity to the City's Water Treatment Plant and the railroad tracks. It is also located on a gravel road. The property is better suited for light industrial. Mr. Scheer stated that in 2014, he did not request the zoning change to residential. Council member Schmid had questioned the zoning change, due to a majority of homes in the area. Mayor Feeken closed the public hearing at 7:40 p.m. Council member Sack moved to approve Dan Scheer's request to rezone Lot Four (4), Block 109, Original Town of St. Paul, NE from R-3 Residential Zoning District to I-1 Light Industrial Zoning District. Council member Peters seconded the motion. Council members Peters & Sack voted aye, Council member Schmid voted nay. Motion carried 2/1.

Council member Peters introduced Ordinance 1045; relating to the re-zoning of real property in the City of Saint Paul, Howard County, Nebraska, to change the zoning map and comprehensive plan of the City of Saint Paul in conformity with said change; and to provide for an effective date (March 15, 2024). This pertains to a tract of land more legally described as Lot Four (4), Block 109, Original Town of Saint Paul, Howard County, Nebraska. Council member Sack waived the three (3) readings of Ordinance 1044. Council member Peters seconded the motion. Council members Peters & Sack voted aye, Council member Schmid voted nay. Motion carried 2/1. Council member Peters moved for final passage of Ordinance 1044. Council member Sack seconded the motion. Council members Peters & Sack voted aye, Council member Schmid voted nay. Motion carried 2/1.

Mayor Feeken opened the public comment period at 7:43 p.m. regarding a request to amend Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers". The type of storage container that would be allowed is considered a "one-trip" shipping container, meaning it has only made one (1) trip across the ocean, and is designated as a one-tripper by an inspector at the distribution point. It has not been used for shipping on the railroad. No decals, letters or graphics are allowed on the container. No electricity or plumbing is allowed to be installed in the storage container. Mayor Feeken closed the public hearing at 7:50 p.m. Council member Peters moved to approve the amendment to Section 9.21 of St. Paul Zoning Regulations pertaining to "Outdoor Storage Containers". Council member Sack seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Schmid introduced Ordinance 1046; to amend St. Paul Zoning Regulations; to amend Section 9.21 pertaining to "Outdoor Storage Containers"; to repeal any ordinance, or

parts of any ordinance in conflict with this ordinance; to provide for the effective date (March 15, 2024) of such ordinance; and to provide for the publication of this ordinance in pamphlet form. Council member Sack waived the three (3) readings of Ordinance 1046. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0. Council member Schmid moved for final passage of Ordinance 1046. Council member Sack seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Mayor Feeken opened the public comment period at 7:53 p.m. as requested by the St. Paul Development Corp. (SPDC) to amend Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning District of the Middle Loup Subdivision. Parker Klinginsmith, Executive Director of St. Paul Development Corp. (SPDC) indicated that they would like to have the option to have multifamily housing as a Conditional Use for some of the lots within the Middle Loup Subdivision. He indicated that the lots will receive Tax-Increment-Financing (TIF), so the lots and structures placed on them will need to meet a pre-determined valuation. It is the intent to sell the lots for commercial, retail, and/or industrial uses. However, if the lots are not sold, SPDC would like to have the option of allowing multifamily housing if necessary to generate income for the TIF valuations. Mr. Klinginsmith also indicated that after talking with JEO Consulting, it was suggested that if housing was allowed in this area, that a four (4) to five (5) foot berm be installed, and a fence be constructed above the berm to lessen the visibility from industrial businesses to the residences. Maintaining a tree line would also be considered to contain dust and odors. Mayor Feeken closed the public hearing at 8:03 p.m. Council member Schmid moved to approve the amendments to Section 5.9 of St. Paul Zoning Regulations to allow multifamily housing in I-1 Light Industrial Zoning District. Council member Sack seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Sack introduced Ordinance 1043; to amend the St. Paul Zoning Regulations; to amend Sections 5.9.01 and 5.9.04 to allow multifamily housing as a "Conditional Use" within the I-1 Light Industrial Zoning District; to repeal any ordinance, or parts of any ordinance in conflict with this ordinance; to provide for the effective date (March 15, 2024) of such ordinance; and to provide for the publication of this ordinance in pamphlet form. Council member Peters moved to waive the three (3) readings of Ordinance 1043 on three (3) different occasions. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0. Council member Schmid moved for final passage of Ordinance 1043. Council member Sack seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Schmid moved to approve State of NE 65990264 Lease Agreement - Addendum #8 between the City of St. Paul, as "Lessor," and Department of Administrative Services, State Building Division, as "Lessee", acting on behalf of Nebraska State Patrol, as "Tenant Agency," for office space located at 956 13th Avenue, St. Paul, NE 68873. The term of the lease shall be renewed for a two (2) year renewal period commencing March 1, 2024, and ending on February 28, 2026. The monthly rent of \$250.00 will remain the same. Council

member Peters seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Sack moved to approve removing Joel Bergman (previous Mayor) from the City of St. Paul's Safe Deposit Box #100123 at Citizens Bank & Trust and adding Mayor Mike Feeken, City Clerk Connie Jo Beck, Deputy Clerk Laura Berthelsen and City Treasurer Sally Einspahr. Council member Schmid seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Council member Sack moved to approve the City advertising for a Recycling Center (Landfill) employee at an hourly wage of \$15. Council member Peters seconded the motion. Council members Schmid, Peters & Sack voted aye, nays none. Motion carried 3/0.

Chief of Police Dan Howard stated that Police Officer Thomas Holmes is having difficulty searching for a home in St. Paul, NE; Officer Holmes did find a home 1.5 miles out of City limits. Chief of Police Howard is requesting that the Mayor and Council discuss an allowable distance for Officer Holmes to take a patrol vehicle out of City limits. Council member Sack moved to approve Officer Holmes living within a five (5) mile radius of City limits and also give Officer Holmes a period of one (1) year to find a home within City limits; this is a temporary condition. Council member Schmid seconded the motion. Council members Schmid & Sack voted aye, Council member Peters voted nay. Motion carried 2/1. Police Officer Holmes intends to live in St. Paul when he finds a suitable home.

Utilities Superintendent Helzer reported that the St. Paul Water Commissioner Jeremy Gorecki and Water Operator Dillon Paczosa updated the Water Treatment Plant with new paint, upgraded the furniture, re-furnished the counter-tops and updated the TV monitor to observe the water system. Utilities Superintendent invited the Mayor and Council to visit the plant.

Chief of Police Howard updates: (1) Chief of Police Dan Howard and Police Officer Matt Sample attended a 32 hour required mental health class in Lincoln, NE last week; and (2) on Thursday, February 22, 2024 at 10:00 a.m. persons are invited to an event called "Coffee with a Cop" at Brookefield Park, St. Paul, NE.

Mayor Mike Feeken updates: (1) Police Officer Matt Sample is requesting permission to work from home on his therapy days so that he is better able to keep his leg elevated. Per the League Association of Risk Management (LARM), Officer Sample is allowed to perform his job duties from wherever, as long as the job duties are within his restrictions. If the City is okay with him working from home on days he has physical therapy, that is fine; (2) Utilities Superintendent Helzer presented a snow removal spreadsheet that conveys the cost of moving snow in January 2024; (3) a Police Officer collided with a raccoon damaging the patrol car; the bumper will need to be replaced; the approximate damage is \$2,000; (4) the Police Dept. will remove bats in certain cases in St. Paul; and (5) Special Fire Station meeting on Wednesday, February 21, 2024 at 6:00 p.m. at the St. Paul Fire Station conference room to discuss the mechanical, electrical and additional design plans for the new Fire Station.

Mayor Feeken adjourned the City Council meeting at 8:41 p.m.

Date

Mike Feeken, Mayor

Connie Jo Beck, City Clerk/Deputy Treasurer

March 4, 2024 Disbursements

Gross Wages - February	96899.80
Altec Capital Services LLC (Electrical Bucket Truck) (truck)	53950.00
Amazon Capital Services (books)	556.20
Aquafix (lab)	400.00
Blue Cross Blue Shield of NE (insurance)	18420.28
Bomgaars (supplies)	2121.72
Bound Tree (supplies)	1956.36
Brehm's Drug (supplies)	11.50
Cengage Learning (books)	95.97
Central Comm. College (education)	768.00
Charter/Spectrum (service)	239.96
City Health Deductible Savings (insurance)	5445.00
City of St. Paul 125 Plan (insurance)	100.00
Core & Main (supplies)	4095.57
Crescent Electric (supplies)	377.66
Custer County Recycling (Service)	40.80
Dana F Cole & Co (accounting)	3880.00
Dutton Lainson (supplies)	65.02
Eakes Office Solutions (contract)	77.69
Elan Financial (meals, supplies, education, postage, lodging, parking)	4370.57
Filtercare of NE (service)	65.80
Hamilton Information Systems (agreement)	1568.50
Hastings Fiber Glass Products (supplies)	3649.08
Heartland Disposal (service)	84.00
Howard Co. Treasurer (Dispatch Fee)	3158.54
HTM Sales (supplies)	126.00
Jarecke Motors (service)	1490.57
John Deere Financial (supplies)	276.51
LARM (insurance)	2085.53
Madison Nat'l Life (insurance)	209.38
Meyer, Deb (education)	780.00
Midwest Service & Sales (supplies)	1220.75
Modern Marketing (supplies)	380.55
Mutual of Omaha (insurance)	144.00
NE State Patrol (licenses, fees)	357.00
NE Public Health Envir (lab)	31.00
PSSI Pest Services (service)	216.00
Pulse Finders (education)	900.00
Quick Med Claims (service)	840.69
Road Builders Machinery (supplies)	173.11
Robinson, Grady (meal)	16.58
State of NE Central Svcs (telephone)	38.34
Stepanek Plumbing (repair)	174.00
Woodgate, Lisa (education)	260.00

Non-General Disbursements

Keno: NE Dept of Revenue: 2024 City 50G Fee (fee)	100.00
Cem: Transfer from Cemetery Svgs to General for Work Comp Audit adjustment	2658.53
TIF: St. Paul Development Corp (Bed Head Coffee TIF) (TIF Proceeds)	121.38
TIF: S. Squared Enterprises: Prairie Falls Tif Proceeds (TIF Proceeds)	1032.70
TIF: City of St. Paul: MAD Development 1/2 Share: (TIF Proceeds)	1903.68
TIF: MAD Development: 1/2 Share of MAD Dev. (TIF Proceeds)	1903.67
Sales Tax: Street: Mtr Veh Tax: Dec. 2023 Proceeds (Mtr Veh Tax)	6464.77
Sales Tax: Fire Station: Dec. 2023 Proceeds (Fire Station)	23418.14
Sales Tax: 25% Infrastructure: Dec. 2023 Proceeds (25% Infrast)	11709.07
Keno: Dana F. Cole & Co: 22-23 Financial Statement Preparation (financial statement preparation)	700.00
Sales Tax: Transfer from M. Mkt 504420 to Chg 100027 (transfer)	100000.00
Fire Stn Construction: JEO Consulting (design/bid)	6318.75

***Check Detail Register©**

Batch: Disb March4 2024

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
11100 CHECKING					
70762	03/04/24	AMAZON CAPITAL SERVICES			
E 44-20-242		BOOKS	\$153.86	17KC-LXJ6-Y	Lib - books
E 44-20-242		BOOKS	\$136.08	17LV-NR1Y-	Lib - books
E 44-20-242		BOOKS	\$20.98	1HLW-HMT	Lib - books
E 44-20-242		BOOKS	\$17.00	1M6L-PQ1W-	Lib - books
E 44-20-242		BOOKS	\$196.10	1PWD-LQ7Y-	Lib - books
E 44-20-242		BOOKS	\$12.99	1VKX-6CPD-	Lib - books
E 44-20-242		BOOKS	\$19.19	1YTW-PR13-	Lib - books
		Total	\$556.20		
70763	03/04/24	AQUAFIX INC			
E 03-20-232		LAB SAMPLE	\$400.00	IN011336	Swr - sample for SBR's
		Total	\$400.00		
70764	03/04/24	BLUE CROSS BLUE SHIELD OF NE			
E 02-10-130		INSURANCE	\$3,467.35	3780309	Wtr - health insurance
E 10-10-130		INSURANCE	\$2,763.04	3780309	Gen - health insurance
E 01-10-130		INSURANCE	\$2,221.28	3780309	Lgts - health insurance
E 42-10-130		INSURANCE	\$1,571.14	3780309	Park - health insurance
E 32-10-130		INSURANCE	\$3,142.28	3780309	Pol - health insurance
E 21-10-130		INSURANCE	\$3,142.28	3780309	Strs - health insurance
E 03-10-130		INSURANCE	\$2,112.91	3780309	Swr - health insurance
		Total	\$18,420.28		
70765	03/04/24	BOMGAARS SUPPLY INC			
E 02-20-520		BLDG/ R & M	\$29.04	43000066	Wtr - mounting tape, bolts, cleaner for WTP
E 34-20-270		UTILITY R & M	\$26.31	43992620	Cem - hose, hose clamps for Cemetery generator
E 01-20-270		UTILITY R & M	\$36.31	43992630	Lgts - #16 tray, snap bolt, disconnects, rivets
E 01-20-272		TOOLS	\$21.38	43992630	Lgts - riveter
E 34-20-270		UTILITY R & M	\$10.27	43992642	Cem - hose clamps, fittings for Cemetery generator
E 34-20-270		UTILITY R & M	\$16.19	43992773	Cem - plugs for Cemetery generator
E 42-20-270		UTILITY R & M	\$6.99	43993350	Park - threaded rod for lawn sweep
E 01-20-272		TOOLS	\$21.39	43994296	Lgts - deburring tool
E 01-20-270		UTILITY R & M	\$14.96	43994296	Lgts - heat shrink tubing
E 02-20-271		VEHICLE R & M	\$71.61	43994467	Wtr - #1 tow rope
E 04-20-271		VEHICLE R & M	\$45.99	43994467	Lndfl - #2 recovery strap
E 03-20-271		VEHICLE R & M	\$59.99	43994467	Swr - #8 tow rope
E 21-20-272		TOOLS	\$27.99	43994476	Strs - torch kit
E 01-20-270		UTILITY R & M	\$54.14	43994790	Lgts - fasteners, gas supplement
E 01-20-272		TOOLS	\$64.18	43994975	Lgts - headlamps
E 01-20-270		UTILITY R & M	\$19.25	43994975	Lgts - batteries
E 42-20-270		UTILITY R & M	\$4.99	43995014	Park - light bulbs
E 42-20-272		TOOLS	\$4.49	43995014	Park - needle nose pliers
E 42-20-231		CITY GAS & OIL	\$29.99	43995014	Park - oil
E 42-20-270		UTILITY R & M	\$13.76	43995022	Park - fasteners for Snapper mowers
E 34-20-270		UTILITY R & M	\$321.53	43995126	Cem - charcoal
E 02-20-272		TOOLS	\$32.09	43996130	Wtr - ratcheting wrench set
E 01-20-270		UTILITY R & M	\$137.23	43996307	Lgts - LED bulbs, lamp holder for quonset by water tower

***Check Detail Register©**

Batch: Disb March4 2024

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 42-20-520		BLDG/ R & M	\$24.27	43996413	Park - toilet parts
E 03-20-270		UTILITY R & M	\$16.98	43996444	Swr - nitrile gloves
E 01-20-272		TOOLS	\$6.41	43996462	Lgts - security bits
E 02-20-270		UTILITY R & M	\$98.33	43996547	Wtr - fire hose nozzle, brush, shop towels, air freshners, steering wheel cover, cleaners for WTP
E 01-20-272		TOOLS	\$13.90	43996649	Lgts - crimping tool
E 01-20-271		VEHICLE R & M	\$149.74	43996688	Lgts - battery for #40B
E 01-20-270		UTILITY R & M	\$85.59	43996778	Lgts - LED pole light for WWTP
E 03-20-270		UTILITY R & M	\$5.79	43996801	Swr - Rotella HD grease
E 03-20-272		TOOLS	\$14.99	43996801	Swr - grease gun
E 21-20-231		CITY GAS & OIL	\$64.99	43996823	Strs - hydraulic fluid
E 01-20-270		UTILITY R & M	\$9.30	43996904	Lgts - wire connectors
E 01-20-270		UTILITY R & M	\$64.16	43997053	Lgts - map gas cylinders
E 02-20-520		BLDG/ R & M	\$4.27	43997147	Wtr - set screw connector
E 01-20-272		TOOLS	\$10.69	43997147	Lgts - drill bit sets
E 02-20-520		BLDG/ R & M	\$12.57	43997147	Wtr - set screw connectors, outlet box, duplex receptacle
E 02-20-520		BLDG/ R & M	\$8.97	43997731	Wtr - cable connector, screw & anchor to mount new monitor at WTP
E 02-20-520		BLDG/ R & M	\$7.48	43997792	Wtr - EMT conduit for WTP
E 01-20-272		TOOLS	\$119.82	43997793	Lgts - spotlight for #16, slide battery, tubing cutter
E 02-20-520		BLDG/ R & M	\$9.62	43997817	Wtr - spackling for WTP
E 02-20-520		BLDG/ R & M	\$42.98	43997979	Wtr - mat, sheet metal screws, mounting tape for WTP
E 02-20-520		BLDG/ R & M	\$68.44	43998118	Wtr - corner braces, drill bit, fasteners, bolts, spraypaint for WTP
E 03-20-270		UTILITY R & M	\$1.84	43998326	Swr - fasteners
E 42-20-231		CITY GAS & OIL	\$33.99	43998329	Park - all fleet oil for mowers
E 42-20-270		UTILITY R & M	\$9.99	43998329	Park - nylon cord for netting in cages
E 02-20-520		BLDG/ R & M	\$14.96	43998353	Wtr - spraypaint for WTP
E 03-20-270		UTILITY R & M	\$9.98	43998373	Swr - batteries
E 01-20-270		UTILITY R & M	\$3.64	43998512	Lgts - fasteners for light at Park shop
E 21-20-270		UTILITY R & M	\$19.98	43998557	Strs - absorbent
E 01-20-270		UTILITY R & M	\$17.63	43998572	Lgts - batteries for locator
E 02-20-270		UTILITY R & M	\$68.39	43998685	Wtr - bathroom tissue, paint roller, roller cover, masking tape, painter's tape, sandpaper, air freshner for WTP
E 03-20-270		UTILITY R & M	\$31.96	43999975	Swr - hitch pins for WWTP air diffuser hoists
		Total	\$2,121.72		
70766	03/04/24	BOUND TREE			
E 36-20-320		MERCH & SUPPLY	\$1,956.36	85256803	EMS - infant & child bvms, extrication collars, immobilizers, bandage wraps, splints, nitrile gloves
		Total	\$1,956.36		
70767	03/04/24	BREHM'S DRUG, INC.			
E 36-20-320		MERCH & SUPPLY	\$11.50	48430	EMS - test strips
		Total	\$11.50		
70768	03/04/24	CENGAGE LEARNING INC / GALE			
E 44-20-242		BOOKS	\$95.97	83843823	Lib - books

***Check Detail Register©**

Batch: Disb March4 2024

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$95.97		
70769	03/04/24	CENTRAL COMM. COLLEGE G.I.			
E 36-20-210		PROF&SCHOOLS	\$320.00	1984318	EMS - BLS renewal class for Connie Jo Beck, Chris Brown, Rodney Meyer, Kari Pierson, Adam Powell
E 31-20-210		PROF&SCHOOLS	\$448.00	1984318	Fire - BLS renewal class for Chad Augustyn, Nate Becker, Robert Landers, Monty Mrkvicka, Spencer Synowski, Lisa Wilson, Kyle Woodgate
Total			\$768.00		
70770	03/04/24	CHARTER/SPECTRUM			
E 10-20-220		COMMUNICATION	\$109.98	17621670102	Gen - internet service
E 31-20-220		COMMUNICATION	\$129.98	17621670102	Fire - internet service
Total			\$239.96		
70771	03/04/24	CITY HEALTH DEDUCTIBLE SAVINGS			
E 42-10-130		INSURANCE	\$363.00		Park - health reimbursement
E 03-10-130		INSURANCE	\$1,089.00		Swr - health reimbursement
E 01-10-130		INSURANCE	\$726.00		Lgts - health reimbursement
E 21-10-130		INSURANCE	\$726.00		Strs - health reimbursement
E 02-10-130		INSURANCE	\$1,089.00		Wtr - health reimbursement
E 10-10-130		INSURANCE	\$726.00		Gen - health reimbursement
E 32-10-130		INSURANCE	\$726.00		Poi - health reimbursement
Total			\$5,445.00		
70772	03/04/24	CITY OF ST PAUL 125 PLAN			
E 02-10-130		INSURANCE	\$30.00		Wtr - life insurance
E 03-10-130		INSURANCE	\$20.00		Swr - life insurance
E 21-10-130		INSURANCE	\$20.00		Strs - life insurance
E 10-10-130		INSURANCE	\$20.00		Gen - life insurance
E 42-10-130		INSURANCE	\$10.00		Park - life insurance
Total			\$100.00		
70773	03/04/24	CORE & MAIN			
E 03-20-270		UTILITY R & M	\$190.07	INV0005596	Swr - testing reagents
E 02-20-269		Water Meters	\$3,905.50	U382432	Wtr - new 4" water meter for school
Total			\$4,095.57		
70774	03/04/24	CRESCENT ELECTRIC SUPPLY CO.			
E 01-20-270		UTILITY R & M	(\$115.14)	S512039025	Lgts - credit invoice (will rebill to include sales tax)
E 01-20-270		UTILITY R & M	\$123.20	S512039025	Lgts - 20 LED replacement lamps
E 02-20-520		BLDG/ R & M	\$246.40	S512112864	Wtr - 40 LED replacement lamps
E 01-20-270		UTILITY R & M	\$123.20	S512125700	Lgts - 20 LED replacement lamps
Total			\$377.66		
70775	03/04/24	CUSTER COUNTY RECYCLING			
E 04-20-325		Recycle Delivery	\$16.80	601	Lndfl - recycling trailer
E 04-20-325		Recycle Delivery	\$24.00	604	Lndfl - recycling trailer
Total			\$40.80		
70776	03/04/24	DANA F COLE & COMPANY, L.L.P.			

***Check Detail Register©**

Batch: Disb March4 2024

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 01-20-345		ACCOUNTING FEE	\$1,293.32	35001768	Lgts - accounting services for audit
E 02-20-345		ACCOUNTING FEE	\$1,293.34	35001768	Wtr - accounting services for audit
E 03-20-345		ACCOUNTING FEE	\$1,293.34	35001768	Swr - accounting services for audit
		Total	\$3,880.00		
70777	03/04/24	DUTTON-LAINSON CO.			
E 21-20-270		UTILITY R & M	\$65.02	892409-2	Strs - shorting caps
		Total	\$65.02		
70778	03/04/24	EAKES OFFICE SOLUTIONS			
E 44-20-520		BLDG/ R & M	\$56.14	INV532166	Lib - copier contract (1/27/24 to 2/26/24)
E 44-20-520		BLDG/ R & M	\$21.55	INV532167	Lib - cost of copies
		Total	\$77.69		
70779	03/04/24	ELAN FINANCIAL SERVICES			
E 32-20-211		ADM. & DUES	(\$16.04)		Pol - credit for refund of Amazon Prime membership (Jan)
E 32-20-211		ADM. & DUES	(\$16.04)		Pol - credit for refund of Amazon Prime membership (Feb)
E 32-30-310		OFFICE SUPPLIES	\$20.76	2102	Pol - air freshner, duct tape
E 01-20-270		UTILITY R & M	\$5.33	2102	Lgts - all purpose cleaner
E 10-20-313		POSTAGE	\$42.80	2137	Gen - postage for rezoning notices
E 01-20-313		POSTAGE	\$110.00	2137	Lgts - postage for utility bills
E 02-20-313		POSTAGE	\$110.00	2137	Wtr - postage for utility bills
E 03-20-313		POSTAGE	\$110.00	2137	Swr - postage for utility bills
E 02-20-310		OFFICE SUPPLIES	\$38.50	2453	Wtr - envelopes for water survey
E 32-20-210		PROF&SCHOOLS	\$46.55	2620	Pol - meal during mental health training in Lincoln (NO RECEIPT)
E 32-20-231		CITY GAS & OIL	\$40.54	2730	Pol - #94 unleaded (Omaha conference)
E 32-20-272		TOOLS	\$802.45	2954	Pol - 5 body cameras
E 32-20-271		VEHICLE R & M	\$10.00	3607	Pol - car wash (NO RECEIPT)
E 02-20-313		POSTAGE	\$12.20	3945	Wtr - postage for VOC sample
E 32-20-272		TOOLS	\$68.64	4098	Pol - evidence external drive
E 32-20-272		TOOLS	\$128.35	4233	Pol - 3-year accident protection plan for Police cameras
E 32-20-210		PROF&SCHOOLS	\$67.82	4599	Pol - meal during mental health training in Lincoln
E 32-20-210		PROF&SCHOOLS	\$50.70	5077	Pol - meal during mental health training in Lincoln
E 01-20-310		OFFICE SUPPLIES	\$19.24	5121	Lgts - USB extension cable
E 32-20-211		ADM. & DUES	\$16.04	5153	Pol - monthly Amazon Prime membership (Jan)
E 36-20-210		PROF&SCHOOLS	\$260.00	6201	EMS - NEMSA conference registration for Connie Jo Beck
E 01-20-266		DocuSend Fee	\$7.58	6841	Lgts - fee to email utility bills
E 32-30-310		OFFICE SUPPLIES	\$107.81	7017	Pol - business cards for officers, business card holder
E 42-20-210		PROF&SCHOOLS	\$90.00	7108	Park - Commercial Pesticide Applicator License for Randy Jerabek
E 03-20-309		COMPUTER	\$414.86	7499	Swr - computer screens, USB adapters
E 02-20-520		BLDG/ R & M	\$48.33	7499	Wtr - USB adapter
E 10-20-309		COMPUTER	\$535.36	7499	Gen - tv for council chambers
E 02-20-210		PROF&SCHOOLS	\$19.69	8075	Wtr - envelopes for water survey
E 10-20-310		OFFICE SUPPLIES	\$66.56	8075	Gen - manila expando files, pens
E 32-20-231		CITY GAS & OIL	\$42.86	8303	Pol - #93 unleaded during training in Lincoln

***Check Detail Register©**

Batch: Disb March4 2024

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 10-20-310		OFFICE SUPPLIES	\$129.33	8332	Gen - file organizer, laminating sheets, legal pads, Scotch tape, shipping tape dispenser
E 02-20-520		BLDG/ R & M	\$406.35	8652	Wtr - SCADA monitor
E 32-20-211		ADM. & DUES	\$16.04	9103	Pol - monthly Amazon Prime membership (Feb)
E 42-20-270		UTILITY R & M	\$70.00	9330	Park - LCD keyboard adapter for power supply for scoreboard controller
E 32-20-210		PROF&SCHOOLS	\$321.61	9481	Pol - lodging during mental health training in Lincoln
E 02-20-309		COMPUTER	\$166.35	9979	Wtr - HDMI cable, printer
		Total	\$4,370.57		
70780	03/04/24	FILTER CARE			
E 21-20-271		VEHICLE R & M	\$65.80	131233	Strs - filters cleaned for #18
		Total	\$65.80		
70781	03/04/24	HASTINGS FIBER GLASS PRODUCTS			
E 01-20-272		TOOLS	\$3,649.08	677577-1	Lgts - new JIB assembly for new line truck
		Total	\$3,649.08		
70782	03/04/24	HEARTLAND DISPOSAL INC			
E 31-20-520		BLDG/ R & M	\$42.00	206159	Fire - sanitation disposal
E 04-20-521		GROUND / R & M	\$42.00	206159	Lndfl - sanitation disposal from City office
		Total	\$84.00		
70783	03/04/24	HOWARD COUNTY TREASURER (CCCC)			
E 32-20-214		DISPATCHER	\$3,158.54		Pol - dispatcher pay
		Total	\$3,158.54		
70784	03/04/24	HTM SALES INC			
E 03-20-270		UTILITY R & M	\$126.00	24-41391-1	Swr - hour meters for liftstation pumps
		Total	\$126.00		
70785	03/04/24	JARECKE MOTORS INC			
E 31-20-271		VEHICLE R & M	\$231.21	15457	Fire - #57 oil change and service
E 31-20-271		VEHICLE R & M	\$241.55	15460	Fire - #52 oil change and service
E 31-20-271		VEHICLE R & M	\$227.65	15461	Fire - #56 oil change and service
E 31-20-271		VEHICLE R & M	\$334.10	15467	Fire - #51 oil change and service
E 31-20-271		VEHICLE R & M	\$456.06	15470	Fire - #55 oil change and service
		Total	\$1,490.57		
70786	03/04/24	JOHN DEERE FINANCIAL			
E 21-20-271		VEHICLE R & M	\$8.51	3732351	Strs - #10 fittings
E 21-20-271		VEHICLE R & M	\$72.72	3737315	Strs - #40 hose, fittings
E 42-20-231		CITY GAS & OIL	\$20.61	3742542	Park - hydraulic oil
E 42-20-270		UTILITY R & M	\$174.67	3748205	Park - belt for 925 mower deck
		Total	\$276.51		
70787	03/04/24	LARM			
E 41-20-250		CITY INSURANCE	\$2,729.58	109567	Pool - work comp audit adjustment
E 32-20-250		CITY INSURANCE	(\$3,862.80)	109567	Pol - work comp audit adjustment
E 34-20-250		CITY INSURANCE	\$2,658.53	109567	Cem - work comp audit adjustment
E 01-20-250		CITY INSURANCE	\$634.63	109567	Lgts - work comp audit adjustment

CITY OF ST PAUL

***Check Detail Register©**

Batch: Disb March4 2024

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
E 21-20-250		CITY INSURANCE	\$660.62	109567	Strs - work comp audit adjustment
E 10-20-250		CITY INSURANCE	\$4.16	109567	Gen - work comp audit adjustment
E 02-20-250		CITY INSURANCE	(\$580.58)	109567	Wtr - work comp audit adjustment
E 42-20-250		CITY INSURANCE	(\$1,372.77)	109567	Park - work comp audit adjustment
E 10-20-250		CITY INSURANCE	(\$18.74)	109567	Gen - work comp audit adjustment
E 03-20-250		CITY INSURANCE	\$567.33	109567	Swr - work comp audit adjustment
E 01-20-250		CITY INSURANCE	\$665.57	109723	Lgts - endorsement to add 2017 F550 Altec bucket truck
Total			\$2,085.53		
70788	03/04/24	MADISON NATIONAL LIFE			
E 42-10-130		INSURANCE	\$11.02	1610300	Park - life insurance
E 03-10-130		INSURANCE	\$33.06	1610300	Swr - life insurance
E 01-10-130		INSURANCE	\$33.06	1610300	Lgts - life insurance
E 21-10-130		INSURANCE	\$22.04	1610300	Strs - life insurance
E 02-10-130		INSURANCE	\$33.06	1610300	Wtr - life insurance
E 10-10-130		INSURANCE	\$22.04	1610300	Gen - life insurance
E 32-10-130		INSURANCE	\$55.10	1610300	Pol - life insurance
Total			\$209.38		
70789	03/04/24	MEYER, DEB			
E 36-20-210		PROF&SCHOOLS	\$780.00		EMS - NEMSA conference registration for Deb Meyer, Nate Meyer, Nick Meyer
Total			\$780.00		
70790	03/04/24	MIDWEST SERVICE AND SALES CO.			
E 21-20-271		VEHICLE R & M	\$140.25	35136	Strs - #10, #4D and #48 plow markers
E 21-20-271		VEHICLE R & M	\$1,080.50	35220	Strs - #7 chains for tires
Total			\$1,220.75		
70791	03/04/24	MODERN MARKETING INC			
E 32-20-272		TOOLS	\$380.55	MMI155658	Pol - nitrile gloves
Total			\$380.55		
70792	03/04/24	MUTUAL OF OMAHA			
E 42-10-130		INSURANCE	\$7.20	1661697480	Park - life insurance
E 03-10-130		INSURANCE	\$21.60	1661697480	Swr - life insurance
E 01-10-130		INSURANCE	\$21.60	1661697480	Lgts - life insurance
E 21-10-130		INSURANCE	\$14.40	1661697480	Strs - life insurance
E 02-10-130		INSURANCE	\$21.60	1661697480	Wtr - life insurance
E 10-10-130		INSURANCE	\$14.40	1661697480	Gen - life insurance
E 32-10-130		INSURANCE	\$43.20	1661697480	Pol - life insurance
Total			\$144.00		
70793	03/04/24	NE STATE PATROL			
E 32-20-309		COMPUTER	\$154.00	1375688	Pol - Mach users (2/1/23 - 12/31/23)
E 32-20-309		COMPUTER	\$203.00	1411719	Pol - 2024 Mach licenses
Total			\$357.00		
70794	03/04/24	NEBRASKA PUBLIC HEALTH ENVIRON			
E 02-20-232		LAB SAMPLE	\$31.00	574478	Wtr - water treatment kit

CITY OF ST PAUL

02/28/24 1:00 PM

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Batch: Disb March4 2024

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
Total			\$31.00		
70795	03/04/24	PSSI PEST SERVICES			
E 02-20-520		BLDG/ R & M	\$43.20	293925	Wtr - pest management at WTP
E 10-20-520		BLDG/ R & M	\$48.60	293926	Gen - pest management at City office
E 03-20-520		BLDG/ R & M	\$43.20	293989	Swr - pest management at WWTP
E 03-20-520		BLDG/ R & M	\$81.00	299729	Swr - rodent traps at WWTP
Total			\$216.00		
70796	03/04/24	PULSE FINDERS LLC			
E 10-20-210		PROF&SCHOOLS	\$180.00	11972	Gen - CPR, AED, & First Aid Certification
E 42-20-210		PROF&SCHOOLS	\$60.00	11972	Park - CPR, AED, & First Aid Certification
E 03-20-210		PROF&SCHOOLS	\$120.00	11972	Swr - CPR, AED, & First Aid Certification
E 02-20-210		PROF&SCHOOLS	\$60.00	11972	Wtr - CPR, AED, & First Aid Certification
E 01-20-210		PROF&SCHOOLS	\$180.00	11972	Lgts - CPR, AED, & First Aid Certification
E 32-20-210		PROF&SCHOOLS	\$180.00	11972	Pol - CPR, AED, & First Aid Certification
E 21-20-210		PROF&SCHOOLS	\$120.00	11972	Strs - CPR, AED, & First Aid Certification
Total			\$900.00		
70797	03/04/24	ROAD BUILDERS, INC			
E 21-20-271		VEHICLE R & M	\$173.11	P65805	Strs - valve kit for #18
Total			\$173.11		
70798	03/04/24	ROBINSON, GRADY			
E 32-20-210		PROF&SCHOOLS	\$16.58		Pol - meal during EPC transport
Total			\$16.58		
70799	03/04/24	STATE OF NEBRASKA CENTRAL SERV			
E 42-20-220		COMMUNICATION	\$19.17	1414187	Park - phone service
E 41-20-220		COMMUNICATION	\$19.17	1414187	Pool - phone service
Total			\$38.34		
70800	03/04/24	STEPANEK PLUMBING			
E 42-20-520		BLDG/ R & M	\$174.00	405323	Park - repair hydrant line in Ballfield shop
Total			\$174.00		
70801	03/04/24	WOODGATE, LISA			
E 36-20-210		PROF&SCHOOLS	\$260.00		EMS - registration for NEMSA conference
Total			\$260.00		
11100			\$58,859.04		

***Check Detail Register©**

Batch: Disb March4 2024

Check # Check Date Vendor Name Amount Invoice Comment

Fund Summary

11100 CHECKING

01 LIGHTS			\$10,547.67		
02 WATER			\$10,910.04		
03 SEWER			\$6,763.90		
04 LANDFILL			\$128.79		
10 GENERAL			\$4,643.53		
21 STREETS			\$6,424.21		
31 FIREMEN			\$2,110.55		
32 POLICE			\$5,904.54		
34 CEMETERY			\$3,032.83		
36 AMBULANCE			\$3,587.86		
41 POOL			\$2,748.75		
42 PARK			\$1,326.51		
44 LIBRARY			\$729.86		
			<hr/>		
			\$58,859.04		

MIKE FEEKEN, MAYOR

EMT M+9
2-26-24

EMT

CITY OF ST. PAUL PUBLIC SAFETY EMPLOYMENT APPLICATION Fire Department & Rescue Squad

The CITY OF ST. PAUL is an Equal Opportunity Employer. Race, color, religion, age, sex, disability, marital or voters, status, place of national origin and other categories protected by law are not factors in employment, promotion, compensation or working conditions,

Please Print Date: 11/21/24

Application should be completed in its ENTIRETY, without reference to attached resume. Applicants are responsible for the accuracy of this form. Failure to provide complete information could jeopardize your opportunity for full consideration.

Applicant Information

Name: Emilee Almond

Address: 1109 Davis St City/State: St. Paul, NE Zip Code: 68873

Telephone: (308) 293-3646 Message #: ()

Do you have a valid driver's license? yes State/License #: NE H13125966

Are you over 18 years of age? yes

Have you ever applied to, or worked for the CITY OF ST. PAUL before? NO If yes, when? _____

Do you have any friends or relatives working for the CITY OF ST. PAUL? _____
If yes, state name and relationship: _____

How did you hear about us/this opening? HCMC

Have you ever been, convicted of a felony or misdemeanor (including any sealed or expunged convictions)? NO (Note: Applicant may be denied employment solely on the grounds of a conviction of a criminal offense. The nature of the offense, the date of the offense, the surrounding circumstances and the relevance of the offense to the position applied for may, however be considered.)

If yes, explain — include arresting agency:

General Information about Employment Desired

Position, you are applying for? Circle one: Firefighter OR EMT

If applying for EMT - B, do you currently hold EMT-B Certification? _____ (Attach to application)

Are you available to volunteer your time on days, evenings and nights? Available from 7p to 3x/week

EMT Mtg
2-26-24

CITY OF ST. PAUL PUBLIC SAFETY EMPLOYMENT APPLICATION Fire Department & Rescue Squad

The CITY OF ST. PAUL is an Equal Opportunity Employer. Race, color, religion, age, sex, disability, marital or voters, status, place of national origin and other categories protected by law are not factors in employment, promotion, compensation or working conditions,

Please Print Date: 1/24/24

Application should be completed in its ENTIRETY, without reference to attached resume. Applicants are responsible for the accuracy of this form. Failure to provide complete information could jeopardize your opportunity for full consideration.

EMT

Applicant Information

Name: Chloe Carlson

Address: 1116 Davis St. City/State: St. Paul, NE Zip Code: 68073

Telephone: 308-655-1476 Message #: (308) 655-1476

Do you have a valid driver's license? yes State/License #: NE K13911538

Are you over 18 years of age? yes

Have you ever applied to, or worked for the CITY OF ST. PAUL before? NO If yes, when? X

Do you have any friends or relatives working for the CITY OF ST. PAUL? NO

If yes, state name and relationship: X

How did you hear about us/this opening? work

Have you ever been, convicted of a felony or misdemeanor (including any sealed or expunged convictions)? NO (Note: Applicant may be denied employment solely on the grounds of a conviction of a criminal offense. The nature of the offense, the date of the offense, the surrounding circumstances and the relevance of the offense to the position applied for may, however be considered.)

If yes, explain — include arresting agency:

General Information about Employment Desired

Position, you are applying for? Circle one: Firefighter OR EMT

If applying for EMT - B, do you currently hold EMT-B Certification? NO (Attach to application)

Are you available to volunteer your time on days, evenings and nights? while @ work, not opposed to being on call while @ home.

EMT MAF
2-26-24

EMT

CITY OF ST. PAUL PUBLIC SAFETY EMPLOYMENT APPLICATION Fire Department & Rescue Squad

The CITY OF ST. PAUL is an Equal Opportunity Employer. Race, color, religion, age, sex, disability, marital or voters, status, place of national origin and other categories protected by law are not factors in employment, promotion, compensation or working conditions,

Please Print Date: 1-24-24
Application should be completed in its ENTIRETY, without reference to attached resume. Applicants are responsible for the accuracy of this form. Failure to provide complete information could jeopardize your opportunity for full consideration.

Applicant Information

Name: Amy Kruse V.
Address: 506 Lander City/State: Farwell NE Zip Code: 68838
Telephone: 308 754-3382 Message #: ()
Do you have a valid driver's license? Yes State/License #: NE 412208250
Are you over 18 years of age? Yes
Have you ever applied to, or worked for the CITY OF ST. PAUL before? NO If yes, when? _____

Do you have any friends or relatives working for the CITY OF ST. PAUL? _____
If yes, state name and relationship: _____

How did you hear about us/this opening? La Donna
Have you ever been, convicted of a felony or misdemeanor (including any sealed or expunged convictions)? NO (Note: Applicant may be denied employment solely on the grounds of a conviction of a criminal offense. The nature of the offense, the date of the offense, the surrounding circumstances and the relevance of the offense to the position applied for may, however be considered.)
If yes, explain — include arresting agency: _____

General Information about Employment Desired

Position, you are applying for? Circle one: Firefighter OR EMT

If applying for EMT - B, do you currently hold EMT-B Certification? _____ (Attach to application)

Are you available to volunteer your time on days, evenings and nights? 6:30 - 1900 on days that I work

CITY OF ST. PAUL

PUBLIC SAFETY EMPLOYMENT APPLICATION

Fire Department & Rescue Squad

EMT
2-26-24

EMT

The CITY OF ST. PAUL is an Equal Opportunity Employer. Race, color, religion, age, sex, disability, marital or voters, status, place of national origin and other categories protected by law are not factors in employment, promotion, compensation or working conditions,

Please Print

Date: 1/24/24

Application should be completed in its ENTIRETY, without reference to attached resume. Applicants are responsible for the accuracy of this form. Failure to provide complete information could jeopardize your opportunity for full consideration.

Applicant Information

Name: Tarah Ondraek

Address: PO BOX 110 City/State: Wolbach, NE Zip Code: 68882

Telephone: 308-860-2918 Message #: ()

Do you have a valid driver's license? Yes State/License #: NE H13003524

Are you over 18 years of age? Yes

Have you ever applied to, or worked for the CITY OF ST. PAUL before? NO If yes, when?

Do you have any friends or relatives working for the CITY OF ST. PAUL?

If yes, state name and relationship:

How did you hear about us/this opening? Howard County Medical Center

Have you ever been convicted of a felony or misdemeanor (including any sealed or expunged convictions)? (Note: Applicant may be denied employment solely on the grounds of a conviction of a criminal offense. The nature of the offense, the date of the offense, the surrounding circumstances and the relevance of the offense to the position applied for may, however be considered.)

If yes, explain — include arresting agency:

General Information about Employment Desired

Position, you are applying for? Circle one: Firefighter OR EMT

If applying for EMT - B, do you currently hold EMT-B Certification? (Attach to application)

Are you available to volunteer your time on days, evenings and nights? 0630-1900 during my working days.

EMT Mtg
2-26-24

CITY OF ST. PAUL

PUBLIC SAFETY EMPLOYMENT APPLICATION

Fire Department & Rescue Squad

EMT

The CITY OF ST. PAUL is an Equal Opportunity Employer. Race, color, religion, age, sex, disability, marital or voters, status, place of national origin and other categories protected by law are not factors in employment, promotion, compensation or working conditions,

Please Print

Date: January 23, 2024

Application should be completed in its ENTIRETY, without reference to attached resume. Applicants are responsible for the accuracy of this form. Failure to provide complete information could jeopardize your opportunity for full consideration.

Applicant Information

Name: Paula Ryan
Address: 11 Jansen Circle City/State: St. Paul, NE Zip Code: 68873
Telephone: 515-402-9466 Message #: (515) 402-9466
Do you have a valid driver's license? yes State/License #: HI3107414
Are you over 18 years of age? yes

Have you ever applied to, or worked for the CITY OF ST. PAUL before? No If yes, when? _____

Do you have any friends or relatives working for the CITY OF ST. PAUL? Yes - A lot of Friends
If yes, state name and relationship: _____

How did you hear about us/this opening? Contacted member of EMS

Have you ever been, convicted of a felony or misdemeanor (including any sealed or expunged convictions)? No (Note: Applicant may be denied employment solely on the grounds of a conviction of a criminal offense. The nature of the offense, the date of the offense, the surrounding circumstances and the relevance of the offense to the position applied for may, however be considered.)

If yes, explain — include arresting agency:

General Information about Employment Desired

Position, you are applying for? Circle one: Firefighter OR EMT — Registered Nurse from HCMC

If applying for EMT - B, do you currently hold EMT-B Certification? _____ (Attach to application)

Are you available to volunteer your time on days, evenings and nights? days 8-5 during week as needed.

CITY OF ST PAUL - Connie Jo Beck logged in
Security Key : CITY OF ST PAUL

Mobile Deposit checks must be endorsed
FOR MOBILE DEPOSIT ONLY, HERITAGE BANK,
YOUR ACCOUNT NUMBER & SIGNATURE

#411025
City Heritage Bank
Utility Bill ACH Deposits

History

12-01-2023 - 02-22-2024

Select an Account ****1025 - MMKT (BUSINESS) \$ 610,655.84

History Period Today

Total deposits and credits: \$ 303,013.15

Total withdrawals, payments and debits: \$ -204,095.65

Balance
\$ 610,655.84

Check Register

Check all Select all Checks Select all: ATM

Checked Amt.	Unchecked Amt.	Total Amount	Beginning Balance	Ending Balance	Difference
0.00	98,917.50	98,917.50	511,738.34	610,655.84	98,917.50

Manual Item Entry

Date Description Amount

<input checked="" type="checkbox"/>	Date	Description	Amount	Total
<input checked="" type="checkbox"/>	02/20/2024	CITY OF ST PAUL [PPD] DIRECT PAY	\$ 110,559.38	\$ 610,655.84
<input type="checkbox"/>	02/07/2024	CHECK # 1041	\$ -1,251.00	\$ 500,096.46
<input type="checkbox"/>	02/01/2024	CITY OF ST PAUL [PPD] DIRECT PAY	\$ 1,251.00	\$ 501,347.46
<input type="checkbox"/>	01/31/2024	Interest Paid 310200	\$ 736.49	\$ 500,096.46
<input type="checkbox"/>	01/30/2024	INTERNET CHARGES [PPD] I-NET FEES I-NET FEE	\$ -25.00	\$ 499,359.97
<input type="checkbox"/>	01/24/2024	Priority Debit	\$ -292.65	\$ 499,384.97
<input type="checkbox"/>	01/22/2024	CITY OF ST PAUL [PPD] DIRECT PAY	\$ 97,581.42	\$ 499,677.62
<input type="checkbox"/>	01/04/2024	CHECK # 1040	\$ -1,251.00	\$ 402,096.20
<input type="checkbox"/>	01/02/2024	CITY OF ST PAUL [PPD] DIRECT PAY	\$ 1,251.00	\$ 403,347.20
<input type="checkbox"/>	12/31/2023	Interest Paid 310200	\$ 775.02	\$ 402,096.20
<input type="checkbox"/>	12/29/2023	INTERNET CHARGES [PPD] I-NET FEES I-NET FEE	\$ -25.00	\$ 401,321.18
<input type="checkbox"/>	12/20/2023	CITY OF ST PAUL [PPD] DIRECT PAY	\$ 89,607.84	\$ 401,346.18
<input type="checkbox"/>	12/18/2023	NE Coop LQD [PPD] LGIP	\$ -100,000.00	\$ 311,738.34
<input type="checkbox"/>	12/18/2023	NE Coop LQD [PPD] LGIP	\$ -50,000.00	\$ 411,738.34
<input type="checkbox"/>	12/18/2023	NE Coop LQD [PPD] LGIP	\$ -50,000.00	\$ 461,738.34
<input type="checkbox"/>	12/05/2023	CHECK # 1039	\$ -1,251.00	\$ 511,738.34
<input type="checkbox"/>	12/01/2023	CITY OF ST PAUL [PPD] DIRECT PAY	\$ 1,251.00	\$ 512,989.34

Transfer
\$300,000 to
NE Class
Lights = 01-0005-0001
Water = 01-0005-0002
Sewer = 01-0005-0003

000

0.00 *

Lt - 112,500.00 +

wt - 112,500.00 +

sw - 75,000.00 +

003

300,000.00 *

15.3.2

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2-5-24

Council member Peters moved to approve the appointment of Trae Anderson, along with the hourly wage and effective date. Council member Sack seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

Chief of Police Dan Howard was present to discuss the replacement of the St. Paul Police Dept. "evidence door"; this is due to the overheating and no air flow in the room. It is a big concern due to the fact that the City's computer server is located in the evidence room. The item was tabled for further research from Advance Climate and the exact cost of door. There was also discussion on utilizing the Insured Cash Sweep (ICS) Building fund to absorb the cost of the door.

Chief of Police Howard stated that there are no new nuisances to report until the snow disappears from the ground. The St. Paul Fire Museum removed the wagon from the sidewalk it was on. The nuisance car at 304 8th Street (Eiberger) will be discussed on February 20, 2024. Council member Peters is requesting an updated nuisance list from Chief of Police Howard.

Howard County received a grant to conduct a tire disposal day. The event is scheduled to be held at the Howard County Fairgrounds. Howard County has requested a backup location, equipment and staff if necessary. Council member Schmid moved to approve Howard County utilizing the City of St. Paul's Recycling Center on Twin Forks Lane for a "tire disposal" day on Saturday, April 6, 2024, along with approving one (1) employee and one (1) pay loader. Each of these would be available only as a backup plan for the event. Council member Peters seconded the motion. Council members Kowalski, Schmid, Peters & Sack voted aye, nays none. Motion carried 4/0.

Mayor Feeken stated that there are minimal changes to the City Municipal Code Chapter One (1), Article 7 (Elections). The only change is to eliminate Ward I and Ward II and add "Election at Large", which was on the ballot November 8, 2016. The Municipal Code Chapter One (1), Article 6 (Ordinances) was reviewed on January 16, 2024.

Utilities Superintendent Helzer updates: (1) American Tower paid the City approximately two (2) years back rent in the amount of \$14,153.23. The funds will be placed in the "Light Dept." in a high interest bearing account. It was suggested that the funds could be utilized for electrical improvements at the Middle Loup Subdivision.

Chief of Police Howard updates: (1) St. Paul Police Department's main computer mother board has failed; still under warranty through Dell. The computer has been repaired by Doug Cramer (Hamilton Information Systems); (2) Police Officer Matthew Sample returned to work on Monday, January 29, 2024; Officer Sample is on light duty status as a result of a work comp injury. There was discussion on Officer Sample working from home when he has physical therapy on those days. Chief of Police Howard will do more research regarding Mr. Sample being on workman's compensation; (3) on Saturday, February 3, 2024 the St. Paul Police and Fire Department provided an escort into town as a result of the St. Paul High School wrestling team receiving the Class C State Dual Wrestling Championship; (4) Chief of Police Howard attended a Glock pistol class in late January 2024; passed a test; (5) attended a standard field sobriety class with State Patrol late January 2024.

Chapter 1

ADMINISTRATIVE

Article 1. Elected Officials

§ 1-101 CITY MAYOR; SELECTION AND DUTIES.

The Mayor of the Municipality shall have the general, and immediate control over all property, and officials, whether elected, or appointed, of the Municipality. He shall preside at all meetings of the City Council, and may vote when his vote shall be decisive and the Council is equally divided on any pending matter, legislation, or transaction and the Mayor shall, for the purpose of such vote, be deemed to be a member of the Council. His signature must appear on the Municipal Clerk's minutes of all meetings, and he must sign all resolutions which have been passed, and warrants for the payment of money when ordered by the City Council; Provided, any ordinance vetoed by the Mayor may be passed over his veto by a two-thirds (2/3) vote by the members of the City Council, but if the Mayor neglects or refuses to sign any ordinance, and returns it to the Council with his objections in writing at the next regular Council meeting, the same shall become a law without his signature. He shall from time to time communicate to the Council such information and recommendations as, in his opinion, may improve the Municipality. He may require at reasonable intervals any Municipal official to exhibit his accounts and make reports to the Council on any subject pertaining to his office. He shall have the power to remit fines or pardon any offense arising under the ordinances of the Municipality. He may remove at any time an appointed police officer of the Municipality. His territorial authority shall extend over all places within five (5) miles of the corporate limits of the Municipality for the enforcement of any health ordinance, and one half (½) mile in all matters vested in him except taxation. He shall also have such other duties as the City Council may by resolution confer upon him, or in any other matters which the laws of the State of Nebraska repose in him. He shall be elected at the Municipal Election, and shall serve a four (4) year term of office. Any candidate for Mayor must have resided within the Municipality for forty (40) days prior to filing for the said office and must in addition be a qualified taxpayer. (Ref. 17-110 thru 17-117 RS Neb.)

§ 1-102 CITY COUNCIL; ACTING PRESIDENT.

The City Council shall elect one (1) of its own body each year who shall be styled the President of the Council, and who shall preside at all meetings of the City Council in the absence of the Mayor. In the absence of the Mayor, and the President of the Council, the City Council shall elect one (1) of its own body to occupy his place temporarily, who shall be styled Acting President of the Council. Both the President of the Council and the Acting President of the Council, when occupying the position of the Mayor, shall have the same privileges as the other members of the City Council, and all acts of the President of the Council, or Acting President of the Council, while so acting, shall be as binding upon the City Council, and upon the Municipality as if done by the elected Mayor. (Ref. 17-148 RS Neb.)

§ 1-103 CITY COUNCIL; SELECTION AND DUTIES.

The members of the City Council shall be elected and serve for a four (4) year term. The City Council shall be the legislative division of the Municipal Government, and shall perform such duties, and have such powers as may be authorized by law. The City Council shall maintain the peace, regulate business, protect the public health and safety, and assess such taxes and fees as are necessary and appropriate in the exercise of these functions. (Ref. 17-103, 17-104 RS Neb.)

§ 1-104 CITY COUNCIL; ORGANIZATION.

City Councilmembers of this Municipality shall take office, and commence their duties on the first regular meeting in December following their election. The newly elected Councilmembers who have qualified as prescribed by law, together with the members of the City Council holding over, shall assemble in a regular meeting at the hour and place hereinafter prescribed and perfect the reorganization of the City Council as herein provided, and all appointive offices in which the terms of

incumbents are expired shall be filled by appointment. After the said meeting has been called to order, the Municipal Clerk shall report to the City Council the names of all City Councilmembers-elect who have qualified for their respective offices, and this report shall be spread upon the minutes of the meeting preceding the roll call. Each ward of the Municipality shall be represented by at least two (2) Councilmembers. No person shall be eligible who is not at the time of his election an actual resident of the ward for which he is qualified and should any City Councilmember move from the ward from which he was elected, his office shall thereby become vacant. (Ref. 17-104 RS Neb.)

§ 1-105 ELECTED OFFICIALS; VACANCY.

Whenever a vacancy occurs in an elected office of the Municipality, except Mayor, notice of said vacancy shall be presented in writing to the City Council at a regular meeting and said notice shall appear as a part of the minutes of such meeting.

The City Council shall at once give public notice of the vacancy by causing to be published in a newspaper of general circulation within the Municipality or by posting in three (3) public places in the Municipality the office vacated and the length of the unexpired term.

The Mayor shall within two (2) weeks after the regular meeting at which such notice has been presented, or upon the death of the incumbent, call a special meeting of the City Council at which time the Mayor shall submit the name of a qualified elector to fill the vacancy for the balance of the unexpired term.

No officer who is removed at a recall election or resigns after the initiation of the recall process shall be appointed to fill the vacancy resulting from his or her removal or the removal of any other member of the Governing Body during the remainder of his or her term of office.

Upon a majority vote of approval by the City Council the vacancy shall be filled. If a majority vote is not reached the nomination shall be rejected and the Mayor shall at the next regular meeting submit the name of another qualified elector. If the vote on the nominee fails to carry by majority vote, the Mayor shall continue at such meeting to submit the names of qualified electors and the City Council shall continue to vote upon such nominations until the vacancy is filled.

The Mayor shall cast his vote only in case of a tie vote of the City Council.

All City Council members shall cast a ballot for or against each nominee.

The Mayor and Council may, in lieu of filling a vacancy in a City office as provided above in this Section, call a special Municipal Election to fill such vacancy.

If there is a vacancy in the offices of a majority of the members of the City Council, there shall be a special Municipal Election conducted by the Secretary of State to fill such vacancies. (Ref. 32-4,152, 32-1406 RS Neb.)

§ 1-106 ELECTED OFFICIALS; MAYOR; VACANCY.

Whenever a vacancy occurs in the office of Mayor, or in case of his disability or absence, the President of the Council shall exercise the office of Mayor until such vacancy is filled or such disability is removed, or in case of temporary absence, until the Mayor returns.

When the successful candidate for Mayor shall be prevented from assuming office, the incumbent Mayor shall not be entitled to hold over the term, but such office shall automatically become vacant and the President of the Council shall exercise the office of Mayor until such vacancy is filled.

If the President of the Council shall for any cause assume the office of Mayor for the remainder of the unexpired term, there shall be a vacancy on the Council which shall be filled as provided in Section 1-105. (Ref. 17-107, 17-115 RS Neb.)

Article 2. Appointed Officials

§ 1-201 APPOINTED OFFICIALS; GENERAL AUTHORITY.

The Mayor, by, and with the consent of the City Council, may appoint such officers as shall be required by ordinance or otherwise required by law. Such officers may be removed from office by the Mayor. The Mayor, by, and with the consent of the City Council, shall appoint such a number of regular policemen, and other officials as may be necessary, and may establish a police reserve force as provided by law. All police officers, and other appointed officials shall be subject to removal at any time by the Mayor. (Ref. 81-1438 thru 81-1446 RS Neb.)

§ 1-202 APPOINTED OFFICIALS; MERGER OF OFFICES.

The Governing Body of the Municipality may, in its discretion, by ordinance combine, and merge any elective, or appointive office, or employment, except the Mayor or a City Councilmember with any other elective, or appointive office so that one or more of such offices may be held by the officer or employee at the same time. Any offices so merged and combined shall always be construed to be separate, and the effect of the combination or merger shall be limited to a consolidation of official duties only. The salary of the officer holding the merged offices shall not be in excess of the maximum amount provided by law for the salary of the offices so combined. For purposes of this Section, volunteer firefighters and ambulance drivers shall not be considered officers. (Ref. 17-108.02 RS Neb.)

§ 1-203 APPOINTED OFFICIALS; MUNICIPAL CLERK.

The Municipal Clerk shall attend the meetings of the Governing Body, and keep a correct journal of the proceedings of that body. He shall keep a record of all outstanding bonds against the Municipality and when any bonds are sold, purchased, paid, or cancelled, said record shall show the fact. He shall make, at the end of the fiscal year, a report of the business of the Municipality transacted through his office for the year. That record shall describe particularly the bonds issued, and sold during the year, and the terms of the sale with each, and every item, and expense thereof. He shall file all official bonds after the same shall have been properly executed, and approved. He shall make the proper certificate of passage which shall be attached to original copies of all bond ordinances hereafter enacted by the Governing Body.

The Municipal Clerk shall issue, and sign all licenses, permits, and occupation tax receipts authorized by law, and required by the Municipal ordinances. He shall collect all occupation taxes, and license money except where some other Municipal officer is specifically charged with that duty. He shall keep a register of all licenses granted in the Municipality, and the purpose for which they have been issued.

The Municipal Clerk shall permit no records, public papers, or other documents of the Municipality kept, and preserved in his office to be taken therefrom, except by such officers of the Municipality as may be entitled to the use of the same, but only upon their leaving a receipt therefor. He shall keep all the records of his office, including a record of all licenses issued by him in a blank book with a proper index. He shall include as part of his records all petitions under which the Governing Body shall order public work to be done at the expense of the property fronting thereon, together with references to all resolutions, and ordinances relating to the same. He shall endorse the date, and hour of filing upon every paper, or document so filed in his office. All such filings made by him shall be properly docketed. Included in his records shall be all standard codes, amendments thereto, and other documents incorporated by reference, and arranged in triplicate in a manner convenient for reference. He shall keep, and preserve the proceedings of the Governing Body in two (2) separate, and distinct record books. The Minute Records shall contain a record of all the miscellaneous, and informal doings of the Governing Body. The Minute Record shall not include the passage, and approval of ordinances except such resolutions incorporating by reference the Ordinance Record into the Minute Record. The Ordinance Record shall contain the formal proceedings of the Governing Body in the matter of passing, approving, publishing, posting, and certifying of ordinances. After the formalities for the legal enactment of an ordinance have been completed, the Municipal Clerk shall record, and spread at large in the Ordinance Record his ordinance minutes on printed forms. In all cases hereafter where single ordinances are introduced for the consideration of the Governing Body, the Municipal Clerk shall cause to be introduced an appropriate resolution incorporating by reference the Ordinance Record into the Minute Record. He shall keep an accurate, and complete account of the appropriation

of the several funds, draw, sign, and attest all warrants ordered for the payment of money on the particular fund from which the same is payable. At the end of each month, he shall then make a report of the amounts appropriated to the various funds, and the amount of the warrants drawn thereon. Nothing herein shall be construed to prevent any citizen, official, or other person from examining any public records at all reasonable times.

The Municipal Clerk shall deliver all warrants, ordinances, and resolutions under his charge to the Mayor for his signature. He shall also deliver to officers, employees, and committees all resolutions, and communications which are directed at said officers, employees, or committees. With the seal of the Municipality, he shall duly attest the Mayor's signature to all ordinances, deeds, and papers required to be attested to when ordered to do so by the Governing Body. Within thirty (30) days after any meeting of the Governing Body, the Municipal Clerk shall prepare, and publish the official proceedings of the Governing Body in a legal newspaper of general circulation in the Municipality, and which was duly designated as such by the Governing Body. Said publication shall set forth a statement of the proceedings thereof and shall also include the amount of each claim allowed, the purpose of the claim, and the name of the claimant, except that the aggregate amount of all payroll claims may be included as one item. Between July 15 and August 15 of each year, the names of all employees and their current annual, monthly, or hourly salaries shall be published and any changes in salaries or the hiring of new employees during the calendar quarter preceding the months of October, January, and April shall be published during the months of November, February, and May; Provided, the charge for such publication shall not exceed the rates provided by the statutes of the State of Nebraska. Said publication shall be charged against the General Fund. He shall then keep in a book with a proper index, copies of all notices required to be published, or posted by the Municipal Clerk by order of the Governing Body, or under the ordinances of the Municipality. To each of the file copies of said notices shall be attached the printer's affidavit of publication, if the said notices are required to be published, or the Municipal Clerk's certificate under seal where the same are required to be posted only.

The Municipal Clerk shall receive all objections to creation of paving districts, and other street improvements. He shall receive the claims of any person against the Municipality, and in the event that the said claim is disallowed in part, or in whole, the Municipal Clerk shall notify such claimant, his agent, or attorney by letter within five (5) days after such disallowance, and the Municipal Clerk shall then prepare transcripts on appeals of any disallowance of a claim in all proper cases.

The Municipal Clerk may charge a reasonable fee for certified copies of any record in his office as set by resolution of the Governing Body. He shall destroy Municipal records under the direction of the State Records Board pursuant to Sections 84-1201 thru 84-1220; Provided, the Governing Body shall not have the authority to destroy the Minutes of the Municipal Clerk, the permanent ordinances, and resolution books, or any other records classified as permanent by the State Records Board. (Ref. 17-605, 19-1102, 19-1104, 84-1201 thru 84-1220, 84-712 RS Neb.)

§ 1-204 APPOINTED OFFICIALS; MUNICIPAL TREASURER.

The Municipal Treasurer shall be the custodian of all moneys belonging to the Municipality. He shall keep all money belonging to the Municipality separate, and distinct from his own money. He shall keep a separate account of each fund or appropriation, and the debits, and credits belonging thereto. He shall issue duplicate (2) receipts for all moneys received by him for the Municipality. He shall give to every person paying money into the Municipal Treasury, a receipt therefor, specifying the date of payment, and the account paid. One (1) of the receipts shall be filed with his monthly report, and the last copy of the said receipt shall be kept on file in his office. His books, and accounts shall always be open for inspection by any citizen of the Municipality whenever any Municipal fiscal record, audit, warrant, voucher, invoice, purchase order, requisition, payroll check, receipt or other record of receipt, cash or expenditure involving public funds is involved. He shall cancel all bonds, coupons, warrants, and other evidences of debt against the Municipality, whenever paid by him, by writing, or stamping on the face thereof, "Paid by the Municipal Treasurer," with the date of payment written or stamped thereon. He shall collect all special taxes, allocate special assessments to the several owners, and shall obtain from the County Treasurer a monthly report as to the collection of delinquent taxes. The

Treasurer's daily cash book shall be footed and balanced daily, and he shall adopt such bookkeeping methods as the Governing Body shall prescribe. He shall invest and collect all money owned by, or owed to, the Municipality as directed by the Governing Body. (Ref. 17-606 thru 17-609, 84-712 RS Neb.)

§ 1-205 APPOINTED OFFICIALS; TREASURER'S MONTHLY REPORT.

The Municipal Treasurer shall at the end of each, and every month, and such other times as the Governing Body may deem necessary, render an account to the Governing Body under oath showing the financial state of the Municipality at that date, the amount of money remaining in each fund and the amount paid therefrom, and the balance of money remaining in the Treasury. He shall accompany the said account with a statement of all receipts, and disbursements, together with all warrants redeemed, and paid by him. He shall also produce depository evidence that all Municipal money is in a solvent, and going bank in the name of the Municipality. If the Municipal Treasurer shall neglect, or fail for the space of ten (10) days from the end of each and every month to render his accounts as aforesaid, the Governing Body shall, by resolution, declare the office vacant, and appoint some person to fill the vacancy. The Municipal Treasurer shall be present at each regular meeting of the Governing Body at which time he shall read, and file his monthly report. (Ref. 17-606 RS Neb.)

§ 1-206 APPOINTED OFFICIALS; TREASURER'S ANNUAL REPORT.

The Municipal Treasurer shall publish in a legal newspaper having general circulation within the Municipality, within sixty (60) days following the first (1st) day of August of each year, a report of the activities of his office which said report shall show in detail. Said report shall include all receipts, disbursements, warrants outstanding, and the debit, or credit balance of the Municipality. (Ref. 19-1101 RS Neb.)

§ 1-207 APPOINTED OFFICIALS; MUNICIPAL ATTORNEY.

The Municipal Attorney is the Municipality's legal advisor, and as such he shall commence, prosecute all traffic offenses, and defend all suits on behalf of the Municipality. When requested by the Governing Body, he shall attend meetings of the Governing Body, and shall advise any Municipal Official in all matters of law in which the interests of the Municipality may be involved. He shall draft such ordinances, bonds, contracts, and other writings as may be required in the administration of the affairs of the Municipality. He shall examine all bonds, contracts, and documents on which the Governing Body will be required to act, and attach thereto a brief statement in writing to all such instruments, and documents as to whether, or not, the document is in legal, and proper form. He shall prepare complaints, attend, and prosecute violations of the Municipal ordinances when directed to do so by the Governing Body. Without direction, he shall appear, and prosecute all cases for violation of the Municipal ordinances that have been appealed to, and are pending in any higher court. He shall also examine, when requested to do so by the Governing Body, the ordinance records, and advise, and assist the Municipal Clerk as much as may be necessary to the end that each procedural step will be taken in the passage of each ordinance to insure that they will be valid, and subsisting local laws in so far as their passage, and approval are concerned. The Governing Body shall have the right to compensate the Municipal Attorney for legal services on such terms as the Governing Body and the Municipal Attorney may agree, and to employ any additional legal assistance as may be necessary out of the funds of the Municipality. (Ref. 17-610 RS Neb.)

§ 1-208 APPOINTED OFFICIALS; MUNICIPAL PHYSICIAN.

The Municipal Physician shall be a member of the Board of Health of the Municipality, and perform the duties devolving upon him as the medical advisor of the said board. In all injuries where a liability may be asserted against the Municipality, the Municipal Physician shall immediately investigate the said injuries, the extent thereof, and the circumstances. He shall then report the results of his investigation with the name of the party injured, and all other persons who may have personal knowledge of the matter. He shall make all physical examinations, and necessary laboratory tests incident thereto, and issue such health certificates as are required by ordinance. For the purpose of making examinations of the sanitary conditions of the property, and the state of health of the inhabitants therein, he shall have the right at all reasonable hours to go upon, and enter all premises, buildings, or other structures in the Municipality. He shall perform such other duties as may be required of him by the laws of the State of

Nebraska, and the ordinances of the Municipality. When ordered to do so by the Governing Body he shall disinfect, or fumigate the premises, or persons in or about the premises, when the premises are quarantined, and to call upon indigent sick persons, and perform other professional services at the direction of the Governing Body. The Municipal Physician shall receive as compensation for his services such sum as the Governing Body may from time to time set. He shall receive no compensation for his services as a member of the Municipal Board of Health. (Ref. 17-121 RS Neb.)

§ 1-209 APPOINTED OFFICIALS; MUNICIPAL POLICE CHIEF.

The Municipal Police Chief shall direct the police work of the Municipality and shall be responsible for the maintenance of law and order. He shall act as Health Inspector, and Building Inspector, except in the event the Municipality appoints another person. He shall file the necessary complaints in cases arising out of violations of Municipal ordinances, and shall make all necessary reports required by the Municipal ordinances, or the laws of the State of Nebraska. (Ref. 17-107, 17-121 RS Neb.)

§ 1-210 APPOINTED OFFICIALS; MUNICIPAL POLICEMAN.

The Municipal Police, whether regular, or special shall have the power to arrest all offenders against the laws of the State of Nebraska, or the Municipality, by day or by night, and keep the said offenders in the Municipal jail, or some other place to prevent their escape until trial can be held before the proper official of the State of Nebraska, or the Municipality. They shall have full power, and authority to call on any person whenever necessary to assist them in performing public duties, and failure, neglect, or refusal to render such assistance shall be deemed a misdemeanor punishable upon conviction by a fine. Every Municipal Policeman shall be expected to be conversant, and knowledgeable with the Municipal and State laws and no law enforcement official shall have any interest in any establishment having a liquor license. Municipal Policemen shall have the duty to file such complaints and reports as may be required by the Municipal ordinances, and the laws of the State of Nebraska. Any Municipal Policeman who shall willfully fail, neglect, or refuse to make an arrest, or who purposely, and willfully fails to make a complaint after an arrest is made shall be deemed guilty of a misdemeanor, and upon conviction shall be fined. It shall be unlawful for the Governing Body to retain any Municipal Policeman in that position after he shall have been duly convicted of the willful violation of any law of the United States of America, the State of Nebraska, or any ordinance of the Municipality, except minor traffic violations. It shall be the duty of every Municipal Policeman making a lawful arrest to search all persons in the presence of some other person, whenever possible, and shall carefully keep, and produce to the proper judicial official upon the trial everything found upon the person of such prisoners. All personal effects so taken from prisoners aforesaid shall be restored to them upon their release. Suitable uniforms and badges shall be furnished to the Municipal Police by the Municipality. Any member who shall lose or destroy the same shall be required to pay the replacement costs, and in the event that any member shall leave the force, he shall immediately deliver his badge to the Police Chief. The Governing Body may from time to time provide the Municipal Police with such uniforms, equipment, and transportation as may be essential in the performance of their official duties. (Ref. 17-107, 17-118, 17-124 RS Neb.)

§ 1-211 APPOINTED OFFICIALS; MUNICIPAL FIRE CHIEF.

The Municipal Fire Chief shall be elected by the members of the Fire Department and approved by the City Council. He shall enforce all laws and ordinances covering the prevention of fires; the storage and use of explosives and flammable substances; the installation of fire alarm systems; the maintenance of fire extinguishing equipment; the regulation of fire escapes; and the inspection of all premises requiring adequate fire escapes. He shall within two (2) days investigate the cause, origin, and circumstances of fires arising within his jurisdiction. He shall, on or before the first (1st) day in April and October of each year, cause the secretary to file with the Municipal Clerk, and the Clerk of the District Court a certified copy of the rolls of all members in good standing in their respective companies in order to obtain the exemptions provided by law. He shall have the power during the time of a fire, and for a period of thirty-six (36) hours thereafter to arrest any suspected arsonist, or any person for hindering the department's efforts, conducting himself in a noisy and disorderly manner, or who shall refuse to obey any lawful order by the Fire Chief or Assistant Fire Chief. The Fire Chief, or his assistant in charge of operations at a fire may command the services of any person present at any

fire in extinguishing the same or in the removal, and protection of property. Failure to obey such an order shall be a misdemeanor punishable by a fine. The Fire Chief shall have the right to enter at all reasonable hours into buildings, and upon all premises within his jurisdiction for the purpose of examining the same for fire hazards, and related dangers. (Ref. 17-147, 17-505, 35-102, 35-108, 81-506, 81-512 RS Neb.)

§ 1-212 APPOINTED OFFICIALS; MUNICIPAL ENGINEER.

The Municipal Engineer shall make all surveys, estimates, and calculations necessary to be made for the establishment of any public utilities, and the costs of labor and materials therefor. He shall accurately make all plats, sections, and maps as may be necessary under the direction of the Governing Body. Upon request, he shall make estimates of the cost of labor and material which may be done or furnished by contract with the Municipality, and make all surveys, estimates, and calculations necessary to be made for the establishment of grades, building of culverts, sewers, electric light system, waterworks, power plant, public heating system, bridges, curbing, and gutters and the improvement of streets and erection and repair of buildings, and shall perform such other duties as the Governing Body may require. When a Municipality has appointed a Board of Public Works, and the Governing Body has by ordinance so authorized, the Board shall have the right to utilize its own engineering staff, and shall have the right to hire consulting engineers for the design and installation of extensions and improvements of the works under the jurisdiction of the Board of Public Works. Whenever the Governing Body has authorized, the Board of Public Works shall have the right to purchase material and employ labor for the enlargement and improvement of the water and electric departments. (Ref. 17-150, 17-405, 17-568.01, 17-919, 81-839 RS Neb.)

§ 1-213 APPOINTED OFFICIALS; MUNICIPAL WATER COMMISSIONER.

The Municipal Water Commissioner shall have general supervision and control over the Municipal Water System, and shall be primarily responsible for its economic operation and prudent management. Included in the said water system shall be the water plant, the pump house, all machinery, and appliances used in connection with producing and distributing water to inhabitants of the Municipality. All actions, decisions, and procedures of the Water Commissioner shall be subject to the general directives and control of the Governing Body. The Municipal Water Commissioner shall have the general control and supervisory authority over all employees of the Water System which the Governing Body may from time to time hire to operate and maintain the said system. Unless some other official is specifically designated, he shall collect all money received by the Municipality on account of the said system of waterworks, and shall faithfully account for, and pay over to the Municipal Treasurer all such money collected in the name of the Municipality and receive a receipt from the Municipal Treasurer for the depository evidence of his faithful discharge of this duty. This receipt shall then be filed with the Municipal Clerk, and the second (2nd) copy shall be kept by the said Commissioner. He shall make a detailed report to the Governing Body at least once every six (6) months, of the condition of the said water system, of all mains, pipes, hydrants, reservoirs, and machinery and such improvements, repairs, and extensions thereof as he may think proper. The report shall show the amount of receipts and expenditures on account thereof for the preceding six (6) months. No money shall be expended for improvements, repairs, or extensions of the said waterworks system except upon the recommendation of the Commissioner. The Water Commissioner who may be removed at any time by the Mayor, a two-thirds (2/3) vote of the Governing Body, shall provide a bond conditioned upon the faithful discharge of his duties which shall amount to not less than the amount set by resolution of the Governing Body and on file in the office of the Municipal Clerk. The Water Commissioner shall perform such additional duties as may be prescribed by the Governing Body. (Ref. 17-107, 17-541, 17-543 RS Neb.)

§ 1-214 APPOINTED OFFICIALS; MUNICIPAL STREET COMMISSIONER.

The Municipal Street Commissioner shall, subject to the orders and directives of the Governing Body, have general charge, direction, and control of all work on the streets, sidewalks, culverts, and bridges of the Municipality, and shall perform such other duties as the Governing Body may require. It shall be his responsibility to see that gutters and drains therein function properly, and that the same are kept in good repair. He shall, at the request of the Governing Body make a detailed report to the Governing

Body on the condition of the streets, sidewalks, culverts, alleys, and bridges of the Municipality, and shall direct their attention to such improvements, repairs, extensions, additions, and additional employees as he may believe are needed to maintain a satisfactory street system in the Municipality along with an estimate of the cost thereof. He shall issue such permits, and assume such other duties as the Governing Body may direct. (Ref. 17-107, 17-119 RS Neb.)

§ 1-215 APPOINTED OFFICIALS; MUNICIPAL UTILITIES SUPERINTENDENT.

A Utilities Superintendent shall be appointed in the event that there is more than one Municipal utility, and the Governing Body determines that it is in the best interest of the Municipality to appoint one official to have the immediate control over all the said Municipal utilities. The Utilities Superintendent may be removed at any time by the Mayor. Any vacancy occurring in the said office by death, resignation or removal may be filled in the manner hereinbefore provided for the appointment of all Municipal officials. The Utilities Superintendent's duties over the following departments shall be as stated herein:

Sewer Department

The Utilities Superintendent shall have the immediate control, and supervision over all the employees, and property that make up the Municipal sewer system, subject to the general control, and directives of the Governing Body. He shall at least every six (6) months, make a detailed report to the Governing Body on the condition of the sewer system, and shall direct their attention to such improvements, repairs, extensions, additions, and additional employees as he may believe are needed along with an estimate of the cost thereof. He shall have such other duties as the Governing Body may delegate to him. He shall issue permits for all connections to the Municipal sewer system, and inspect and supervise all repairs made to the said system.

Electric System

The Utilities Superintendent shall have the immediate control and supervision over all employees and property that make up the Municipal Electric System, subject to the general control and directives of the Governing Body. He shall at least every six (6) months, make a detailed report to the Governing Body on the condition of the electrical system, and shall direct their attention to such improvements, repairs, extensions, additions, and additional employees as he may believe are needed along with an estimate of the cost thereof. He shall have such other duties as the Governing Body may delegate to him. He may be removed at any time by the Mayor. (Ref. 17-107, 17-119, 17-541, 17-543 RS Neb.)

§ 1-216 APPOINTED OFFICIALS; MUNICIPAL DUMP OPERATOR.

The Municipal Dump Operator shall have the immediate control and supervision of the Municipal Dump, and of all dumping of garbage, refuse, waste, and rubbish thereon, subject to the general control and directives of the Utilities Superintendent. He shall at least every six (6) months, make a detailed report to the Governing Body on the condition of the dump, and shall direct their attention to such improvements, additions, and additional employees as he may believe are needed along with an estimate of the cost thereof. He shall issue dumping permits if the Governing Body should require them and shall inspect and supervise all work done to improve or extend the dump. He shall have such other duties as the Governing Body through the Utilities Superintendent may delegate to him. He may be removed at any time by the Mayor. (Ref. 17-107 RS Neb.)

§ 1-217 APPOINTED OFFICIALS; MUNICIPAL BUILDING INSPECTOR.

The Municipal Building Inspector shall conduct surveys and make inspections in any area of the Municipality to determine whether all buildings and structures are in compliance with the Municipal ordinances. The Building Inspector shall act as Plumbing, Zoning and Electrical Inspector. He shall investigate all complaints whether they are verbal, written, or in the form of a petition alleging, and charging that a violation of the Municipal ordinances exists, and that a building, or structure is unfit, or unsafe for human habitation. The Building Inspector is authorized upon properly identifying himself to enter, inspect, survey, and investigate between the hours of eight (8:00) o'clock A.M., and five (5:00) o'clock P.M., or at any time if an emergency exists, or if requested by the owner, or occupant thereof. He shall keep records of all complaints received, inspection reports, orders, and complaints issued.

The records shall be available for public inspection, and he shall prepare an annual report including statistics based on the records kept. The Building Inspector shall have no financial interest in the furnishing of labor, materials, or appliances for the construction, alteration, or maintenance of a building, except where he is the owner of a building, and he shall not act as an agent for any said dealer, or as an agent for the sale, lease, or rental of any real estate. The Building Inspector shall report to the Governing Body as often as they may deem necessary, and shall have such other duties, and issue such permits as they may direct. The Building Inspector may be removed at any time for good, and sufficient cause by the Governing Body. When acting in good faith, and without malice in the scope of his official duties, the Building Inspector shall not himself be held personally liable for any damages that may accrue to persons or property as a result of any act required by him or by reason of any act or omission in the discharge of his official duties. (Ref. 17-107 RS Neb.)

§ 1-218 APPOINTED OFFICIALS; MUNICIPAL CODE ENFORCEMENT OFFICIAL.

The Municipal Code Enforcement Official shall conduct surveys and make inspections in any area of the Municipality to determine whether all properties are in compliance with the Municipal nuisance ordinances. The Municipal Code Enforcement Official shall report to the Governing Body as often as they may deem necessary, and shall have such other duties as they may direct. (Ord. No. 835, 5/21/07)

Article 3. Bonds and Oath

§ 1-301 BONDS; FORM.

Official bonds of the Municipality shall be in form, joint and several, and shall be made payable to the Municipality in such penalty as the Governing Body may set by resolution; Provided, the penalty amount on any bond shall not fall below the legal minimum, when one has been set by the State of Nebraska, for each particular official. All official bonds of the Municipal officials shall be executed by the principal named in such bonds and by at least two (2) sufficient sureties who shall be freeholders of the county, or by the official as principal and by a guaranty, surety, fidelity, or bonding company; Provided no Municipal official, while still in his official term of office, shall be accepted as surety on any other official's bond, contractor's bond, license bond, or appeal bond under any circumstances. Only companies that are legally authorized to transact business in the State of Nebraska shall be eligible for suretyship on the bond of an official of the Municipality. All said bonds shall obligate the principal, and sureties for the faithful discharge of all duties required by law of such principal, and shall inure to the benefit of the Municipality and any persons who may be injured by a breach of the conditions of such bonds. No bond shall be deemed to be given or complete until the approval of the Governing Body, and all sureties are endorsed in writing on the said instrument by the Mayor and Municipal Clerk pursuant to the said approval of the Governing Body. The premium on any official bond required to be given may be paid out of the General Fund, or other proper Municipal fund, upon a resolution to that effect by the Governing Body at the beginning of any Municipal year. All official bonds, meeting the conditions herein, shall be filed with the Municipal Clerk for his official records, and it shall be the duty of the Municipal Clerk to furnish a certified copy of any bond so filed upon the payment of a fee which shall be set by resolution of the Governing Body. In the event that the sureties on the official bond of any officer of the Municipality, in the opinion of the Governing Body, become insufficient, the Governing Body may, by resolution, fix a reasonable time within which the said officer may give a new bond or additional sureties as directed. In the event that the officer should fail, refuse, or neglect to give a new bond, or additional sureties to the satisfaction, and approval of the Governing Body then the office shall, by such failure, refusal, or neglect, become vacant, and it shall be the duty of the Governing Body to appoint a competent, and qualified person to fill the said office. Any official who is re-elected to office shall be required to file a new bond after each election. (Ref. 11-103 thru 11-118, 17-604 RS Neb.)

§ 1-302 OATH OF OFFICE; MUNICIPAL OFFICIALS.

All officials of the Municipality, whether elected or appointed, except when a different oath is specifically provided herein, shall, before entering upon their respective duties, take and subscribe the following oath which shall be endorsed upon their respective bonds:

"I _____ do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, and without mental reservation, or for the purpose of evasion; and that I will faithfully and impartially perform the duties of the office of _____, according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force, or violence; and that during such time as I am in this position I will not advocate, nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence. So help me God."

(Ref. 11-101 RS Neb.)

Article 4. Corporate Seal

§ 1-401 SEAL; OFFICIAL CORPORATE.

The official Corporate Seal of the Municipality shall be kept in the office of the Municipal Clerk, and shall bear the following inscription, "City of St. Paul, Howard County, Nebraska." The Municipal Clerk shall affix an impression of the said official seal to all warrants, licenses, permits, ordinances, and all other official papers issued by order of the Governing Body and countersigned by the Municipal Clerk. (Ref. 17-502 RS Neb.)

Article 5. Meetings

§ 1-501 MEETINGS; DEFINED.

Meetings, as used in this Article shall mean all regular, special, or called meetings, formal or inform of a public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action. (Ref. 84-1409(2) RS Neb.)

§ 1-502 MEETINGS; PUBLIC BODY DEFINED.

Public Body as used in this Article shall mean:

- A. The Governing Body of the Municipality,
- B. All independent boards, commissions, bureaus, committees, councils, subunits, Certificate of Need appeal panels, or any other bodies, now or hereafter created by Constitution, statute, or otherwise pursuant to law, and
- C. Advisory committees of the bodies listed above.

This Article shall not apply to subcommittees of such bodies unless such subcommittees are holding hearings, making policy or taking formal action on behalf of their parent body. (Ref. 84-1409(1) RS Neb.)

§ 1-503 MEETINGS; PUBLIC.

All public meetings as defined by law shall be held in a Municipal public building which shall be open to attendance by the public. All meetings shall be held in the public building in which the Governing Body usually holds such meetings unless the publicized notice hereinafter required shall designate some other public building or other specified place. The advance publicized notice of all public convened meetings shall be simultaneously transmitted to all members of the Governing Body and to the public by a method designated by the Governing Body or by the Mayor if the Governing Body has not designated a method. Such notice shall contain the time and specific place for each meeting and either an enumeration of the agenda subjects known at the time of the notice, or a statement that such an agenda kept continually current shall be readily available for public inspection at the office of the Municipal Clerk. Except for items of an emergency nature, the agenda shall not be enlarged later than twenty-four (24) hours before the scheduled commencement of the meeting. The Governing Body shall have the right to modify the agenda to include items of an emergency nature only, at such public meetings. The minutes of the Municipal Clerk shall include the record of the manner and advance time

by which the advance publicized notice was given, a statement of how the availability of an agenda of the then known subjects was communicated, the time and specific place of the meetings, and the names of each member of the Governing Body present or absent at each convened meeting. The minutes of the Governing Body shall be a public record open to inspection by the public upon request at any reasonable time at the office of the Municipal Clerk. Any official action on any question or motion duly moved and seconded shall be taken only by roll call vote of the Governing Body in open session. The record of the Municipal Clerk shall show how each member voted, or that the member was absent and did not vote. (Ref. 84-1408, 84-1409, 84-1411, 84-1413 RS Neb.)

§ 1-504 MEETINGS; CLOSED SESSIONS.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; or

(e) For the Community Trust created under section 81-11801.02 RS Neb., discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1) (a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for:

(a) The protection of the public interest; or

(b) The prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The Act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power. (Amended by Ord. No. 910, 12/19/11)

§ 1-505 MEETINGS; EMERGENCY MEETINGS.

When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of Section 1-508 of this Article shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day. (Ref. 84-1411 RS Neb.)

§ 1-506 MEETINGS; MINUTES.

Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

The minutes shall be public records and open to public inspection during normal business hours.

Minutes shall be written and available for inspection within ten (10) working days, or prior to the next convened meeting, whichever occurs earlier. (Ref. 84-1412, 84-1413 RS Neb.)

§ 1-507 MEETINGS; QUORUM; VOTES.

(1) A majority of all the members elected to the City Council shall constitute a quorum for the transaction of any business, but a fewer number of members may adjourn from time to time and compel the attendance of absent members. The Mayor shall be deemed a member of the City Council for purposes of establishing a quorum when the Mayor's presence is necessary to establish the quorum. Unless a greater vote is required by law, an affirmative vote of at least one-half of the elected members shall be required for the transaction of business.

(2) On the passage or adoption of bylaw or ordinance, and every resolution or order to enter into a contract by the City Council, the yeas and nays shall be called and recorded. A concurrence of a majority of the members elected to the City Council shall be required. Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted, or if the member was absent or not voting. The requirements of a roll call vote or viva voce vote shall be satisfied by the Municipality utilizing an electronic voting device which allows the yeas and nays of each member of the Governing Body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(Ref. 17-616, 84-1413 RS Neb.) (Amended by Ord No. 1020, 3/15/21)

§ 1-508 MEETINGS; NOTICE TO NEWS MEDIA.

The Municipal Clerk, Secretary, or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting, and the subjects to be discussed at that meeting. (Ref. 84-1411 RS Neb.)

§ 1-509 MEETINGS; PUBLIC PARTICIPATION.

Subject to the provisions of this Article, the public shall have the right to attend and the right to speak at meetings of public bodies and all or any part of a meeting of a public body except for closed meetings called pursuant to Section 1-504 may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

It shall not be a violation of this Section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings. No public body shall require members of the public to identify themselves as a condition for admission to the meeting. The body may require any member of the public desiring to address the body to identify himself or herself. No public body shall for the purpose of circumventing the provisions of this Article hold a meeting in a place known by the body to be too small to accommodate the anticipated audience. No public body shall be deemed in violation of this Section if it holds its meeting in its traditional meeting place which is located in this State. No public body shall hold a meeting outside the State of Nebraska. The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting. Public bodies shall make available at the meeting, for examination and copying by members of the public, at least one (1) copy of all reproducible written material to be discussed at an open meeting. (Ref. 84-1412 RS Neb.)

§ 1-510 MEETINGS; REGULAR MEETING.

(1) The meetings of the Governing Body shall be held in City Hall unless otherwise noticed in the published and posted meeting notice of the Mayor and City Council. The City Hall is located in the City Offices, 704 6th Street, Saint Paul, Nebraska and shall generally be the meeting place of the Municipality. Regular meetings shall be held on the first (1st) Monday and the third (3rd) Monday of each month at the hour of seven (7:00) o'clock P.M. In the event there is not sufficient business to warrant a meeting on the third (3rd) Monday of each month, the Mayor, upon notification to the members of the Council, may postpone that meeting of the Governing Body to the meeting to be held on the first (1st) Monday of the month next following the postponement.

(2) At all meetings of the Council a majority of the Councilmembers shall constitute a quorum to do business. (Ref. 17-105 RS Neb.) (Amended by Ord. Nos. 638, 10/21/91; 665, 1/3/95; 781, 4/7/03)

§ 1-511 MEETINGS; SPECIAL MEETINGS.

Special meetings may be called by the Mayor, or by three members of the City Council, the object of which shall be submitted to the Council in writing. The call and object, as well as the disposition thereof, shall be entered upon the journal by the Municipal Clerk. On filing the call for a special meeting, the Municipal Clerk shall notify the Councilmembers of the special meeting, stating the time and its purpose. Notice of a special meeting need not be given to a Councilmember known to be out of the state, or physically unable to be present. A majority of the members of the City Council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from day to day and compel the attendance of the absent members. Whether a quorum is present or not, all absent members shall be sent for and compelled to attend.

At the hour appointed for the meeting, the Municipal Clerk shall proceed to call the roll of members and announce whether a quorum is present. If a quorum is present, the Council shall be called to order by the Mayor, if present, or if absent, by the President of the Council. In the absence of both the Mayor and the President of the Council, the City Councilmembers shall elect a President pro tempore. All Ordinances passed at any special meeting shall comply with procedures set forth in Chapter 1, Article 6 herein. (Ref. 17-106 RS Neb.)

§ 1-512 MEETINGS; ORDER OF BUSINESS

All meetings of the Governing Body shall be open to the public. Promptly at the hour set by law on the day of each regular meeting, the members of the Governing Body, the Municipal Clerk, the Mayor, and

such other Municipal officials that may be required shall take their regular stations in the meeting place, and the business of the Municipality shall be taken up for consideration, and disposition in the following order:

Reading and Approval of the Minutes of the Previous Meeting

Building Permits

Claims

General Meeting

§ 1-513 MEETINGS; PARLIAMENTARY PROCEDURE.

The Mayor shall preserve order during meetings of the Governing Body and shall decide all questions of order, subject to an appeal to the Governing Body. When any person is called to order, he shall be seated until the point is decided. When the Mayor is putting the question, no person shall leave the meeting room. Every person present, previous to speaking shall rise from his seat and address himself to the presiding officer and while speaking shall confine himself to the question. When two (2), or more persons rise at once, the Mayor shall recognize the one who spoke first. All resolutions or motions shall be reduced to writing before being acted upon, if requested by the Municipal Clerk, or any member of the Governing Body. Every member of the Governing Body who is present when a question is voted upon, shall cast his vote unless excused by a majority of the Governing Body present. No motion shall be put or debated unless seconded. When seconded, it shall be stated by the Mayor before being debatable. In all cases where a motion or resolution is entered on the minutes, the name of the member of the Governing Body making the motion, or resolution shall be entered also. After each vote, the "Yeas" and "Nays" shall be taken, and entered in the minutes upon the request of any member of the Governing Body. Before the vote is actually taken, any resolution, motion, or proposed ordinance may be withdrawn from consideration by the sponsor thereof with the consent of the member of the Governing Body seconding the said resolution, motion, or ordinance. When, in the consideration of an ordinance, different times, or amounts are proposed, the question shall be put on the largest sum, or the longest time. A question to reconsider shall be in order when made by a member voting with the majority, but such motion to reconsider must be made before the expiration of the third (3rd) regular meeting after the initial consideration of the question. When any question is under debate, no motion shall be made, entertained, or seconded except the previous question, a motion to table, and to adjourn. Each of the said motions shall be decided without debate. Any of the rules of the Governing Body for meetings may be suspended by a two-thirds (2/3) vote of the members present. In all cases in which provisions are not made by these rules, Robert's Rules of Order is the authority by which the Governing Body shall decide all procedural disputes that may arise.

§ 1-514 MEETINGS; CHANGE IN OFFICE.

The change in office shall be made as follows: The Mayor and Council shall meet on the first regular meeting date in December of each year in which a Municipal election is held and the outgoing officers and the outgoing members of the Council shall present their reports, and upon the old Council having completed its business up to the said time, the outgoing members of the Council shall surrender their offices to the incoming members, and the outgoing officers shall thereupon each surrender to his successor in office all property, records, papers and moneys, belonging to the same. (Ref. 17-107.02(9) RS Neb.)

§ 1-515 MEETINGS; ORGANIZATIONAL.

The newly elected Council shall convene at the regular place of meeting in the City on the first (1st) regular meeting in December of each year in which a Municipal election is held immediately after the prior Council adjourns and proceed to organize themselves for the ensuing year. The Mayor elected for the new municipal year shall call the meeting to order. The Council shall then proceed to examine the credentials of its members and other elective officers of the City to see that each has been duly and properly elected, and to see that such oaths and bonds have been given as are required. After ascertaining that all members are duly qualified, the Council shall then elect one of its own body who shall be styled as "President of the Council." The Mayor shall then nominate his candidates for

appointive offices. He shall then proceed with the regular order of business. It is hereby made the duty of each and every member of the Council, or his or her successor in office, and of each officer elected to any office, to qualify prior to the first (1st) regular meeting in December following his election. All appointive officers shall qualify within two (2) weeks following their appointments. Qualification for each officer who is not required to give bond shall consist in his subscribing and taking an oath to support the Constitution of the United States, the Constitution of the State of Nebraska, the laws of the Municipality and to perform faithfully and impartially the duties of his office, said oath to be filed in the office of the Municipal Clerk. Each officer who is required to give a bond shall file the required bond in the office of the Municipal Clerk with sufficient sureties, conditioned on the faithful discharge of the duties of his office, with the oath endorsed thereon.

§ 1-516 MEETINGS; TELEPHONE CONFERENCE CALLS; WHEN ALLOWED.

(1) A meeting of the governing body of a joint entity formed under the Interlocal Cooperation Act or of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act may be held by telephone conference call if:

(a) The territory represented by the member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given which identifies each telephone conference location at which a member of the entity's or pool's governing body will be present;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice;

(g) The telephone conference call lasts no more than one hour; and

(h) No more than one-half of the entity's or pool's meetings in a calendar year are held by telephone conference call.

(2) Nothing in this section shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls shall not be used to circumvent any of the public government purposes established in sections 84-1408 to 84-1414 RS Neb. (Ref. 84-1411(3) RS Neb.) (Ord. No. 743, 5/15/00)

Article 6. Ordinances

§ 1-601 ORDINANCES; GRANT OF POWER.

The Governing Body shall have the responsibility of making all ordinances, by-laws, rules, regulations, and resolutions, not inconsistent with the laws of the State of Nebraska, as may be necessary and proper for maintaining the peace, good government, and welfare of the Municipality and its trade, commerce, and security. (Ref. 17-505 RS Neb.)

§ 1-602 ORDINANCES; INTRODUCTION.

Ordinances shall be introduced by members of the Governing Body in either of the following ways:

1. With the recognition of the Mayor, a Councilmember may, in the presence and hearing of a majority of the members elected to the Council read aloud the substance of his proposed ordinance and file a copy of the same with the Municipal Clerk for future consideration;

2. Or with the recognition of the Mayor, a Councilmember may present his proposed ordinance to the Clerk who in the presence and hearing of a majority of the members elected to the Council, shall read aloud the substance of the same and shall file the same for future consideration.

§ 1-603 ORDINANCES; RESOLUTIONS AND MOTIONS.

Resolutions and motions shall be introduced in one of the methods prescribed for the introduction of ordinances. After their introduction, they shall be fully and distinctly read one (1) time in the presence and hearing of a majority of the members elected to the Council. The issue raised by said resolutions or motions shall be disposed of in accordance with the usage of parliamentary law adopted for the guidance of the Council. A majority vote shall be required to pass any resolution or motion. The vote on any resolution or motion shall be by roll call vote.

§ 1-604 ORDINANCES; STYLE.

The style of all Municipal ordinances shall be:

"Be it ordained by the Mayor and Council of the City of St. Paul, Nebraska:"

(Ref. 17-613 RS Neb.)

§ 1-605 ORDINANCES; TITLE.

No ordinance shall contain a subject not clearly expressed in its title. (Ref. 17-614 RS Neb.)

§ 1-606 ORDINANCES; PASSAGE.

Ordinances, resolutions, or orders for the appropriation of money shall require for their passage the concurrence of the majority of the members of the Governing Body. Ordinances of a general or permanent nature shall be read by the title on three (3) different days. This requirement may be suspended by threefourths (3/4) vote of the Council, in such case said ordinance may be read by title or number and then moved for final passage. Three-fourths (3/4) of the Council may require any ordinance to be read in full before final passage under either process. (Ref. 17-614 RS Neb.)

§ 1-607 ORDINANCES; PUBLICATION OR POSTING.

All ordinances of a general nature shall be published one (1) time within fifteen (15) days after they are passed in some newspaper published in the Municipality, or if no paper is published in the Municipality, then by posting a written or printed copy thereof in each of three (3) public places in the Municipality. (Ref. 17-613 RS Neb.)

§ 1-608 ORDINANCES; CERTIFICATE OF PUBLICATION OR POSTING.

The passage, approval, and publication or posting of all ordinances shall be sufficiently proven by a certificate under the Seal of the Municipality from the Municipal Clerk showing that the said ordinance was passed and approved, and when, and in what paper the same was published, or when, and by whom, and where the same was posted. (Ref. 17-613 RS Neb.)

§ 1-609 ORDINANCES; EMERGENCY ORDINANCE,

In the case of riot, infectious or contagious diseases, or other impending danger, failure of a public utility, or other emergency requiring its immediate operation, such ordinance shall take effect upon the proclamation of the Mayor, and the posting thereof in at least three (3) of the most public places in the Municipality. Such emergency notice shall recite the emergency and be passed by a three-fourths (3/4) vote of the Governing Body, and entered upon the Municipal Clerk's minutes. (Ref. 17-613 RS Neb.)

§ 1-610 ORDINANCES; AMENDMENTS AND REVISIONS.

No ordinance or section thereof shall be revised or amended unless the new ordinance contains the entire ordinance or section as revised or amended, and the ordinance or section so amended shall be repealed. (Ref. 17-614 RS Neb.)

Article 7. Elections

§ 1-701 ELECTIONS; GENERALLY.

The Municipal primary and general election shall be held in accordance with the provisions of Chapter Thirty-two (32) Revised Statutes of Nebraska. Said elections shall be held in conjunction with the State Primary and General Election. Prior to February One (1) of the year in which the first (1st) such joint election takes place, the Governing Body shall receive the consent in writing of the County Board to so hold the election and such authorization shall be prescribed according to state law. The County Clerk shall have charge of the election and shall have the authority to deputize the Municipal Clerk for Municipal election purposes. Charges shall be paid to the County Clerk as set forth in Section 32-4,147 RS Neb.

Commencing with the Statewide Primary Election in 1976, and every two (2) years thereafter, those candidates for Mayor and for positions on the City Council whose terms will be expiring shall be nominated at the Statewide Primary Election and elected at the Statewide General Election. (Ref. 17-107.02(1),(2), 32-4,146, 32-4,147 RS Neb.)

§ 1-702 ELECTIONS; TERM OF OFFICE.

All elected officers of the Municipality shall serve a term of four (4) years and until their successors are elected and have qualified. (Ref. 17-107.02 (2) RS Neb.)

§ 1-703 ELECTIONS; PRIMARY ELECTION, NUMBER OF CANDIDATES FILING.

If the number of candidates properly filed for nomination at the primary election does not exceed two (2) for each vacancy to be filled, all candidates properly filed shall be considered nominated, and no primary election for their nomination shall be required. (Ref. 17-107.02(4) RS Neb.)

§ 1-704 ELECTIONS; TIE VOTES.

In the case of a tie vote of any of the candidates in either the primary or general election, the County Clerk shall notify such candidates to appear at his office on a given day and hour to determine the same by lot before the canvassing board, and the certificate of nomination or election shall be given accordingly. Notice to appear shall be given by certified mail. (Ref. 17-107.02(6) RS Neb.)

§ 1-705 ELECTIONS; GENERAL ELECTION, PREPARATION OF BALLOT.

When more than one person becomes a candidate by filing, petition, or write-in procedures for the same position in the primary, the County Clerk, in preparing the official ballot for the general election shall place thereon the names of the persons who received the greatest number of votes in the primary, but in no event shall the names on the general election ballot be more than twice the number of vacancies to be filled at the general election.

The County Clerk shall place the names of the candidates on the general election ballot in the direct order according to the number of votes received at the primary election. If no primary election was held, the name of the candidates shall be placed upon the general election ballot in the order of their filing. (Ref. 17-107.02(6) &(7) RS Neb.)

§ 1-706 ELECTIONS; JOINT, GENERAL.

The general Municipal election shall be held in accordance with the provisions of Chapter thirty-two (32), Revised Statutes of Nebraska. The Governing Body has determined, by ordinance duly adopted, to hold the Municipal Election in conjunction with the Statewide Primary Election, held on the first (1st) Tuesday after the second (2nd) Monday in May of each even numbered year. Prior to February one (1) of the year, in which the first such joint election takes place, the Governing Body shall receive the consent in writing of the County Board to so hold the election and such authorization shall be prescribed according to State law. The County Clerk shall have charge of the election and shall have the authority to deputize the Municipal Clerk for Municipal election purposes. (Ref. 32-505, 32-4,147 RS Neb.)

§ 1-707 ELECTIONS; JOINT, GENERAL, NOTICE.

The County Clerk shall publish in a newspaper designated by the County Board the notice of the election no less than forty (40) days prior to the Primary or General Election. This notice will serve the notice requirement for all Municipal Elections which are held in conjunction with the County. (Ref. 32-402.01 RS Neb.)

§ 1-708 ELECTIONS; JOINT, SPECIAL.

In lieu of submitting a matter or issue at a separate special Municipal Election, the Municipality may submit such matter or issue at a statewide General or Primary Election or at a scheduled County Election or may request the County to conduct a special election. Such matter or issue must be certified by the Municipal Clerk to the County Clerk or Election Commissioner at least fifty (50) days prior to the election. The Municipal Clerk shall be responsible for the publication or posting of any required special notice of the submission of such matter other than that required to be given of the statewide election issues.

§ 1-709 ELECTIONS; FILING FEE.

Prior to the filing of any nomination papers, there shall be paid to the Municipal Treasurer a filing fee which shall amount to one (1%) per cent of the annual salary for the office for which the candidate will file; Provided, there shall be no filing fee for any candidate filing for an office in which a per diem is paid rather than a salary, or an office for which there is a salary of less than five hundred (\$500.00) dollars per year. No nominating papers shall be filed until the proper Municipal Treasurer's receipt, showing the payment of the filing fee, shall be presented to the election officer with whom the nomination papers are to be filed. (Ref. 32-513 RS Neb.)

§ 1-710 ELECTIONS; PETITION CANDIDATE

Candidates for any Municipal office in the Municipality may be nominated by petition. Petitions shall contain signatures of registered voters totaling not less than ten (10%) per cent of the total votes received by the candidate receiving the highest number of votes in the Municipality or ward at the preceding general election in which officers were last elected to such office. They shall be accompanied by a treasurer's receipt for the filing fees for the office being sought. All petitions shall provide a space at least two and one half (2-1/2") inches long for written signatures, a space at least two (2") inches long for printed names, and sufficient space for any additional information which may be required. Lines on such petitions shall not be less than one-fourth (1/4") inch apart. Petitions may be designed in such a manner that lines for signatures and other information run the length of the page rather than the width. Petition signers and petition circulators shall conform to the requirements of Section 32-713 RS Neb. Petitions must be filed at least sixty (60) days prior to the State Primary. (Ref. 32-4,156, 32-504, 32-513, 32-535, 32-713, RS Neb.)

§ 1-711 ELECTIONS; OFFICIALS.

The Election Commissioner shall select and appoint three (3) qualified persons as judges of election and two (2) qualified persons as clerks of election for each election district in the county. They shall be persons of good repute and character, able to read and write the English language, and eligible to qualify as electors of the county in which such election is held. No person shall be appointed as judge or clerk of election who is a candidate for office at such election, except candidates for membership of school boards and delegates to a county political convention, or an employee of any political subdivision, except an employee of a utility district, or a teacher of the public school system. (Ref. 32-210 RS Neb.)

§ 1-712 ELECTIONS; OFFICIALS OATH.

Previous to any votes being received, the judges and clerks of election shall severally take an oath or affirmation according to the form authorized by State law. If there is no judge present at the opening of the polls, it shall be lawful for the judges of election to administer the oath to each other and the clerks of election. The person administering such oath shall cause an entry to be made thereof and affixed to each poll book. (Ref. 11-101.01, 32-413, 32-414 RS Neb.)

§ 1-713 ELECTIONS: VOTER QUALIFICATIONS.

Electors shall mean every person of the constitutionally prescribed age or upwards, who shall have the right to vote for all officers to be elected to public office, and upon all questions and proposals, lawfully submitted to the voters at any and all elections authorized or provided for by the Constitution or the laws of the State of Nebraska, except school elections; Provided, no person shall be qualified to vote at any election unless such person shall be a resident of the State and shall have been properly registered with the election official of the county. (Ref. 17-602, 32-102 RS Neb.)

§ 1-714 ELECTIONS; WARDS.

The Election Districts of the City of St. Paul, Nebraska shall be the North Ward (Ward 2) and the South Ward (Ward 1), and the Mayor and City Council of the City of St. Paul, Nebraska hereby determine that these wards are substantially equal in population.

WARD ONE

The South Ward of the City of St. Paul, Nebraska (Ward 1) shall include all that portion of the City of St. Paul, Nebraska lying south of Howard Avenue and all that part of St. Paul, Nebraska lying east of Second Street.

WARD TWO

The North Ward of the City of St. Paul, Nebraska (Ward 2) shall include all that portion of the City of St. Paul, Nebraska lying north of Howard Avenue except that part of the City St. Paul, Nebraska lying east of Second Street.

(Ref. 17-102 RS Neb.)(Amended by Ord. No. 632, 7/17/91)

§ 1-715 ELECTIONS; COUNCILMEMBERS.

Councilmembers shall be elected from the Municipality at large unless the residents of the Municipality have voted to elect its Councilmembers by wards. Councilmembers shall serve for a term of four (4) years and shall be a resident and qualified elector. If the election of Councilmembers takes place by wards, each nominee for Councilmember shall be a resident and qualified elector of the ward for which he is a candidate, and only residents of that ward may sign the candidate's nomination petitions. (Ref. 5-108 RS Neb.)

§ 1-716 ELECTIONS; BALLOTS.

The County Clerk shall provide printed ballots for every general Municipal election and the expense of printing and delivering the ballots and cards of instruction shall be a charge upon the Municipality. (Ref. 32-417, 32-418 RS Neb.)

§ 1-717 ELECTIONS; CERTIFICATE OF ELECTION.

After the canvass of the vote at the Municipal election, the Municipal Clerk shall prepare a certificate of election for each person whom the Canvassing Board has declared to have received the highest vote, and in the form as nearly as possible prescribed by State law, which shall be signed by the Mayor under the seal of the Municipality, and countersigned by the Municipal Clerk. The said certificate shall then be delivered to the persons so elected. (Ref. 32-4,111, 32-4,152 RS Neb.)

§ 1-718 ELECTIONS; INABILITY TO ASSUME OFFICE.

In any general election, where the person who received the highest number of votes is ineligible, disqualified, deceased, or for any other reason is unable to assume the office for which he was a candidate, and the electorate had reasonable notice of such disability at the time of the election, the candidate in such election who received the next highest number of votes shall be declared elected, and shall be entitled to the certificate of election; Provided, that any candidate so declared elected received not less than thirty-five (35%) per cent of the total number of votes cast for such office in the election. If any of the qualifications of this Section are not met by the candidate to be declared elected, or reasonable notice of the winners ineligibility is not available to the voters, a vacancy in such office shall be declared to exist at the time of commencement of the term and shall be filled as prescribed by law. (Ref. 32-537 (7) & (8) RS Neb.)

§ 1-719 ELECTIONS; RECALL PROCEDURE.

Any or all of the elected officials of the Municipality may be removed from office by the registered voters of the Municipality. Petition papers, to do such, shall be procured from and filed with the Municipal Clerk, who shall keep a sufficient number of such blank petition papers on file for distribution. An affidavit to procure such papers shall be made by one (1) or more registered voters and filed with the Municipal Clerk, stating the name and office of the officer or officers sought to be removed. The Clerk, upon issuing any petition paper, shall enter in a record, to be kept in his or her office, the name of the registered voter or voters to whom issued, the date of such issuance, and the number of papers issued and shall certify on the papers the name of the registered voter or voters to whom the papers were issued and the date they were issued.

Circulators of such petitions shall comply will all requirements of the Statutes of Nebraska. Such petition demanding that recall be submitted to the registered voters shall be signed by registered voters equal in number to at least thirty-five (35%) per cent of the total votes cast at the last General Municipal Election, except for an office where more than one (1) candidate is chosen in which case the petition shall be signed by registered voters equal in number to at least thirty-five (35%) per cent of the number of votes cast for the person receiving the most votes for such office in the last General Election. If officers are elected by ward, only registered voters of that officer's ward may sign a recall petition or vote at the recall election.

All petitions shall be filed with the Clerk for signature verification as one instrument within thirty (30) days of issuance of the original petition papers. Within ten (10) days after the filing of the petition, the Clerk shall ascertain whether or not the petition is signed by the requisite number of registered voters and shall attach to the petition a certificate showing whether any signatures need to be corrected in order to comply with the requirements of this Section and State Statutes. If the Clerk finds incorrect signatures, he or she shall promptly notify the person filing the petition that the petition may be cured at any time within ten (10) days after the giving of such notice by the filing of a supplementary petition, with the corrected signatures, on additional petition papers issued and filed as provided for the original petition. No new signatures may be added after the initial filing of the petition and no signatures may be removed unless the Clerk receives an affidavit signed by the person requesting his or her signature be removed. The Clerk shall, within five (5) days after any correction, examine the corrected petition and attach a certificate as in the case of the original petition. If the certificate shows the corrected petition to be insufficient or if no correction was made, the Clerk shall file the petition in his or her office without prejudice to the filing of a new petition for the same purpose.

If the petition or corrected petition is found to be sufficient, the Clerk shall attach to the petition a certificate showing the result of such examination and shall notify the officer whose removal is sought. If the officer does not resign within five (5) days after the notice, the Clerk shall submit, within ten (10) days after the five (5) day period has elapsed, the original petition and supplement, together with his or her certificates, to the Governing Body. Upon receipt of such petition and certificate, the Governing Body shall order an election to be held not less than thirty (30) nor more than forty-five (45) days after the five (5) day period, except that if any other election is to held in that district within ninety (90) days of the five (5) day period the Governing Body may provide for the holding of the removal election on the same day.

No recall petition shall be filed against members of the Governing Body within twelve (12) months after a recall election has failed to remove him or her from office or within six (6) months from the end of his or her term of office. (Ref. 32-1401 thru 32-1408 RS Neb.)

§ 1-720 ELECTIONS; CANDIDATE QUALIFICATIONS.

Any person seeking elected office in the Municipality shall be a registered voter prior to holding such office and in addition shall have reached the age of majority. The Mayor and members of the Council shall be residents and qualified electors of the City. They shall not hold any other public elective public office, except for officers of public power districts, public power and irrigation districts, and public utility companies. (Ref. 17-108.02, 32-4,157 RS Neb.)

§ 1-721 ELECTIONS; EXIT POLLS.

No person shall conduct any exit poll, public opinion poll, or any other interview with voters on election day seeking to determine voter preference within twenty (20') feet of the entrance of any polling place room or, if inside the polling place building, within one hundred (100') feet of any voting booth. (Ref. 32-1221 RS Neb.)

Article 8. Fiscal Management

§ 1-801 FISCAL MANAGEMENT; FISCAL YEAR.

The fiscal year of the Municipality for the purposes of taxation and appropriations, shall begin the first (1st) day in August of each year. (Ref. 17-701 RS Neb.)

§ 1-802 FISCAL MANAGEMENT; FILING BUDGET STATEMENT.

The Governing Body shall, not later than the first (1st) day of August of each year on forms prescribed and furnished by the Nebraska State Auditor, prepare in writing and file with the Municipal Clerk a proposed budget statement containing the following:

1. For the immediate two (2) prior fiscal years, the budgeted revenue and expenditures from all sources, separately stated as to each such source, and for each fund the budgeted unencumbered cash balance of such fund at the beginning of each fiscal year;
2. For the current fiscal year, the budgeted revenue and expenditures, from all sources, separately stated as to each such source, and for each fund the budgeted unencumbered cash balance of such fund at the beginning of the year. Such statement shall contain the cash reserve for each such fund for each fiscal year. Such cash reserve projections shall be based upon the actual experience of prior years. The cash reserve shall not exceed fifty (50%) per cent of the total budget adopted for such fund, exclusive of capital outlay items; and
3. For the immediate ensuing fiscal year, the budget statement should include an estimate of the non-tax revenue from each source and which fund it is to be allocated to, the actual or estimated unencumbered cash balance for each fund which will be available at the beginning of the next fiscal year, amounts proposed to be expended during the year, and the amount of cash reserve which shall not exceed fifty (50%) per cent of the total budget adopted, exclusive of capital outlay items.

The estimated expenditures plus the required cash reserve for the ensuing fiscal year less all estimated and actual unencumbered balances at the beginning of the year and less the estimated income from all sources other than taxation shall equal the amount to be received from taxes, and such amount shall be shown on the proposed budget statement filed pursuant to this Section. The amount to be raised from taxation, as determined herein, plus the estimated revenue from sources other than taxation, and the unencumbered balances shall equal the estimated expenditures plus the required cash reserve for the ensuing year. (Ref. 23-923, 23-924 RS Neb.)

§ 1-803 FISCAL MANAGEMENT; BUDGET HEARING.

Subsequent to the filing of the proposed budget statement, the Governing Body shall publish a proposed budget and conduct a public hearing on the proposed budget statement. Notice of the place and time of the said hearing, as well as a copy of the proposed budget, shall be published at least five (5) days prior to the date set for the hearing in a newspaper of general circulation in the Municipality. After such hearing, the statement shall be adopted, or amended, and adopted as amended, and a written record shall be made of such hearing. If the adopted budget statement reflects a change from that shown in the published proposed budget statement, a summary of such changes shall be published within twenty (20) days after its adoption. (Ref. 23-925 RS Neb.)

§ 1-804 FISCAL MANAGEMENT; BUDGET FILING.

The Governing Body shall file with, and certify to the levying board on, or before August twenty-fifth (25th) and file with the Nebraska State Auditor a copy of the adopted budget statement, together with the amount of the tax to be levied and proof of publication. The Governing Body shall not certify any tax that exceeds the maximum levy prescribed by State law; provided, in certifying the amount to be so

levied, allowance may be made for delinquent taxes not exceeding five (5%) per cent of the amount to be levied plus the actual percentage of delinquent taxes for the preceding tax year. (Ref. 23-927 RS Neb.)

§ 1-805 FISCAL MANAGEMENT; BUDGET PROCEDURE.

The Manual of Instructions for City/Village: Budgets, prepared by the Auditor of Public Accounts, State Capitol, Lincoln, Nebraska 68509 is incorporated by reference for the purpose of proper budget preparation.

§ 1-806 FISCAL MANAGEMENT; APPROPRIATIONS.

The Governing Body shall, on or before August 15th, pass an ordinance to be termed The Annual Appropriation Bill, in which are appropriated such sums of money as may be deemed necessary to defray all necessary expenses and liabilities of the Municipality, not exceeding in the aggregate the amount of tax authorized to be levied. The said ordinance shall specify the objects and purposes for which such appropriations are to be made, and the amount appropriated for each purpose. Any balance unexpended and unobligated at the end of the fiscal year shall, unless reappropriated, lapse into the general fund. (Ref. 17-706 RS Neb.)

§ 1-807 FISCAL MANAGEMENT; ALL PURPOSE LEVY.

The Governing Body has determined that the amount of money to be raised by taxation shall be certified to the County Clerk in the form of one all purpose levy instead of certifying a schedule of levies for specific purposes added together. Said all purpose levy shall not exceed an annual levy of one dollar and five cents (\$1.05) on each one hundred (\$100.00) dollars upon the actual valuation of all taxable property in the Municipality, except intangible property. (Ref. 19-1309 RS Neb.)

§ 1-808 FISCAL MANAGEMENT; EXTRAORDINARY LEVY.

Otherwise authorized extraordinary levies to service and pay bonded indebtedness of the Municipality and to pay judgments obtained against the Municipality may be made in addition to the all purpose levy. (Ref. 19-1309 RS Neb.)

§ 1-809 FISCAL MANAGEMENT; INADEQUATE VALUATION.

If the valuation of the Municipality has been reduced so that the maximum levy permitted by Section 1-807 is inadequate to produce the necessary revenue, said maximum levy may be exceeded upon presentation to the Governing Body of petitions signed by a majority of the registered voters of the Municipality requesting such action and specifying the extent to, and the period of time, not to exceed five (5) years, in which such maximum may be exceeded. No signature may be withdrawn after the petitions have been filed with the Governing Body. The Governing Body shall cause such petitions, accompanied by the certificate of the County Clerk that he has examined the petitions and that they have been signed by a majority of the registered voters of the Municipality, to be filed with the County Board in which the Municipality is located. After such filing, the Governing Body may exceed the maximum mill levy to the extent and for the period of time specified in the petitions. (Ref. 19-1309 RS Neb.)

§ 1-810 FISCAL MANAGEMENT; ALL PURPOSE LEVY, ALLOCATION.

The Governing Body shall allocate the amount raised by the all purpose levy to the several departments of the Municipality in its annual budget and appropriation ordinance, or in other legal manner, as the Governing Body shall deem best. (Ref. 19-1310 RS Neb.)

§ 1-811 FISCAL MANAGEMENT; ALL PURPOSE LEVY, ABANDONMENT.

The Municipality shall be bound by its election of the all purpose levy during the ensuing fiscal year, but may abandon such method in succeeding fiscal years. (Ref. 19-1311 RS Neb.)

§ 1-812 FISCAL MANAGEMENT; GENERAL PROPERTY TAX.

The Governing Body shall cause to be certified to the County Clerk the amount of tax to be levied upon the assessed value of all the taxable property of the Municipality for the requirements of the adopted budget for the ensuing year, including all special assessments and taxes. The maximum

amount of tax which may be certified and assessed shall not require a tax levy in excess of the legal maximum as prescribed by State law. (Ref. 17-702 RS Neb.)

§ 1-813 FISCAL MANAGEMENT; EXPENDITURES.

No Municipal official shall have the power to appropriate, issue, or draw any order or warrant on the Municipal Treasury for money, unless the same has been appropriated or ordered by ordinance. No expenditure for any improvement to be paid for out of the general fund of the Municipality shall exceed in any one (1) year the amount provided for that improvement in the adopted budget statement. (Ref. 17-708 RS Neb.)

§ 1-814 FISCAL MANAGEMENT; CONTRACT.

The Governing Body shall before making any contract in excess of ten thousand (\$10,000.00) dollars as estimated by the Municipal Engineer, for general improvements, such as water extensions, sewers, public heating system, bridges, or work on streets, or any other work or improvement where the cost of such improvement shall be assessed to the property, advertise for bids, unless such contract shall be entered into for the benefit of the Municipal Electric Utility. A Municipal Electric Utility may enter into a contract for any such work or improvement or for the purchase of such equipment without advertising for bids if the: (a) Price is ten thousand (\$10,000.00) dollars or less; (b) price is twenty thousand (\$20,000.00) dollars or less and the Municipal Electric Utility has a gross annual revenues from retail sales in excess of one million (\$1,000,000.00) dollars; (c) price is thirty thousand (\$30,000.00) dollars or less and the Municipal Electric Utility has gross annual revenues from retail sales in excess of five million (\$5,000,000.00) dollars; or (d) price is forty thousand (\$40,000.00) dollars or less and the Municipal Electric Utility has gross annual revenues from retail sales in excess of ten million (\$10,000,000.00) dollars. In advertising for bids for any such work, or for the purchase of such equipment, the Governing Body may cause the amount of such estimate to be published therewith.

Such advertisement shall be published once each week for three (3) consecutive weeks in a legal newspaper published in or of general circulation in the Municipality, or by posting a written or printed copy thereof in each of three (3) public places in the Municipality; provided, that in case of a public emergency resulting from infectious or contagious diseases, destructive windstorms, floods, snow, an exigency or pressing necessity or unforeseen need calling for immediate action or remedy to prevent a serious loss of, or serious injury or damage to life, health, or property, or war, estimates of costs and advertising for bids may be waived in the emergency ordinance when adopted by a three-fourths (3/4) vote of the Governing Body.

If, after advertising for bids as provided in this section, the Governing Body receives fewer than two (2) bids on a contract for services, material, or labor, or if the bids received by the Governing Body contain a price which exceeds the estimated cost of the project, the Governing Body shall have the authority to negotiate a contract for services, material, or labor in an attempt to complete the proposed project at a cost commensurate with the estimate given.

If the materials are of such a nature that, in the opinion of the manufacturer and with the concurrence of the Governing Body, or Board of Public Works, no cost can be estimated until the materials have been manufactured or assembled to the specific qualifications of the purchasing Municipality, the Governing Body or Board of Public Works, may authorize the manufacture and assemblage of such materials and may thereafter approve the estimated cost expenditure when it is provided by the manufacturer.

The Municipal bidding procedure shall be waived when materials or equipment are purchased at the same price and from the same seller as materials or equipment which have formerly been obtained pursuant to the State bidding procedure. (Ref. 17-568.01, 17-613 RS Neb.)

§ 1-815 FISCAL MANAGEMENT; ANNUAL AUDIT; FINANCIAL STATEMENTS.

The Governing Body shall cause an audit of the Municipal accounts to be made by a qualified accountant as expeditiously as possible following the close of the fiscal year. Such audit shall be made on a cash or accrual method at the discretion of the Governing Body. The said audit shall be

completed, and the annual audit report made not later than six (6) months after the close of the fiscal year. The accountant making the audit shall submit not less than three (3) copies of the audit report to the Governing Body. All public utilities or other enterprises which substantially generate their own revenue shall be audited separately, except in Villages having a population of less than eight hundred (800), and the results of such audits shall appear separately in the annual audit report, and such audits shall be on an accrual basis and shall contain statements and materials which conform to generally accepted accounting principles. The audit report shall set forth the financial position and results of financial operations for each fund or group of accounts of the Municipality as well as an opinion by the accountant with respect to the financial statements. Two (2) copies of the annual audit report shall be filed with the Municipal Clerk, and shall become a part of the public records of the Municipal Clerk's office, and will at all times thereafter, be open for public inspection. One (1) copy shall be filed with the Auditor of Public Accounts; provided, that all Villages may file an unaudited statement of cash receipts and disbursements annually in lieu of an annual audit. Such unaudited statement shall be filed with the Auditor of Public Accounts in a form prescribed by him. The unaudited statement of cash receipts and disbursements shall become a part of the public records of the Municipal Clerk and shall at all times thereafter be open and subject to public inspection. Every Governing Body that is required herein to submit to an audit of its accounts shall provide and file with the Municipal Clerk, not later than August 1 of each year, financial statements showing its actual and budgeted figures for the most recently completed fiscal year. (*Ref. 19-2901 thru 19-2909, 23-934 RS Neb.*)

§ 1-816 FISCAL MANAGEMENT; CLAIMS.

All claims against the Municipality shall be presented to the Governing Body in writing with a full account of the items, and no claim or demand shall be audited or allowed unless presented as provided for in this Section. No costs shall be recovered against the Municipality in any action brought against it for an unliquidated claim which has not been presented to the Governing Body to be audited, nor upon claims allowed in part, unless the recovery shall be for a greater sum than the amount allowed, with the interest due. No order, or warrant shall be drawn in excess of eighty-five (85%) per cent of the current levy for the purpose for which it is drawn unless there shall be sufficient money in the Municipal Treasury for the appropriate fund against which it is to be drawn; provided, that in the event there exists obligated funds from the Federal and/or State government for the general purpose of such warrant, then such warrant may be drawn in excess of eighty-five (85%) per cent, but not more than one hundred (100%) per cent of the current levy for the purpose for which said warrant is drawn. (*Ref. 17-714, 17-715 RS Neb.*)

§ 1-817 FISCAL MANAGEMENT; WARRANTS.

All warrants drawn upon the Municipal Treasury must be signed by the Mayor and countersigned by the Municipal Clerk, stating the particular fund to which the warrant is chargeable, the person to whom it is payable, and the purpose of the expenditure. No money shall be otherwise paid than upon warrants so drawn. Each warrant shall specify the amount included in the adopted budget statement for the fund upon which it is drawn, and the amount already expended of such fund. (*Ref. 17-711 RS Neb.*)

§ 1-818 FISCAL MANAGEMENT; SPECIAL ASSESSMENT FUND.

All money received on special tax assessments shall be held by the Municipal Treasurer as a special fund to be applied to the payment of the improvement for which the assessment was made, and such money shall be used for no other purpose unless to reimburse the Municipality for money expended for any such improvement. (*Ref. 17-710 RS Neb.*)

§ 1-819 FISCAL MANAGEMENT; SINKING FUNDS.

The Governing Body, subject to the limitations set forth herein, shall have the power to levy a tax not to exceed that prescribed by State law upon the assessed value of all taxable property within the Municipality for a term not to exceed that prescribed by State law in addition to the amount of tax which may be annually levied for the purposes of the adopted budget statement of the Municipality, for the purpose of establishing a sinking fund for the construction, purchase, improvement, extension, or repair of the approved uses as authorized by State law. To initiate the said sinking fund, the Governing

Body shall declare its purpose by resolution to submit to the qualified electors of the Municipality the proposition to provide the improvement at the next general Municipal election. The resolution shall set forth the improvement, the estimated cost, the amount of the annual levy, the number of years required to provide the required revenue, the name of the sinking fund proposed, and the proposition as it will appear on the ballot. Notice of the said proposition shall be published in its entirety three (3) times on successive weeks before the day of the election in a legal newspaper of general circulation in the Municipality. The sinking fund may be established after the election if a majority, or more of the legal votes were in favor of the establishment of the fund. The Governing Body may then proceed to establish the said fund in conformity with the provisions of the proposition, and applicable State law. The funds received by the Municipal Treasurer shall, as they accumulate, be immediately invested with the written approval of the Governing Body in the manner provided by State law. No sinking fund so established shall be used for any purpose or purposes contrary to the purpose as it appeared on the ballot unless the Governing Body is authorized to do so by sixty (60%) per cent of the qualified electors of the Municipality voting at a general election

favoring such a change in the use of the sinking fund. (Ref. 19-1301 through 19-1304, 77-2337, 77-2339 RS Neb.)

§ 1-820 FISCAL MANAGEMENT; DEPOSIT OFFUNDS.

The Governing Body, at its first (1st) meeting in each fiscal year, shall designate one (1) or more banks of approved and responsible standing in which the Municipal Treasurer shall keep at all times all money held by him; provided, if more than one (1) bank in the Municipality meets the requirements for approved banks as herein defined, the said funds shall be deposited in each of them, and the Municipal Treasurer shall not give a preference to any one (1) or more of them in the money he shall deposit. A bond shall be required from all banks so selected in a penal sum which equals the maximum amount on deposit at any time less the amount insured by the Federal Deposit Insurance Corporation or a pledge of sufficient assets of the bank to secure the payment of all such deposits. (Ref. 17-607, 77-2362 through 77-2364 RS Neb.)

§ 1-821 FISCAL MANAGEMENT; INVESTMENT OF FUNDS.

The Governing Body may, by resolution, direct and authorize the Municipal Treasurer to invest surplus funds in the outstanding bonds or registered warrants of the Municipality, and other approved bonds and obligations as provided by law. The interest on such bonds or warrants shall be credited to the fund out of which the said bonds or warrants were purchased. (Ref. 17-608, 17-609, 21-1316.01, 77-2341 RS Neb.)

§ 1-822 FISCAL MANAGEMENT; BOND ISSUES.

The Governing Body may, after meeting all the requirements of State law, issue bonds, fund bonds, and retire bonds for such purposes as may be permitted by State law. The Governing Body shall have the authority to levy special assessments for the payment of interest and principal on such bonds, and may spread the payments up to the maximum number of years permitted by State law. (Ref. 10-201 through 10-411, 10-601 through 10-614, 12-1001, 17-529.01, 17-529.08, 17-534, 17-905, 17-908, 17-911, 17-939, 17-958, 17-968, 18-1801 through 18-1805, 23-343.13, 39-836 RS Neb.)

§ 1-823 FISCAL MANAGEMENT; SALES AND USE TAX.

(1) The voters of the City of St. Paul, Nebraska at an election conducted on May 9, 2000 approved the imposition of a sales and use tax of one percent (1%) and therefore the City of St. Paul, Nebraska, through its Governing Body, and pursuant to the provision of Nebraska statutes, shall impose a sales and use tax of one percent (1%) upon the same transactions within the City of St. Paul on which the State of Nebraska is authorized to impose a tax, for a fifteen (15) year period ending September 30, 2015 to fund the Economic Development Program (to receive \$100,000.00 each year) and further the City of St. Paul, Nebraska shall increase its budgeted restricted funds for fiscal year 2000-2001 by approximately \$150,000.00 which is a twenty-two percent (22%) increase over the current year's restricted funds according to the 1999-2000 adopted budget with the balance of any remaining sales and use tax funds to be used for all lawful municipal purposes, including, but not limited to community improvement projects.

(2) The administration of all sales and use taxes adopted shall be conducted according to Nebraska law and statutes as may be from time to time amended and further by such rules and regulations as set forth by the Nebraska Tax Commissioner who will prescribe forms and adopt and promulgate the rules and regulations in conformity with the act for the making of returns and for the ascertainment, assessment, and collection of taxes imposed in the City. The City of St. Paul Nebraska shall furnish a certified copy of the adopting ordinance to the Tax Commissioner in accordance with such rules and regulations as are adopted and the effective date of this section for purposes of collection of the tax shall be the first day of the next calendar quarter following receipt by the Tax Commissioner of the certified copy of the ordinance if the certified copy of the adopted ordinance is received sixty (60) days prior to the start of the next calendar quarter.

(3) The City of St. Paul shall not appropriate from funds derived directly from local sources of revenue for all approved economic development programs, in each year during which such programs are in existence, an amount in excess of four-tenths of one percent of the taxable valuation of the City in the year in which the funds are collected and further the City shall not appropriate from funds derived directly from local sources of revenue an amount for an economic development program in excess of the total amount approved by the voters at the election held on May 9, 2000 in which the imposition of this tax was submitted and approved.

(4) The restrictions on the appropriation of funds from local sources of revenue as set out above shall apply only to the appropriation of funds derived directly from local sources of revenue. Sales tax collections in excess of the amount which may be appropriated as a result of the restrictions set out in such subsections shall be deposited in the City's economic development fund and invested as provided in section 18-2718 RS Neb. Any funds in the City's economic development fund not otherwise restricted from appropriation by reason on the City's ordinance governing the economic development program or provisions of Nebraska law may be appropriated and spent for the purposes of the economic development program in any amount and at any time at the discretion of the Governing Body of the City subject only to section 18-2716 RS Neb.

(5) The restrictions on the appropriation of funds from local sources of revenue shall not apply to the reappropriation of funds which were appropriated but not expended during previous fiscal years.

(6) The administration of the sales and use tax imposed by this section, the making of returns for the ascertainment and assessment, the provisions for tax claims and remedies, the laws governing consummation of sales, penalties and collection, and for the disposition and distribution of the taxes so imposed and collected shall be as provided by Nebraska Law and Statutes as may be from time to time amended and in accordance with the rules and regulations of the Nebraska Tax Commissioner. (Ord. No. 754, 6/19/00)

Article 9. Compensation

§ 1-901 COMPENSATION; MUNICIPAL OFFICIALS.

The Compensation of any elective official of the Municipality shall not be increased or diminished during the term for which he shall have been elected except when there has been a merger of offices; provided, the compensation of the members of the Governing Body, a board, or commission may be increased or diminished at the beginning of the full term of any member whether or not the terms of one or more members commence and end at different times. No elected official may be rehired at a greater salary if he resigns and desires to be rehired during the unexpired term of office. He may be rehired after the term of office during which he resigned at a greater salary. All salaries shall be set by ordinance of the Governing Body and will be available for public inspection at the office of the Municipal Clerk. (Ref. 17-108.02, 17-612 RS Neb.)

§ 1-902 COMPENSATION; CONFLICT OF INTEREST.

For purposes of this Section officer shall mean (a) any member of any Board or Commission of the Municipality, (b) any Appointed Official if such Municipal Official (i) serves on a Board or Commission which spends and administers its own funds and (ii) is dealing with a contract made by such Board or

Commission, or (c) any elected Municipal Official. Unless specified otherwise, volunteer firefighters and ambulance drivers shall not be considered officers for purposes of this Section, with respect to their duties as firefighters and ambulance drivers.

No officer of the Municipality shall be permitted to benefit from any contract to which the Municipality is a party. The existence of such an interest in any contract renders the contract voidable by decree of a court of competent jurisdiction as to any person who entered into the contract or took assignment thereof with actual knowledge of the prohibited conflict. An action to have a contract declared void under this Section may be brought by the Municipality or by any resident thereof and must be brought within one (1) year after the contract is signed or assigned. Any such decree may provide for the reimbursement of any person for the reasonable value of all money, goods, material, labor, or services furnished under the contract, to the extent that the Municipality has benefited thereby. The prohibition in this Section shall apply only when the officer or his or her parent, spouse, or child (a) has an ownership interest of five (5%) per cent or more in any business involved in the contract or (b) will receive a direct pecuniary fee or commission as a result of the contract; provided however, if such officer (a) is an employee of the business involved in the contract and (b) has no ownership interest or will not receive a pecuniary fee such officer shall not be deemed to have an interest within the meaning of this Section.

The provisions of this Section shall not apply if the interested officer:

- A. Makes a declaration on the record to the Governmental Body responsible for approving the contract regarding the nature and extent of his or her interest, prior to official consideration of the contract;
- B. Does not vote on the matter of granting the contract, except that if the number of members of the Board declaring an interest in the contract would prevent the Board, with all members present, from securing a quorum on the issue, then all members may vote on the matter; and
- C. Does not act for the Municipality as to inspection or performance under the contract in which he or she has an interest.

The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of any Municipality by a financial institution shall not be considered a contract under the provisions of this Section. The ownership of less than five (5%) per cent of the outstanding shares of a corporation shall not constitute an interest within the meaning of this Section. Notwithstanding the provisions of subsections A thru C above, if an officer's parent, spouse or child is an employee of the Municipality, the officer may vote on all issues of the contract which are generally

applicable to all employees or all employees within a classification and do not single out his or her parent, spouse, or child for special action. If an officer has the power to employ personnel and he or she hires his or her parent, spouse, or child, such officer shall disclose the hiring pursuant to subsections 1 thru 5 below, except that if the parent, spouse, or child is already employed in the position at the time the officer takes office and such position does not change, no disclosure need be made. Notwithstanding any other provision of this Section, any contract entered into with an interested officer shall be subject to applicable competitive bidding requirements and shall be fair and reasonable to the Municipality.

The Municipal Clerk shall maintain, separately from other records, a ledger containing the information listed in subsections 1 thru 5 of this Section about every contract entered into by the Municipality in which an officer has an interest as specified above for which disclosure is made as provided in subsections A thru C above. Such information shall be kept in the ledger for five (5) years from the date of the officer's last day in office and shall include the:

1. Names of the contracting parties;
2. Nature of the interest of the officer in question;

3. Date that the contract was approved by the Municipality involved;
4. Amount of the contract; and
5. Basic terms of the contract.

The information supplied relative to the contract shall be provided to the Clerk not later than ten (10) days after the contract has been signed by both parties. The ledger kept by the Clerk shall be available for public inspection during the normal working hours of the office in which it is kept.

An open account established for the benefit of any Municipality or entity thereof, with a business in which an officer has an interest, shall be deemed a contract subject to the provisions of this Section. The statement required to be filed pursuant to this Section shall be filed within ten (10) days after such account is opened. Thereafter, the Clerk shall maintain a running account of all amounts purchased on the open account. Purchases made from petty cash or a petty cash fund shall not be subject to the provisions of this Section.

Any officer who knowingly violates the provisions of Sections 18-301.01 thru 18-301.03 RS Neb., shall be guilty of a Class III misdemeanor. Any officer who negligently violates Sections 18-301.01 thru 18-301.03 RS Neb. shall be guilty of a Class V misdemeanor.

The Municipality may enact ordinances exempting from the provisions of this Section, contracts involving one hundred (\$100.00) dollars or less in which an officer of such Municipality may have an interest.

No officer, including volunteer firefighters and ambulance drivers, shall receive any pay or perquisites from the Municipality other than his or her salary. The Governing Body shall not pay or appropriate any money or other valuable thing to pay a person who is not an officer for the performance of any act, service, or duty, which shall come within the proper scope of the duties of any officer of the Municipality.

(Ref. 17-611, 18-301.01 thru 18-301.03, 18-305 thru 18-312, 70-624.04 RS Neb.)

§ 1-903 COMPENSATION; ELECTED OFFICERS AND OFFICIALS.

The following elected and appointed officers and officials of the City of St. Paul shall receive compensation as follows:

- a) Mayor \$3,600.00 annually
- b) Council Members \$2,400.00 annually
- c) City Treasurer \$2,400.00 annually

(Ord. No. 595, 12/1/86) (Amended by Ord. Nos. 625, 12/3/90; 726, 11/16/98; 1017, 12/7/20; 1036, 12/5/22)

Article 10. Intergovernmental Risk Management

§ 1-1001 INTERGOVERNMENTAL RISK MANAGEMENT; AUTHORITY.

The Governing Body and any one or more public agencies, as defined in Section 44-4303 RS Neb., may make and execute an agreement providing for joint and cooperative action in accordance with Sections 44-4301 through 44-4339 RS Neb., to form, become members of, and operate a risk management pool for the purpose of providing to members risk management services and insurance coverages in the form of group self-insurance or standard insurance, including any combination of group self-insurance and standard insurance, to protect members against losses arising from any of the following:

1. General liability;

2. Damage, destruction, or loss of real or personal property, including but not limited to, loss of use or occupancy, and loss of income or extra expense resulting from loss of use or occupancy;
3. Errors and omissions liability; and
4. Workers' compensation liability.

(Ref. 44-4301 thru 44-4339 RS Neb.)(Ord. No. 599, 9/8/87)

Article 11. Penal Provision

§ 1-1101 VIOLATION; PENALTY.

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than one hundred (\$100.00) dollars for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.

FROM : NEBRASKA MUNICIPAL POWER POOL

The following invoices will be paid with an automatic deposit to your account

Vendor CITY OF ST PAUL (1733) Date 03/01/24

Invoice	Date	Description	Discount	Amount
4AR2024	03/01/24	SAINT PAUL ERDF GRANT	\$0.00	\$1,405.78

The amount of \$1,405.78 will be credited to HOMESTEAD BANK Acct XXXXX0027

ACH Reference Number - 002870 Reference Date - 03/01/24

(ERDF)

Grant

Energy Research + Development
Fund

Electrical Grants
Engineer Fees:
Middle Loop Subd.



NMPP MEAN NPGA ACE

CITY OF ST. PAUL
704 6TH AVE
ST PAUL, NE 68873

January 15, 2024

As part of the Nebraska Municipal Power Pool (NMPP) modernization initiative, NMPP is pleased to provide a grant to your community from NMPP's Energy Research and Development Fund (ERDF). The grant is to be used for a local project that increases the awareness and practices of energy conservation, local research or development project, local energy conservation project, or other local innovative energy project. Your community is best suited to determine how to utilize the grant in accordance with these guidelines and no reporting back to NMPP is required. The amount of the ERDF grant for your community/utility is noted below.

SAINT PAUL

ERDF Grant Amount: \$1,405.78

To accept the grant, provide the following information to Jamie Smith, Accounting Specialist via email at accountspayable@nmppenergy.org by February 19, 2024:

- Confirm your preferred payment method.
 - ACH.** Complete the attached ACH enrollment form OR (check here) to confirm your community has previously enrolled in ACH. Payments via ACH will be processed in regular batches as requests are received.
 - Check.** To receive payment via check _____ (check here). Payments via check will be processed in one batch in mid-March.
- Provide the following community information that NMPP will need when NMPP files Form 990, *Return of Organization Exempt From Income Tax*.
 - Address: 704 6th Street St. Paul, Nebraska 68873
 - EIN: 47-6006345

Please reach out to Jamie Johnson, Director of Finance and Accounting, at #402-473-8245 or jjohnson@nmppenergy.org with any questions.


Mike Feeken, Mayor St. Paul, NE
(308)754-4483
2-16-24



Immediate Action Required!!

VENDOR ACH ENROLLMENT FORM

NMPP **MEAN** **NPGA** **ACE**

As part of NMPP Energy's commitment to **Go Green** in the processing of transactions, NMPP Energy is phasing out payments via check.

To help alleviate paper transactions. All vendors not already doing so, must:

- Submit invoices electronically via email. Email to accountspayable@nmppenergy.org
- Receive all payments electronically via ACH.

Payment via ACH (direct deposit)

As part of this program, payment detail (invoice number, invoice date, invoice amount, etc.) will be sent electronically to the email address that you provide. To enroll in this program and receive your payments electronically, email the following information to: accountspayable@nmppenergy.org

Company Name City of St. Paul, Nebraska	
Street Address 704 6th Street	
City, State, Zip St. Paul, Nebraska 68873	
Email Address (required to receive payment detail) cjbeck@cityofstpaulne.org	
Bank Name Homestead Bank, St. Paul	
Bank Address PO Box 355	
City, State, Zip St. Paul, NE 68873	
ABA Routing Number (9 digit number) 104902376	
Account Number 300-100027	

Questions should be directed to Jamie Smith, Accounts Payable Specialist, via email at accountspayable@nmppenergy.org or call #402-473-8227.

Whenever a supplier changes their payment information, NMPP Energy will reach out to known contacts to confirm the change.

Please note that MEAN/NMPP will only deposit funds into your account via ACH related to amounts owed by MEAN/NMPP. In the event that funds are owed to MEAN/NMPP, we will not debit your account via ACH. Our accounting staff will reach out to you for settlement of any amounts to MEAN/NMPP.

If you have any questions, please contact me.

Jamie Johnson
Director of Finance & Accounting
Email: jjohnson@nmppenergy.org Phone: (402) 473-8245


 _____ **2-16-24**
Mike Feeken, Mayor St. Paul, NE
(308)754-4483



Energy Research & Development Fund

Funding available for innovative energy projects...

NMPP's Energy Research & Development Fund (ERDF) is a member-driven program that funds innovative energy projects through voluntary member contributions for the benefit of all program participants.

How the program works

All NMPP members are eligible to join the ERDF program simply by making a voluntary contribution at the time of payment of NMPP annual dues. The requested voluntary contribution is based on community population, but any donation is welcome.

Program participants may apply for funding for any innovative energy project. A nine-member managing committee of NMPP member representatives selects projects to be funded.

Once the project is complete, the results/data is shared with all ERDF program participants so knowledge can be shared and others may learn best practice methods.

Recent ERDF Projects

Through the years of the program, a variety of projects have been funded. Detailed reports on any projects are available to program participants upon request. Some of the recent projects include:

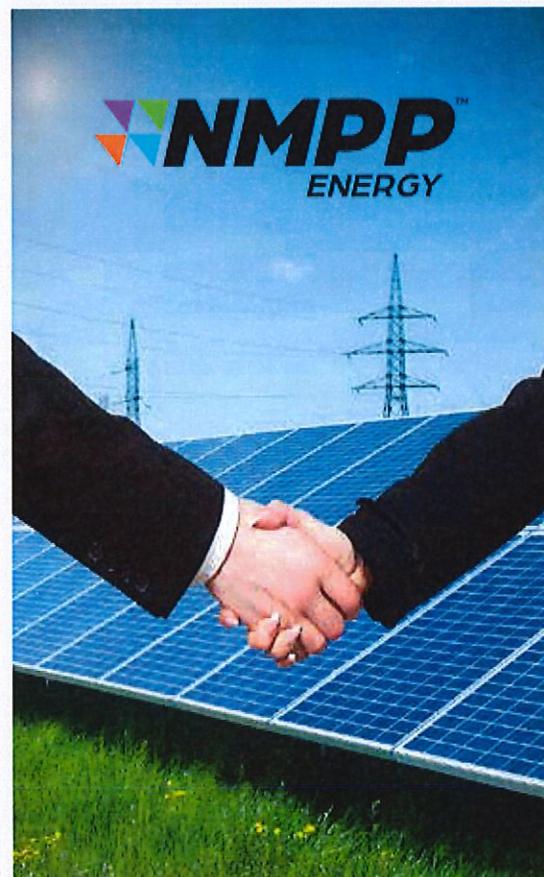
- Community Solar Research and Development (Waverly, Iowa)
- Electric Distribution System Losses Analysis (Aspen, Colo.)
- LED Lighting Project (Gunnison, Colo.)
- Hosted Advanced Metering Infrastructure System (Superior, Neb.)
- Green Energy Structure Learning Center (West Point, Neb.)

ERDF Program Participants

There are more than 90 communities from Colorado, Kansas, Iowa, Nebraska and Wyoming participating in the ERDF Program.

For Questions and Program Application

Mandy Hansen,
Supervisor of Member Services
(800) 234-2595
ahansen@nmppenergy.org



LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 79

Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33;
McDonnell, 5; Murman, 38.

Read first time January 05, 2023

Committee: Revenue

1 A BILL FOR AN ACT relating to revenue and taxation; to amend sections
2 13-319, 13-501, 13-2813, 18-2147, 77-27,148, 77-3507, and 85-2231,
3 Reissue Revised Statutes of Nebraska, and sections 77-201, 77-2004,
4 77-2005, 77-2006, 77-2701, 77-3506, 77-3508, 77-6406, 77-6827, and
5 79-1001, Revised Statutes Cumulative Supplement, 2022; to adopt the
6 Nebraska EPIC Option Consumption Tax Act; to terminate the Nebraska
7 Budget Act, tax-increment financing, the property tax, the
8 inheritance tax, sales and use taxes, the income tax, the homestead
9 exemption, the Tax Equity and Educational Opportunities Support Act,
10 and the Community College Aid Act as prescribed; to change an
11 application deadline under the Imagine Nebraska Act; and to repeal
12 the original sections.
13 Be it enacted by the people of the State of Nebraska,

1 Section 1. Sections 1 to 54 of this act shall be known and may be
2 cited as the Nebraska EPIC Option Consumption Tax Act, where the acronym
3 EPIC stands for the elimination of property, income, and corporate taxes.

4 Sec. 2. For purposes of the Nebraska EPIC Option Consumption Tax
5 Act:

6 (1) Affiliated firms means two or more firms that are affiliated
7 with each other. A firm is affiliated with another if one firm owns fifty
8 percent or more of:

9 (a) The voting shares in a corporation; or

10 (b) The capital interests of a business firm that is not a
11 corporation;

12 (2) Consumption tax means the tax imposed pursuant to the Nebraska
13 EPIC Option Consumption Tax Act;

14 (3) Designated commercial private courier service means a firm
15 designated as such by the Tax Commissioner, upon application by the firm,
16 if the firm:

17 (a) Provides its services to the general public; and

18 (b) Records electronically to its database kept in the regular
19 course of its business the date on which an item was given to such firm
20 for delivery;

21 (4) Education and training means tuition for primary, secondary, or
22 postsecondary level education and job-related training courses. Such term
23 does not include room, board, sports activities, recreational activities,
24 hobbies, games, arts or crafts, or cultural activities;

25 (5) Groceries means food items purchased for personal human
26 consumption;

27 (6) Gross payments means payments for taxable property or services,
28 including taxes imposed in the Nebraska EPIC Option Consumption Tax Act;

29 (7)(a) Intangible property includes copyrights, trademarks, patents,
30 goodwill, financial instruments, securities, commercial paper, debts,
31 notes and bonds, and other property deemed intangible by common law.

1 (b) Intangible property does not include tangible personal property
2 or rents or leaseholds of any term thereon, real property or rents or
3 leaseholds of any term thereon, or computer software;

4 (8) Person means any individual, association, estate, trust,
5 partnership, corporation, or other entity of any kind;

6 (9)(a) Produce, provide, render, or sell taxable property or
7 services shall have the following meaning: A taxable property or service
8 is something used to produce, provide, render, or sell a taxable property
9 or service if such property or service is purchased by a person engaged
10 in a trade or business for the purpose of employing or using such taxable
11 property or service in the production, provision, rendering, or sale of
12 other taxable property or services in the ordinary course of that trade
13 or business.

14 (b) Taxable property or services used in a trade or business for the
15 purposes of research, experimentation, testing, and development shall be
16 treated as used to produce, provide, render, or sell taxable property or
17 services.

18 (c) Taxable property or services purchased by an insurer on behalf
19 of an insured shall be treated as used to produce, provide, render, or
20 sell taxable property or services if the premium for the insurance
21 contract giving rise to the insurer's obligation was subject to tax
22 pursuant to section 27 of this act.

23 (d) Education and training shall be treated as services used to
24 produce, provide, render, or sell taxable property or services;

25 (10) Registered seller means a person registered pursuant to section
26 11 of this act;

27 (11) Responsible officers and partners means:

28 (a) In the case of a corporation, any officer who is the president,
29 the chief executive officer, a vice-president, the secretary, the
30 treasurer, or the chief financial officer or who serves a similar
31 function for the corporation;

1 (b) In the case of a partnership, any partner other than limited
2 partners; or

3 (c) In the case of a limited liability company, any officer serving
4 the function of a corporate president or chief executive officer,
5 treasurer or chief financial officer, or secretary and any member
6 actively engaged in the management of the company;

7 (12) Tax Commissioner means the Tax Commissioner of the State of
8 Nebraska;

9 (13) Tax inclusive fair market value means the fair market value of
10 taxable property or services plus the tax imposed by the Nebraska EPIC
11 Option Consumption Tax Act;

12 (14) Taxable employer includes:

13 (a) Any household employing domestic servants; and

14 (b) Any government except for government enterprises as defined in
15 section 25 of this act;

16 (15)(a) Taxable property or service means:

17 (i) Any property, including leaseholds of any term or rents with
18 respect to such property, but excluding:

19 (A) Intangible property; and

20 (B) Used property; and

21 (ii) Any service, including any financial intermediation services as
22 defined in section 27 of this act.

23 (b) For purposes of subdivision (15)(a) of this section, the term
24 service:

25 (i) Shall include any service performed by an employee for which the
26 employee is paid wages or a salary by a taxable employer; and

27 (ii) Shall not include any service performed by an employee for
28 which the employee is paid wages or a salary:

29 (A) By an employer in the regular course of the employer's trade or
30 business;

31 (B) By an employer that is a not-for-profit organization as defined

1 in section 26 of this act;

2 (C) By an employer that is a government enterprise as defined in
3 section 25 of this act; or

4 (D) By taxable employers to employees directly providing education
5 and training;

6 (16) Used property means:

7 (a) Property on which the tax imposed by the Nebraska EPIC Option
8 Consumption Tax Act has already been collected and for which no credit
9 has been allowed;

10 (b) Property that was held other than for a business purpose in a
11 trade or business, as defined in subdivision (2)(b) of section 8 of this
12 act, on December 31, 2025;

13 (c) Property that a business has been using but intends to dispose
14 of; or

15 (d) Property owned by a private citizen prior to January 1, 2026;
16 and

17 (17) Wage or salary means all compensation paid for employment
18 service, including cash compensation, employee benefits, disability
19 insurance, wage replacement insurance payments, unemployment compensation
20 insurance, workers' compensation insurance, and the fair market value of
21 any other consideration paid by an employer to an employee in
22 consideration for employment services rendered.

23 Sec. 3. (1) The state income tax imposed pursuant to the Nebraska
24 Revenue Act of 1967 is hereby repealed effective at the end of the day on
25 December 31, 2025. The Department of Revenue may collect taxes due from
26 2025 during calendar year 2026, but income earned in 2026 shall not be
27 subject to the income tax.

28 (2) The state sales and use tax imposed pursuant to the Nebraska
29 Revenue Act of 1967 and all local sales and use taxes imposed pursuant to
30 the Local Option Revenue Act, the Qualified Judgment Payment Act, and
31 sections 13-319 and 13-2813 are hereby repealed effective at the end of

1 the day on December 31, 2025. The Department of Revenue may collect sales
2 and use taxes due from 2025 during calendar year 2026, but no sales and
3 use taxes shall be imposed on purchases of goods and services beginning
4 January 1, 2026.

5 Sec. 4. The property tax imposed pursuant to Chapter 77 is hereby
6 repealed effective at the end of the day on December 31, 2025. Property
7 taxes due from 2025 may be collected during calendar year 2026, but no
8 property taxes shall be imposed on real or personal property beginning
9 January 1, 2026.

10 Sec. 5. The inheritance tax imposed pursuant to sections 77-2001 to
11 77-2040 is hereby repealed effective at the end of the day on December
12 31, 2025. Inheritance taxes due from 2025 may be collected during
13 calendar year 2026, but no inheritance taxes shall be imposed on a
14 deceased person's estate beginning January 1, 2026.

15 Sec. 6. This section establishes the Nebraska Taxpayer's Bill of
16 Rights, which shall apply beginning January 1, 2026, and shall include
17 the following:

18 (1) The citizens of Nebraska are entitled to a fair and just tax
19 system, one which favors neither the poor nor the rich, neither rural
20 dwellers nor urban dwellers, neither business owners nor laborers, and
21 that is no respecter of race, religion, creed, or sex;

22 (2) The State of Nebraska shall never impose a tax on the income of
23 its citizens, whether such income tax be of a personal nature or of a
24 corporate nature;

25 (3) The State of Nebraska shall never impose a tax on the property
26 already owned by its citizens, regardless of whether such property is
27 real or personal, tangible or intangible;

28 (4) The State of Nebraska shall never impose a tax on the estate of
29 a deceased person or the inheritance of the heirs of a deceased person;

30 (5) Because the consumption tax manifests a security against
31 government excess, it shall be preferred above all other tax systems in

1 the State of Nebraska;

2 (6) The Department of Revenue shall be subject to the citizens of
3 the State of Nebraska by readily correcting errors of taxation and
4 granting temporary relief to registered sellers suffering hardship due to
5 the burden of paying taxes;

6 (7) No service or new good shall ever be subjected to more than one
7 kind of tax by the State of Nebraska or any political subdivision
8 thereof;

9 (8) The State of Nebraska and any political subdivision thereof
10 shall be strictly prohibited from imposing a tax on groceries purchased
11 for off-premises consumption;

12 (9) The State of Nebraska and any political subdivision thereof
13 shall be strictly prohibited from imposing a tax on services or materials
14 used to manufacture products, including agricultural products, for sale
15 to the general public or to enhance services for sale to the general
16 public; and

17 (10) The State of Nebraska shall live within its revenue means in
18 the same way that a citizen lives within his or her revenue means.

19 Sec. 7. (1) Beginning January 1, 2026, there is hereby imposed a
20 tax on the use or consumption in the State of Nebraska of taxable
21 property or services.

22 (2) The rate of the consumption tax shall be seven and one-half
23 percent until changed by the Legislature.

24 (3) The person purchasing taxable property or services in the State
25 of Nebraska shall be liable for the tax.

26 (4) Except as otherwise provided in this section, the tax shall be
27 collected by the registered seller. The tax shall constitute a part of
28 the purchase price and until collected shall be a debt from the purchaser
29 to the registered seller. The tax required to be collected by the
30 registered seller from the purchaser constitutes a debt owed by the
31 registered seller to the State of Nebraska.

1 (5) The registered seller shall, at the time of making the sale,
2 collect any tax which may be due from the purchaser and shall give to the
3 purchaser, upon request, a receipt therefor in the manner and form
4 prescribed by the Nebraska EPIC Option Consumption Tax Act.

5 (6) In order to prevent evasion of the consumption tax, it shall be
6 presumed that all gross payments from sales by registered sellers are
7 subject to the tax until the contrary is established. The burden of
8 proving that a sale is not a taxable sale is upon the registered seller
9 who makes the sale unless he or she takes and records from the purchaser
10 a tax-exempt certificate identification number.

11 (7) The Tax Commissioner, in order to enforce and facilitate the
12 proper administration of the consumption tax, may designate such person
13 or persons as he or she may deem necessary to be tax collectors and
14 delegate to such persons such authority as is necessary to collect any
15 such tax which is due and payable to the State of Nebraska. The Tax
16 Commissioner may require of all persons so designated a surety bond in
17 favor of the State of Nebraska to insure against any misappropriation of
18 state funds so collected. The Tax Commissioner may require any tax
19 official, city, county, or state, to collect the tax on behalf of the
20 state. All persons designated to or required to collect the tax shall
21 account for such collections in the manner prescribed by the Tax
22 Commissioner. Nothing in this subsection shall be so construed as to
23 prevent the Tax Commissioner or his or her employees from collecting any
24 taxes due and payable to the State of Nebraska.

25 (8) In the sale of new automobiles, trucks, trailers, semitrailers,
26 and truck-tractors as defined in the Motor Vehicle Registration Act, the
27 consumption tax shall be paid to the county treasurer of the county where
28 the transaction took place. In the rental or lease of automobiles,
29 trucks, trailers, semitrailers, and truck-tractors as defined in the
30 Motor Vehicle Registration Act, the consumption tax shall be collected by
31 the lessor on the rental or lease price.

1 (9) In the case of taxable property or services purchased outside of
2 the State of Nebraska and brought into the State of Nebraska for use or
3 consumption in the State of Nebraska, the purchaser shall remit the
4 consumption tax on a form prescribed by the Tax Commissioner. Such form
5 shall be made available on the Department of Revenue's website. The tax
6 shall be due the month following the purchase date of the taxable
7 property or services.

8 (10) In the case of wages or salary paid by a taxable employer which
9 are taxable services, the employer shall remit the consumption tax in the
10 month following the date that the wages were paid.

11 (11) Property or services purchased for a business purpose in a
12 trade or business or for sale outside of the State of Nebraska and sold
13 untaxed that are subsequently converted to personal use in the State of
14 Nebraska shall be deemed purchased at the time of conversion and shall be
15 subject to the consumption tax at the fair market value of the converted
16 property as of the date of conversion. The tax shall be due as if the
17 property had been sold at the fair market value during the month of
18 conversion. The person using or consuming the converted property is
19 liable for and shall remit the tax on a form prescribed by the Tax
20 Commissioner.

21 (12) If gross payment for taxable property or services is made in
22 other than money, then the person responsible for collecting and
23 remitting the tax shall remit the tax in money as if gross payment had
24 been made in money at the tax inclusive fair market value of the taxable
25 property or services purchased. This subsection shall not apply if the
26 tax inclusive fair market value of the property or services being
27 exchanged is less than twenty-five dollars.

28 (13) Real estate shall be taxed in the following way:

29 (a) The building and sale of a new structure, such as a dwelling, a
30 barn, a warehouse, or other building, shall be subject to the consumption
31 tax;

1 (b) The building and sale of an addition to a structure, such as a
2 dwelling, a barn, a warehouse, or other building, shall be subject to the
3 consumption tax;

4 (c) The remodeling and sale of an already existing structure, such
5 as a dwelling, a barn, a warehouse, or other building, shall be subject
6 to the consumption tax;

7 (d) The sale of an already existing structure, such as a dwelling, a
8 barn, a warehouse, or other building, by any agent other than the seller
9 or purchaser of the real property shall be considered a taxable service
10 subject to the consumption tax in the following way:

11 (i) Any commission or fee imposed by an agent representing the
12 seller of the real property shall be subject to the consumption tax; and

13 (ii) Any commission or fee imposed by an agent representing the
14 purchaser of the real property shall be subject to the consumption tax;
15 and

16 (e) Land shall not be subject to the consumption tax.

17 (14) Medical and dental services shall be taxed in the following
18 way:

19 (a) Whenever the person receiving the medical or dental services is
20 covered by a medical insurance policy or dental insurance policy, no
21 consumption tax shall be imposed because the premiums paid to the
22 insurance provider by the insured person for such policy are already
23 subject to an excise tax as described in subdivision (1)(d) of section 8
24 of this act;

25 (b) Whenever the person receiving the medical or dental services is
26 not covered by a medical insurance policy or dental insurance policy, the
27 tax shall be imposed upon the fair market value of the services provided
28 to the person receiving such services and shall be collected and remitted
29 by the office, hospital, or clinic which administered such services; and

30 (c) If the person receiving the medical or dental services is under
31 eighteen years of age, the parent or legal guardian of such person shall

1 be the responsible party liable to pay the tax. If the person receiving
2 the medical or dental services is a ward of the state, the state agency
3 charged with the care of such person shall be the responsible party
4 liable to pay the tax.

5 Sec. 8. (1) No consumption tax shall be imposed on any taxable
6 property or service that is subject to an excise tax in this state. For
7 purposes of this subsection, excise tax means and includes:

8 (a) The tax on motor fuels under section 66-489;

9 (b) The tax on cigarettes under section 77-2602;

10 (c) The taxes on alcohol-related products under sections 53-160,
11 53-160.04, and 53-162;

12 (d) The tax on insurance premiums under section 77-908;

13 (e) The nameplate capacity tax under section 77-6203;

14 (f) Motor vehicle registration fees under the Motor Vehicle
15 Registration Act;

16 (g) The aircraft fuel tax under section 3-148;

17 (h) The documentary stamp tax under section 76-901;

18 (i) The petroleum release remedial action fee under section 66-1521;

19 (j) The state and county lodging taxes under the Nebraska Visitors
20 Development Act;

21 (k) The oil and gas severance tax under section 57-702;

22 (l) The corporate occupation tax under section 21-303;

23 (m) The oil and gas conservation charge under section 57-919;

24 (n) The uranium severance tax under section 57-1202; and

25 (o) All other fees imposed by government entities, including, but
26 not limited to, campsite rental fees, marriage license fees, and court
27 filing fees.

28 (2)(a) No consumption tax shall be imposed on any taxable property
29 or service purchased for a business purpose in a trade or business.

30 (b) For purposes of this section, the term purchased for a business
31 purpose in a trade or business means purchased by a person engaged in a

1 trade or business and used in that trade or business;

2 (i) For resale;

3 (ii) To produce, provide, render, or sell taxable property or
4 services; or

5 (iii) In furtherance of other bona fide business purposes.

6 (3)(a) No consumption tax shall be imposed on any taxable property
7 or service purchased for an investment purpose and held exclusively for
8 an investment purpose.

9 (b) For purposes of this section, the term purchased for an
10 investment purpose means purchased exclusively for purposes of
11 appreciation or the production of income.

12 (4) No consumption tax shall be imposed on any taxable property or
13 service used for educational purposes.

14 (5)(a) No consumption tax shall be imposed on used property.

15 (b) Any person selling only used goods at a garage sale, yard sale,
16 rummage sale, flea market, or farmers market shall not be held liable for
17 collecting and remitting the consumption tax.

18 (c) Any person owning or operating a thrift store or second-hand
19 store selling only used goods to the general public shall not be held
20 liable for collecting and remitting the consumption tax.

21 (d) Any person owning or operating a used-car lot where only used
22 cars are sold to the general public shall not be held liable for
23 collecting and remitting the consumption tax.

24 (e) Any person owning or operating a used-book store where only used
25 books are sold to the general public shall not be held liable for
26 collecting and remitting the consumption tax.

27 (f) Any person owning or operating any other kind of store or market
28 where only used items are sold to the general public shall not be held
29 liable for collecting and remitting the consumption tax.

30 (6) No consumption tax shall be imposed on groceries purchased for
31 off-premises consumption.

1 (7)(a) Any person engaging in a trade or business, including farms
2 and ranches, may apply for a tax-exempt certificate from the Tax
3 Commissioner to be used when such person makes purchases for a business
4 purpose in a trade or business as defined in subdivision (2)(b) of this
5 section.

6 (b) Such tax-exempt certificate shall contain a consumption tax
7 identification number that is unique to the person applying for the
8 certificate.

9 (c) The Tax Commissioner shall adopt and promulgate rules and
10 regulations for applying for a tax-exempt certificate by September 1,
11 2025.

12 (d) By no later than October 1, 2025, the Tax Commissioner shall
13 create an application for a tax-exempt certificate and shall make such
14 application available in electronic form on the website of the Department
15 of Revenue and in paper form at designated offices of the Department of
16 Revenue as determined by the Tax Commissioner. The Tax Commissioner shall
17 also mail a paper application form through the United States Postal
18 Service whenever a written request for such form is received by the Tax
19 Commissioner and such request contains the name of a business operating
20 in Nebraska or the name of a person who is a legal resident of Nebraska
21 and a legal address in the United States of America.

22 (e) When property or services are purchased for a business purpose
23 in a trade or business as defined in subdivision (2)(b) of this section,
24 the purchaser may present his or her tax-exempt certificate to the
25 registered seller who shall record the identification number on the
26 certificate and refrain from imposing the consumption tax.

27 (f) The registered seller shall keep a record of the tax-exempt
28 transaction along with the identification number on the tax-exempt
29 certificate for a period of at least three years following the date of
30 the transaction. A record of the purchaser's identification number on the
31 tax-exempt certificate shall normally constitute sufficient evidence to

1 absolve the registered seller of any illicit wrongdoing or fraud when the
2 transaction was made. The burden of proof shall lie with the purchaser to
3 demonstrate that the tax-exempt transaction was a lawful transaction.

4 (g) The Tax Commissioner may issue a tax-exempt certificate in the
5 form of a card with microchip technology to protect the identification
6 number of the tax-exempt certificate from public view. The Tax
7 Commissioner may adopt and promulgate rules and regulations for using
8 such card with registered sellers.

9 Sec. 9. (1) The consumption tax imposed under the Nebraska EPIC
10 Option Consumption Tax Act is a destination principle tax. This section
11 shall govern for purposes of determining whether the destination of
12 taxable property and services is within or outside of the State of
13 Nebraska.

14 (2) The destination of tangible personal property shall be the state
15 or territory in which the property was first delivered to the purchaser,
16 including agents and authorized representatives.

17 (3) The destination of real property, or rents or leaseholds on real
18 property, shall be the state or territory in which the real property is
19 located.

20 (4) The destination of any other taxable property, including
21 intangible property, shall be the residence of the purchaser.

22 (5)(a) Unless provided otherwise in this section, the destination of
23 services shall be the state or territory in which the use or consumption
24 of the services occurred. Allocation of service invoices relating to more
25 than one jurisdiction shall be on the basis of time or another method
26 determined by rule and regulation of the Tax Commissioner.

27 (b) The destination of telecommunications services shall be the
28 residence of the purchaser. Telecommunications services include
29 telephone, including cell phone, beeper, radio, cable television,
30 satellite, and computer online or network services.

31 (c) For transportation services where both the origin and the final

1 destination are within the State of Nebraska, the destination of the
2 transportation services shall be the State of Nebraska. For
3 transportation services where the final destination is outside the State
4 of Nebraska but the origin of the trip is inside the State of Nebraska,
5 the service amount shall be deemed one hundred percent attributable to
6 the State of Nebraska. For transportation services that originate outside
7 the State of Nebraska but the final destination is inside the State of
8 Nebraska, the service amount shall be deemed zero percent attributable to
9 the State of Nebraska.

10 (d) The destination of electrical services shall be the residence of
11 the purchaser.

12 (e) The destination of financial intermediation services as defined
13 in section 27 of this act shall be the location where the transaction
14 originated.

15 (f)(i) Except as provided in subdivision (5)(f)(ii) of this section,
16 the destination of rents paid for the lease of tangible property and
17 leaseholds on such property shall be where the property is located while
18 in use.

19 (ii) The destination of rental and lease payments on land vehicles,
20 aircraft, and watercraft shall be:

21 (A) In the case of rentals and leases of a term of one month or
22 less, the location where the land vehicle, aircraft, or watercraft was
23 originally delivered to the renter or lessee; and

24 (B) In the case of rentals and leases of a term greater than one
25 month, the residence of the renter or lessee.

26 Sec. 10. (1) Except as otherwise provided in this section, on or
27 before the fifteenth day of each month, each registered seller or person
28 who is liable to collect and remit the consumption tax or who is liable
29 to pay any consumption tax which is not collected shall submit to the Tax
30 Commissioner, on a form prescribed by the Tax Commissioner, a report
31 relating to the previous calendar month along with the consumption taxes

1 due for such month in the proper manner and form prescribed by the Tax
2 Commissioner. The content of such report shall include:

- 3 (a) The gross payments received for the month;
- 4 (b) The tax collected in connection with such payments;
- 5 (c) The amount and type of any credit claimed; and
- 6 (d) Any other information reasonably required by the Tax
7 Commissioner for the administration, collection, and remittance of the
8 consumption tax.

9 (2) The Tax Commissioner may adopt and promulgate rules and
10 regulations granting to registered sellers whose yearly tax liability is
11 less than three thousand dollars the privilege of remitting consumption
12 taxes on a quarterly basis, and those whose yearly tax liability is less
13 than nine hundred dollars the privilege of remitting consumption taxes on
14 an annual basis.

15 (3) A registered seller shall deduct and withhold, from the
16 consumption taxes otherwise due from him or her, twenty-five hundredths
17 of one percent of the consumption taxes collected in order to reimburse
18 himself or herself for the cost of collecting the tax.

19 (4)(a) On application, an extension of thirty days to file the
20 report and to remit the tax due under subsection (1) of this section
21 shall be automatically granted if the application is made on or before
22 the due date on a form prescribed by the Tax Commissioner.

23 (b) On application, an extension of sixty days to file the report
24 and to remit the tax due under subsection (1) of this section may be
25 granted by the Tax Commissioner if reasonable cause for the delay is
26 presented in writing to the Tax Commissioner on a form prescribed by the
27 Tax Commissioner. The sixty-day extension shall be liberally granted.

28 (c) No extensions beyond sixty days shall be granted by the Tax
29 Commissioner.

30 (5) A registered seller may remit the taxes due in electronic form
31 or by check, credit card, draft, money order, or other payment approved

1 by the Tax Commissioner. Post-dated checks and postage stamps shall not
2 be sent as payment. Cash may be used when payment is made in person at a
3 designated office of the Department of Revenue as determined by the Tax
4 Commissioner.

5 (6)(a) For purposes of this subsection:

6 (i) Large seller means any seller that has collected more than one
7 hundred thousand dollars of consumption taxes in the previous twelve
8 months; and

9 (ii) Week means the seven-day period ending on a Saturday.

10 (b) A large seller shall remit to the Tax Commissioner the entire
11 balance of consumption taxes due on the first Monday or first business
12 day following the end of each week. The Tax Commissioner may by rule and
13 regulation require the electronic transfer of funds due from large
14 sellers to the Tax Commissioner.

15 (c) A large seller is required to provide security in an amount
16 equal to the greater of one hundred thousand dollars or one and one-half
17 times the seller's average monthly tax liability during the previous six
18 calendar months. Security may be a cash bond, a bond from a surety
19 company approved by the Tax Commissioner, a certificate of deposit, or a
20 state or United States treasury bond. A bond qualifying under this
21 subdivision must be a continuing instrument for each calendar year or
22 portion thereof that the bond is in effect. The bond must remain in
23 effect until the surety or sureties are released and discharged. Failure
24 to provide security in accordance with this subdivision shall result in
25 revocation of the large seller's registration. Upon receipt of an
26 application on a form prescribed by the Tax Commissioner, a large seller
27 may, at the discretion of the Tax Commissioner, be allowed to operate
28 without complying with this subdivision for a period not to exceed six
29 months. If a person has provided security pursuant to this subdivision,
30 the security or part of the security may be forfeited in favor of the Tax
31 Commissioner to the extent of the consumption tax due plus any interest

1 if:

2 (i) The large seller fails to pay an amount indicated in a final
3 notice of an amount due within thirty days of the notice;

4 (ii) Either the time for filing an appeal has passed or the appeal
5 has been denied; and

6 (iii) The amount due is not being litigated in any judicial forum.

7 (7) The report required under this section shall be deemed properly
8 filed with the Tax Commissioner when:

9 (a) The report is deposited into the United States mail, postage
10 paid, properly addressed to the Department of Revenue, and bearing a
11 postmark on or before the due date as determined by this section;

12 (b) The report is delivered in person and accepted at a designated
13 office of the Department of Revenue on or before the due date as
14 determined by this section;

15 (c) The report is provided to a designated commercial private
16 courier service for delivery within two days to the designated office of
17 the Department of Revenue and the receipt bears a date on or before the
18 due date as determined by this section; or

19 (d) The report is delivered by other means permitted by the Tax
20 Commissioner on or before the due date as determined by this section.

21 (8) The Tax Commissioner shall establish a system under which a
22 violation of the Nebraska EPIC Option Consumption Tax Act can be brought
23 to the attention of the Tax Commissioner for investigation through the
24 use of a hotline or toll-free telephone number, through online reporting,
25 or otherwise.

26 (9) The Tax Commissioner is hereby authorized to develop and
27 maintain a program of awards in which individuals may be recognized and
28 rewarded in a manner deemed appropriate by the Tax Commissioner for
29 discovering, reporting, and prosecuting tax fraud.

30 Sec. 11. (1) Any person liable to collect and remit consumption
31 taxes as provided in the Nebraska EPIC Option Consumption Tax Act shall

1 register with the Tax Commissioner, including:

2 (a) Any person who is engaged in a trade or business; and

3 (b) Any person located outside this state who is engaged in sales of
4 taxable property or services into this state, including retail sales,
5 remote or internet sales, and the provision of financial intermediation
6 services.

7 (2) Affiliated firms shall be treated as one person for purposes of
8 this section. Affiliated firms may elect, upon giving notice to the Tax
9 Commissioner in a manner prescribed by the Tax Commissioner, to treat
10 separate firms as separate persons.

11 (3) Every person registered pursuant to subsection (1) of this
12 section shall designate a tax matters person who shall be an individual
13 whom the Tax Commissioner may contact regarding tax matters. Each person
14 registered must provide notice of a change in the identity of the tax
15 matters person within thirty days of such change.

16 (4) Any person who is required to register and who fails to do so is
17 prohibited from selling taxable property or services. The Tax
18 Commissioner may bring an action seeking a temporary restraining order,
19 an injunction, or such other order as may be deemed appropriate to
20 enforce this section.

21 (5) The Tax Commissioner may adopt and promulgate rules and
22 regulations for the issuing of certificates to persons required to
23 register under this section.

24 Sec. 12. (1) Registered sellers and other persons shall report
25 transactions using the cash method of accounting unless an election to
26 use the accrual method of accounting is made pursuant to subsection (2)
27 of this section.

28 (2) A person may elect with respect to a calendar year to remit
29 taxes and report transactions with respect to the month in which the sale
30 was invoiced and accrued.

31 Sec. 13. (1) Any person who is required to register under section

1 11 of this act but fails to do so prior to notification by the Tax
2 Commissioner shall be liable for a civil penalty of five hundred dollars.

3 (2)(a) Any person who is required to and who recklessly or willfully
4 fails to collect taxes imposed by the Nebraska EPIC Option Consumption
5 Tax Act has committed an act of fraud and shall be liable for a civil
6 penalty equal to the greater of five hundred dollars or twenty percent of
7 the tax not collected.

8 (b) Any person who is required to and who willfully fails as part of
9 a trade or business to collect taxes imposed by the act shall be guilty
10 of a Class IV felony.

11 (3)(a) Any person who recklessly or willfully asserts an invalid
12 exemption from the consumption tax has committed an act of fraud and
13 shall be liable for a civil penalty equal to the greater of five hundred
14 dollars or twenty percent of the tax not collected.

15 (b) Any person who willfully asserts an invalid exemption from the
16 consumption tax shall be guilty of a Class IV felony.

17 (4)(a) Any person who is required to and who recklessly or willfully
18 fails to remit consumption taxes collected from purchasers has committed
19 an act of fraud and shall be liable for a civil penalty equal to the
20 greater of one thousand dollars or thirty percent of the taxes not
21 remitted.

22 (b) Any person who willfully fails to remit consumption taxes
23 collected from purchasers shall be guilty of a Class IV felony.

24 (5) Any person who is required to and who recklessly or willfully
25 fails to pay consumption taxes shall be liable for a civil penalty equal
26 to the greater of five hundred dollars or one hundred percent of the tax
27 not paid.

28 (6)(a) In the case of a failure by any person who is required to and
29 who fails to file a report required under section 10 of this act on or
30 before the due date for such report, such person shall pay a penalty for
31 each month or fraction thereof that such report is late equal to the

1 greater of fifty dollars or one-half of one percent of the gross payments
2 required to be shown on the report.

3 (b) The amount of the penalty under subdivision (6)(a) of this
4 section shall be doubled with respect to any report filed after a written
5 inquiry regarding such report is received by the taxpayer from the Tax
6 Commissioner.

7 (c) No penalty shall be imposed under this subsection with respect
8 to any failure to submit a report if it can be shown that such failure
9 was due to reasonable cause.

10 (d) In addition to penalties not imposed by reason of subdivision
11 (6)(c) of this section, the Tax Commissioner shall, upon application or
12 appeal, waive the penalty imposed pursuant to this subsection once per
13 registered person per twenty-four-month period. This waiver shall not
14 apply to any decision of a court.

15 (7)(a) Any person who recklessly or willfully uses a tax-exempt
16 certificate to purchase items for personal use, as a gift to another
17 person, or for resale to another person has committed an act of fraud and
18 shall be liable for a civil penalty equal to the greater of five hundred
19 dollars or one hundred percent of the tax not collected.

20 (b) Any person who willfully uses a tax-exempt certificate to
21 purchase items for personal use, as a gift to another person, or for
22 resale to another person shall be guilty of a Class IV felony.

23 (8) Any person who recklessly or willfully accepts a false tax-
24 exempt certificate shall pay a civil penalty equal to twenty percent of
25 the tax not collected by reason of such acceptance.

26 (9) Any person who is required to timely remit consumption taxes and
27 who remits such taxes more than one month after the taxes are due shall
28 pay a civil penalty equal to one percent of the amount due per month or
29 fraction thereof from the due date. The penalty imposed by this
30 subsection shall never exceed twenty-four percent.

31 (10) In addition to other penalty reductions allowed under this

1 section, any person who is required to pay a civil penalty under the
2 Nebraska EPIC Option Consumption Tax Act may have such penalty reduced to
3 one-half the amount owed, at the discretion of the Tax Commissioner, when
4 it can be shown that the lack of payment was due to hardship or
5 reasonable cause.

6 (11) If any check or money order in payment of any amount due under
7 the Nebraska EPIC Option Consumption Tax Act is not duly paid, in
8 addition to other penalties provided by law, the person who tendered such
9 check or money order shall pay a civil penalty equal to the greater of:

10 (a) Twenty-five dollars; or

11 (b) Two percent of the amount of the check or money order.

12 (12) The tax matters person designated pursuant to section 11 of
13 this act and responsible officers or partners of a firm shall be jointly
14 and severally liable for the consumption tax and any penalties imposed
15 under the act.

16 (13) If more than one person is liable with respect to any tax or
17 penalty imposed under the act, each person who paid such tax or penalty
18 shall be entitled to recover from other persons who are liable for such
19 tax or penalty an amount equal to the excess of the amount paid by such
20 person over such person's proportionate share of the tax or penalty in
21 accordance with rules and regulations adopted and promulgated by the Tax
22 Commissioner. Such rules and regulations may take culpability into
23 account when allocating liability for the tax or penalty among
24 responsible officers or partners.

25 (14) The fact that a civil penalty has been imposed shall not
26 prevent the imposition of a criminal fine.

27 (15) The fact that a criminal fine has been imposed shall not
28 prevent the imposition of a civil penalty.

29 Sec. 14. In all disputes concerning consumption taxes, the person
30 engaged in a dispute with the Tax Commissioner shall have the burden of
31 production of documents and records but the Tax Commissioner shall have

1 the burden of persuasion. In all disputes concerning an exemption claimed
2 by the purchaser, if the seller has on file a tax-exempt certificate from
3 the purchaser and did not have reasonable cause to believe that the
4 certificate was improperly provided by the purchaser with respect to such
5 purchase, then the burden of production of documents and records relating
6 to such exemption shall rest with the purchaser and not with the seller.

7 Sec. 15. (1) Persons are subject to administrative summons by the
8 Tax Commissioner for documents, records, and testimony required by the
9 Tax Commissioner to accurately determine liability for the consumption
10 tax. A summons shall be served by the Tax Commissioner by an attested
11 copy delivered in hand to the person to whom it is directed or left at
12 his or her last-known address. The summons shall describe with reasonable
13 certainty what is sought.

14 (2) The Tax Commissioner has the authority to conduct at a
15 reasonable time and place assessments, examinations, and audits of
16 persons who are or may be liable to collect and remit the consumption tax
17 and to examine the books, papers, documents, records, software, and other
18 data of such persons which may be relevant or material to the
19 determination of tax due.

20 (3) No administrative summons may be issued by the Tax Commissioner
21 and no action may be commenced to enforce an administrative summons with
22 respect to any person if a referral to the Attorney General's office is
23 in effect with respect to such person relating to a tax imposed by the
24 Nebraska EPIC Option Consumption Tax Act. Such referral is in effect with
25 respect to any person if the Tax Commissioner has recommended to the
26 Attorney General's office a grand jury investigation of such person or a
27 criminal prosecution of such person that contemplates criminal sanctions
28 under the act. A referral shall be terminated when:

29 (a) The Attorney General's office notifies the Tax Commissioner that
30 the Attorney General will not:

31 (i) Prosecute such person for any offense connected with the tax

1 laws;

2 (ii) Authorize a grand jury investigation of such person with
3 respect to such offense; or

4 (iii) Continue such a grand jury investigation; or

5 (b) A final disposition has been made of any criminal proceeding
6 connected with tax laws against such person.

7 Sec. 16. Any person liable to remit consumption taxes shall keep
8 records in paper or electronic form that are sufficient to determine the
9 amounts reported, collected, and remitted for a period of three years
10 after the later of the filing of the report for which the records formed
11 the basis or the date when the report was due to be filed. Such records
12 shall include documentation for all sales that were exempt under
13 subsection (2) of section 8 of this act, including the purchasers' tax-
14 exempt certificates and tax identification numbers and the net of tax
15 amounts of purchase. Any purchaser who purchased taxable property or
16 services but did not pay tax by reason of asserting such an exemption
17 shall keep records sufficient to determine whether such exemption was
18 valid for a period of three years after the purchase of taxable property
19 or services.

20 Sec. 17. (1) For each purchase of taxable property or services for
21 which a consumption tax is imposed, the registered seller shall provide
22 the purchaser with a receipt for each transaction that includes:

23 (a) The property or service;

24 (b) The sales price of such property or service exclusive of tax;

25 (c) The amount of consumption tax paid;

26 (d) The property or service price inclusive of the consumption tax;

27 (e) The consumption tax rate;

28 (f) The date that the property or service was purchased;

29 (g) The name of the registered seller, retailer, or vendor;

30 (h) The address of the registered seller, retailer, or vendor; and

31 (i) The registered seller's consumption tax registration number;

1 (2) The tax imposed by the Nebraska EPIC Option Consumption Tax Act
2 shall apply to all vending machines. For purposes of this subsection,
3 vending machines are machines that dispense taxable property or services
4 in exchange for coins or currency. Vending machines shall not be required
5 to dispense the receipt described in subsection (1) of this section.

6 (3) The requirements of subsection (1) of this section shall not
7 apply in the case of financial intermediation services as defined in
8 section 27 of this act.

9 Sec. 18. (1) The proceeds of the taxes paid pursuant to the
10 Nebraska EPIC Option Consumption Tax Act shall be collected by the
11 Department of Revenue and remitted to the State Treasurer for credit to
12 the General Fund.

13 (2) The State Treasurer shall be responsible for disbursing the
14 revenue in accordance with the state's budget and any other outstanding
15 liabilities.

16 Sec. 19. (1) The Tax Commissioner may seize property, garnish wages
17 or salary, and file liens to collect amounts due under the Nebraska EPIC
18 Option Consumption Tax Act pursuant to enforcement of:

19 (a) A judgment duly rendered by a court of law;

20 (b) An amount due if the taxpayer has failed to exercise his or her
21 appeal rights under the act; or

22 (c) An amount due if the appeal process determined that an amount
23 remained due and the taxpayer has failed to timely petition a court for
24 relief.

25 (2) Subject to such reasonable rules and regulations as the Tax
26 Commissioner may adopt and promulgate, any lien imposed with respect to a
27 consumption tax shall be released not later than thirty days after:

28 (a) The liability was satisfied or became unenforceable; or

29 (b) A bond was accepted as security.

30 Sec. 20. Decisions of the Tax Commissioner under the Nebraska EPIC
31 Option Consumption Tax Act may be appealed, and the appeal shall be in

1 accordance with the Administrative Procedure Act.

2 Sec. 21. In all disputes concerning consumption taxes, the person
3 engaged in a dispute with the Tax Commissioner may be entitled to
4 reasonable attorney's fees, accountancy fees, and other reasonable
5 professional fees incurred in direct relation to the dispute unless the
6 Tax Commissioner establishes that his or her position was substantially
7 justified.

8 Sec. 22. No addition to tax shall be made under section 13 of this
9 act with respect to a period during which a case is pending under Title
10 11 of the United States Code:

11 (1) If such tax was incurred by the estate and the failure occurred
12 pursuant to an order of the court finding probable insufficiency of funds
13 of the estate to pay administrative expenses; or

14 (2) If (a) such tax was incurred by the debtor before the earlier of
15 the order for relief or, in the involuntary case, the appointment of a
16 trustee and (b) the petition was filed before the due date prescribed by
17 law, including extensions, for filing a return of such tax, or the date
18 for making the addition to tax occurs on or after the date the petition
19 was filed.

20 Sec. 23. (1) Any person selling one or more chances is a gaming
21 sponsor and shall register, in a form prescribed by the Tax Commissioner,
22 with the Tax Commissioner as a gaming sponsor, except that a not-for-
23 profit organization as defined in section 26 of this act that has gross
24 receipts from the sale of chances of less than five thousand dollars
25 during any calendar year shall not be required to register.

26 (2) For purposes of this section, the term chance means a lottery
27 ticket, a raffle ticket, chips, other tokens, a bet placed, a wager
28 placed, or any similar device where the purchase of the right gives rise
29 to an obligation by the gaming sponsor to pay upon the occurrence of:

30 (a) A random or unpredictable event; or

31 (b) An event over which neither the gaming sponsor nor the person

1 purchasing the chance has control over the outcome.

2 (3) The taxable gaming services of a gaming sponsor shall be subject
3 to the consumption tax. For purposes of this section, taxable gaming
4 services means the gross receipts of the gaming sponsor from the sale of
5 chances.

6 (4) The consumption tax shall be collected and remitted by the
7 gaming sponsor. The tax shall be remitted by the fifteenth day of each
8 month with respect to taxable gaming services during the previous
9 calendar month.

10 Sec. 24. (1) Purchases of taxable property or services by the
11 federal government shall be subject to the consumption tax.

12 (2) Purchases of taxable property or services by state governments,
13 including the State of Nebraska, and any political subdivisions shall be
14 subject to the consumption tax.

15 Sec. 25. (1) Nothing in the Nebraska EPIC Option Consumption Tax
16 Act shall be construed to exempt any federal, state, or local
17 governmental unit or political subdivision operating a government
18 enterprise from collecting and remitting the consumption tax on any sale
19 of taxable property or services. Government enterprises shall comply with
20 all duties imposed by the act and shall be liable for penalties and
21 subject to enforcement actions in the same manner as private persons that
22 are not government enterprises.

23 (2) For purposes of this section, government enterprise means any
24 entity owned or operated by a federal, state, or local governmental unit
25 or political subdivision that receives gross payments from private
26 persons, except that a government-owned entity shall not be considered a
27 government enterprise for purposes of this section unless in any calendar
28 month it has revenue from selling taxable property or services exceeding
29 one thousand dollars.

30 (3) Government enterprises shall not be subject to tax on purchases
31 that would not be subject to tax if the government enterprise were a

1 private enterprise, except that government enterprises may not use such
2 exemption to serve as a conduit for tax-free purchases by government
3 units that would otherwise be subject to taxation on purchases pursuant
4 to section 24 of this act. Transfers of taxable property or services
5 purchased exempt from tax from a government enterprise to such government
6 unit shall be taxable.

7 (4) Any government enterprise must maintain books of account,
8 separate from the nonenterprise government accounts, maintained in
9 accordance with generally acceptable accounting principles.

10 (5) A government enterprise shall be treated as a trade or business
11 for purposes of the Nebraska EPIC Option Consumption Tax Act.

12 (6) A transfer of funds to a government enterprise by a government
13 entity without full consideration shall constitute a taxable government
14 purchase within the meaning of section 24 of this act to the extent that
15 the transfer of funds exceeds the fair market value of the consideration.

16 Sec. 26. (1) For purposes of this section, not-for-profit
17 organization means a not-for-profit organization organized and operated
18 exclusively:

19 (a) For religious purposes;

20 (b) For charitable purposes;

21 (c) For scientific purposes;

22 (d) For purposes of testing for public safety;

23 (e) For literary purposes;

24 (f) For educational purposes;

25 (g) For purposes of civic duty or social welfare;

26 (h) For labor purposes;

27 (i) For agricultural or horticultural purposes;

28 (j) As chambers of commerce, business leagues, or trade
29 associations; or

30 (k) As fraternal beneficiary societies, orders, lodges, or
31 associations, of which no part of the net earnings inures to the benefit

1 of any private shareholder or individual.

2 (2) Any not-for-profit organization shall be required to pay the
3 consumption tax, except that no tax shall be imposed on employee wages or
4 salary.

5 Sec. 27. (1) For purposes of this section:

6 (a) Explicitly charged fees for financial intermediation services
7 includes:

8 (i) Brokerage fees;

9 (ii) Explicitly stated banking, loan, automatic teller machine, or
10 other similar fees;

11 (iii) Safe-deposit box fees;

12 (iv) Insurance premiums, to the extent such premiums are not
13 allocable to the investment account of the underlying insurance policy;

14 (v) Trustees' fees; and

15 (vi) Other financial services fees, including mutual fund management
16 fees, sales fees, and exit fees;

17 (b) Financial intermediation services means the sum of:

18 (i) Explicitly charged fees for financial intermediation services;

19 and

20 (ii) Implicitly charged fees for financial intermediation services;

21 (c) Gross imputed amount means:

22 (i) With respect to any underlying interest-bearing investment or
23 account, the product of:

24 (A) The excess, if any, of the basic interest rate as described in
25 section 29 of this act over the rate paid on such investment; and

26 (B) The amount of the investment or account; and

27 (ii) With respect to any underlying interest-bearing debt, the
28 product of:

29 (A) The excess, if any, of the rate paid on such debt over the basic
30 interest rate as described in section 29 of this act; and

31 (B) The amount of the debt; and

1 (d) Implicitly charged fees for financial intermediation services
2 includes the gross imputed amount in relation to any underlying interest-
3 bearing investment, account, or debt.

4 (2) For purposes of the Nebraska EPIC Option Consumption Tax Act,
5 the seller of financial intermediation services shall be:

6 (a) In the case of explicitly charged fees for financial
7 intermediation services, the person who receives the gross payments for
8 the charged financial intermediation services;

9 (b) In the case of implicitly charged fees for financial
10 intermediation services with respect to any underlying interest-bearing
11 investment or account, the person making the interest payments on the
12 interest-bearing investment or account; and

13 (c) In the case of implicitly charged fees for financial
14 intermediation services with respect to any interest-bearing debt, the
15 person receiving the interest payments on the interest-bearing debt.

16 (3) The consumption tax on financial intermediation services with
17 respect to an underlying investment account or debt shall be imposed and
18 collected with the same frequency that statements are rendered by the
19 financial institution in connection with the investment account or debt
20 but not less frequently than quarterly.

21 (4) Financial intermediation services shall be deemed as used or
22 consumed within the State of Nebraska if the person purchasing the
23 services is a resident of the State of Nebraska.

24 (5) Any person that provides financial intermediation services to
25 Nebraska residents must, as a condition of lawfully providing such
26 services, designate, in a form prescribed by the Tax Commissioner, a tax
27 representative for purposes of the Nebraska EPIC Option Consumption Tax
28 Act. The tax representative shall be responsible for ensuring that the
29 consumption tax is collected and remitted and shall be jointly and
30 severally liable for collecting and remitting such tax. The Tax
31 Commissioner may bring an action seeking a temporary restraining order,

1 an injunction, or such other order as may be appropriate to enforce this
2 subsection.

3 Sec. 28. (1) For purposes of this section, financing lease means
4 any lease under which the lessee has the right to acquire the property
5 for fifty percent or less of its fair market value at the end of the
6 lease term.

7 (2) Financing leases shall be subject to the consumption tax as
8 prescribed in this section.

9 (3) The Tax Commissioner shall adopt and promulgate rules and
10 regulations for disaggregating the principal and interest components of a
11 financing lease. The principal amount shall be determined to the extent
12 possible by examination of the contemporaneous sales price of property
13 the same or similar as the leased property.

14 (4) In the event that contemporaneous sales prices or property the
15 same or similar as the leased property are not available, the principal
16 and interest components of a financing lease shall be disaggregated using
17 the applicable interest rate as determined under section 30 of this act
18 plus four percent.

19 (5) The principal component of the financing lease shall be subject
20 to tax as if a purchase in the amount of the principal component had been
21 made on the day on which such lease was executed.

22 (6) The financial intermediation services amount with respect to the
23 interest component of the financing lease shall be subject to the
24 consumption tax.

25 (7) If the principal component and financial intermediation services
26 amount with respect to the interest component of a lease have been taxed
27 pursuant to this section, then the gross lease or rental payments shall
28 not be subject to additional tax.

29 Sec. 29. For the purposes of the Nebraska EPIC Option Consumption
30 Tax Act, the basic interest rate with respect to a debt instrument,
31 investment, financing lease, or account shall be the applicable interest

1 rate as determined under section 30 of this act. For debt instruments,
2 investments, or accounts of contractually fixed interest, the applicable
3 interest rate of the month of issuance shall apply. For debt instruments,
4 investments, or accounts of variable interest rates and which have no
5 reference interest rate, the applicable interest shall be the federal
6 short-term interest rate for each month. For debt instruments,
7 investments, or accounts of variable interest rates and which have a
8 reference interest rate, the applicable interest shall be the applicable
9 interest rate for the reference interest rate for each month.

10 Sec. 30. (1) In the case of a debt instrument, investment,
11 financing lease, or account with a term of not over three years, the
12 applicable interest rate is the federal short-term rate as determined by
13 the United States Secretary of the Treasury.

14 (2) In the case of a debt instrument, investment, financing lease,
15 or account with a term of over three years but not over nine years, the
16 applicable interest rate is the federal mid-term rate as determined by
17 the United States Secretary of the Treasury.

18 (3) In the case of a debt instrument, investment, financing lease,
19 or account with a term of over nine years, the applicable interest rate
20 is the federal long-term rate as determined by the United States
21 Secretary of the Treasury.

22 (4) The Tax Commissioner shall publish the applicable rates monthly.
23 If the United States Secretary of the Treasury ceases to determine or
24 publish the relevant federal interest rates, the Tax Commissioner shall
25 determine and publish the applicable rates using the same methodology
26 used by the Secretary of the Treasury, as nearly as is practical, prior
27 to the Secretary of the Treasury discontinuing such determination or
28 publication.

29 (5) Interest on any past due consumption taxes shall be at the rate
30 specified in section 45-104.02, as such rate may from time to time be
31 adjusted.

1 Sec. 31. (1) Up to one thousand dollars of gross payments per
2 calendar year shall be exempt from the consumption tax if:

3 (a) Made by a person not in connection with a trade or business at
4 any time during such calendar year prior to making such gross payments;
5 and

6 (b) Made to purchase any taxable property or service which is
7 brought into Nebraska by such person for use or consumption by such
8 person in Nebraska.

9 (2) Up to five thousand dollars per calendar year of gross payments
10 shall be exempt from the consumption tax if received:

11 (a) By a person not in connection with a trade or business during
12 such calendar year prior to the receipt of such gross payments; and

13 (b) In connection with a casual or isolated sale.

14 (3) Up to ten thousand dollars per calendar year of gross payments
15 received by a person from the sale of financial intermediation services
16 as defined in section 27 of this act may be claimed as a credit and
17 applied to the tax imposed by the Nebraska EPIC Option Consumption Tax
18 Act. The credit provided by this subsection is in addition to other
19 credits afforded by the act. The credit provided by this subsection shall
20 not be available to large sellers as defined in section 10 of this act.

21 (4) If a registered seller provides taxable property or services to
22 a person either as a gift, prize, or reward or as remuneration for
23 employment and such taxable property or services were not previously
24 subject to tax, then the provision of such taxable property or services
25 by the registered seller shall be deemed the conversion of such taxable
26 property or services to personal use and subject to tax pursuant to
27 subsection (11) of section 7 of this act at the tax inclusive fair market
28 value of such taxable property or services.

29 (5) The substance of a transaction shall prevail over its form if:

30 (a) The transaction has no bona fide economic purpose; and

31 (b) The transaction is designed to evade the tax imposed by the

1 Nebraska EPIC Option Consumption Tax Act.

2 (6) When the last day prescribed for performing any action required
3 by the Nebraska EPIC Option Consumption Tax Act falls on a Saturday,
4 Sunday, or legal holiday, the performance of such action shall be
5 considered timely if it is performed on the next day which is not a
6 Saturday, Sunday, or legal holiday.

7 Sec. 32. (1) Inventory held by a trade or business at the close of
8 business on December 31, 2025, shall be considered qualified inventory if
9 it is sold:

10 (a) Before December 31, 2026;

11 (b) By a registered seller; and

12 (c) Subject to the tax imposed by the Nebraska EPIC Option
13 Consumption Tax Act.

14 (2) For purposes of this section, qualified inventory shall have the
15 cost that it had for federal income tax purposes for the trade or
16 business as of December 31, 2025, including any amounts capitalized by
17 reason of section 263A of the Internal Revenue Code of 1986.

18 (3) The trade or business which held the qualified inventory at the
19 close of business on December 31, 2025, shall be entitled to a
20 transitional inventory credit equal to the cost of the qualified
21 inventory, as determined in accordance with subsection (2) of this
22 section, times the rate of the consumption tax imposed by section 7 of
23 this act.

24 (4) The credit provided under subsection (3) of this section shall
25 be allowed with respect to the month when the inventory is sold subject
26 to the consumption tax. The person claiming such credit shall attach
27 supporting schedules in the form that the Tax Commissioner may prescribe.

28 (5) Qualified inventory held by registered sellers that sell such
29 qualified inventory not subject to the consumption tax shall be eligible
30 for the transitional inventory credit only if that business, or a
31 business that has successor rights pursuant to subsection (6) of this

1 section, receives certification in a form satisfactory to the Tax
2 Commissioner that the qualified inventory was subsequently sold subject
3 to the consumption tax.

4 (6) The trade or business entitled to the transitional inventory
5 credit may sell the right to receive such transitional inventory credit
6 to the purchaser of the qualified inventory that gave rise to the credit
7 entitlement. Any purchaser of such qualified inventory, or property or
8 services into which the qualified inventory has been incorporated, may
9 sell the right to such transitional inventory credit to a subsequent
10 purchaser of such qualified inventory, or property or services into which
11 the qualified inventory has been incorporated.

12 Sec. 33. (1) At least seven calendar days before the commencement
13 of an examination of the books and records of a registered seller, the
14 Department of Revenue shall provide to the registered seller through the
15 United States Postal Service a pamphlet written in simple and
16 nontechnical language containing the Nebraska Taxpayer's Bill of Rights
17 listed in section 6 of this act along with a statement explaining the
18 taxpayer's right to be represented by legal counsel during an
19 examination, a statement explaining the taxpayer's right to file an
20 appeal, and a statement explaining the taxpayer's right to know the
21 criteria and procedures used to select persons for such examinations.

22 (2) At least seven days before the issuance of a preliminary
23 assessment, the Department of Revenue shall provide to the registered
24 seller through the United States Postal Service a written description of:

25 (a) The basis for the assessment, including any penalties asserted
26 with respect to the assessment; and

27 (b) The method by which the registered seller may request an
28 administrative or judicial review of the assessment.

29 (3) At or before the issuance of a final assessment, the Department
30 of Revenue shall inform the registered seller by way of a written
31 statement of his or her right to appeal such assessment.

1 (4) Except in cases involving suspected criminal violations of the
2 tax law or other criminal activity, the Department of Revenue shall
3 conduct an examination of a registered seller during the regular business
4 hours of 8:00 a.m. to 5:00 p.m. Central Standard Time, or Mountain
5 Standard Time whenever the examination takes place where Mountain
6 Standard Time applies, during the weekdays of Monday through Friday after
7 providing written notice of the examination through the United States
8 Postal Service at least fifteen days prior to the date of the
9 examination. A registered seller who refuses a proposed time for an
10 examination on the grounds that the proposed examination date and time
11 would cause an undue burden or hardship must contact the Department of
12 Revenue to arrange an alternative date and time for such examination. The
13 alternative date and time must be agreeable to both the Department of
14 Revenue and the registered seller within reason and must be scheduled no
15 later than ninety days from the date of the original notice.

16 (5) At all stages of an examination and in any appeal of an
17 assessment, a registered seller is entitled to be assisted or
18 represented, at his or her own expense, by an authorized representative.
19 The Department of Revenue shall prescribe a form by which the registered
20 seller may designate a person to represent him or her in the conduct of
21 any proceedings, including collection proceedings, resulting from action
22 taken by the Department of Revenue. In the absence of this form, the
23 Department of Revenue or the applicable court may accept such other
24 evidence that a person is the authorized representative of a registered
25 seller as it considers appropriate. This subsection shall not be
26 construed as authorizing the practice of law before the Department of
27 Revenue or any court of law in the State of Nebraska by a person who is
28 not a licensed attorney.

29 (6) A registered seller shall be allowed to make a video or audio
30 recording of any in-person interview with any officer or employee of the
31 Department of Revenue, including the Tax Commissioner, whenever such

1 interview relates to any assessment, examination, or investigation of the
2 registered seller's tax liabilities. However, the registered seller must
3 provide reasonable advance notice to the Department of Revenue of his or
4 her intent to record the interview. Any such recording shall be at the
5 registered seller's expense and with the registered seller's own
6 equipment. Unless it can be shown that the recording has been altered,
7 edited, or tampered with in any way, such recording shall be permitted as
8 evidence in a court of law.

9 (7) The Tax Commissioner or any other employee of the Department of
10 Revenue shall be allowed to make a video or audio recording of any
11 interview with a registered seller if the registered seller is making a
12 video or audio recording of the interview or if reasonable advance notice
13 is given to the registered seller before the interview. The Tax
14 Commissioner or an employee of the Department of Revenue shall provide
15 the registered seller with a transcript or a copy of the recording, but
16 only if the registered seller interviewed provides reimbursement for the
17 cost of the transcript or reproduction of the recording. Any such
18 reproductive cost shall be reasonable as prescribed by rules and
19 regulations adopted and promulgated by the Tax Commissioner.

20 (8) For purposes of this section only, the term registered seller
21 includes any person selling taxable property or services who is or should
22 be registered with the Tax Commissioner as a registered seller.

23 Sec. 34. (1) The Department of Revenue shall maintain a continuing
24 education program to train employees of the department and to provide
25 them with a current knowledge of state and applicable federal tax laws.

26 (2) Beginning in the year 2027, the Tax Commissioner shall prepare
27 an annual report and present such report in person to the Revenue
28 Committee of the Legislature concerning information about the number and
29 kind of audits, assessments, or examinations conducted by the Department
30 of Revenue throughout the previous year. The Revenue Committee shall bear
31 the responsibility for scheduling the Tax Commissioner's annual report.

1 (3) The Department of Revenue shall be strictly forbidden from using
2 the amount of consumption taxes assessed by an employee of the Department
3 of Revenue as the basis for evaluating an employee's performance on the
4 job.

5 (4) The Tax Commissioner shall develop procedures for monitoring the
6 performance of employees of the Department of Revenue which may include
7 the use of evaluations obtained from taxpayers.

8 (5) If the Tax Commissioner or the Department of Revenue fails to
9 comply with any of the provisions of the Nebraska EPIC Option Consumption
10 Tax Act, such failure shall not prevent the Tax Commissioner or the
11 Department of Revenue from assessing any tax as provided in the act nor
12 shall it excuse any registered seller from timely complying with any time
13 limitations imposed by the act. However, if the Tax Commissioner or the
14 Department of Revenue fails to substantially comply with the provisions
15 of the act, the Tax Commissioner shall, upon application by the
16 registered seller or other good cause shown, abate any penalties
17 otherwise arising from an assessment or examination.

18 (6) The Tax Commissioner shall abate any penalty attributable to
19 erroneous written advice furnished to a registered seller by an employee
20 of the Department of Revenue. However, this subsection shall apply only
21 if the Department of Revenue's employee provided the written advice in
22 good faith while acting in his or her official capacity, the written
23 advice was reasonably relied upon by the registered seller and was in
24 response to a specific written request of the registered seller, and the
25 penalty did not result from the registered seller's failure to provide
26 adequate or accurate information.

27 Sec. 35. (1) The Tax Commissioner may enter into written agreements
28 to allow any registered seller to pay the consumption tax in installment
29 payments if the Tax Commissioner determines that such an agreement will
30 facilitate the collection of such tax. Such agreements shall be entered
31 into only regarding a tax that has been finally assessed by the Tax

1 Commissioner or the Department of Revenue and not appealed, and such
2 agreements shall not exceed a period lasting more than twelve months,
3 except that any such agreement may be renewed at the discretion of the
4 Tax Commissioner for succeeding periods not to exceed twelve months.

5 (2) The Tax Commissioner may terminate, alter, or modify any
6 installment agreement entered into under this section if:

7 (a) Information provided by the registered seller to the Tax
8 Commissioner prior to the date of such agreement was inaccurate or
9 incomplete;

10 (b) The registered seller fails to pay any installment at such time
11 the installment payment is due under such agreement;

12 (c) The registered seller fails to pay any other tax liability due
13 the Department of Revenue at the time such liability is due, unless the
14 registered seller has appealed such other tax liability;

15 (d) The financial condition of the registered seller has
16 significantly changed;

17 (e) The registered seller fails to provide a financial condition
18 update as requested by the Tax Commissioner; or

19 (f) The Tax Commissioner believes that collection of any tax to
20 which an agreement under this section relates is in jeopardy.

21 (3) The Tax Commissioner shall have sole authority and discretion to
22 enter into or to amend, modify, or terminate any installment payment
23 agreement provided for under this section. The Tax Commissioner shall
24 adopt and promulgate rules and regulations necessary for the
25 implementation of this section.

26 (4) Any county, city, or village administering its own consumption
27 tax shall have the same authority as provided to the Tax Commissioner by
28 this section relating to installment payments with respect to the
29 consumption tax administered by such county, city, or village.

30 Sec. 36. (1) All reports and report information provided to the Tax
31 Commissioner or the Department of Revenue pursuant to the Nebraska EPIC

1 Option Consumption Tax Act shall be deemed confidential, and except as
2 otherwise authorized in the act, no officer or employee, or former
3 officer or employee, of the State of Nebraska or any other person who has
4 been provided access to tax information shall disclose any such
5 information to anyone employed outside of the Department of Revenue. Any
6 violation of this subsection is a Class IV felony.

7 (2) The Tax Commissioner or an employee of the Department of Revenue
8 may disclose a report or report information of a registered seller to
9 such registered seller, the tax matters person associated with the
10 registered seller, the spouse or adult child of the registered seller, or
11 another person authorized to represent the registered seller.

12 (3) The Tax Commissioner or an employee of the Department of Revenue
13 may disclose a report or report information of a person who is
14 incompetent to the trustee or guardian of such person.

15 (4) In the case of a deceased person, the Tax Commissioner or an
16 employee of the Department of Revenue may disclose a report or report
17 information to:

18 (a) The decedent's personal representative, administrator, executor,
19 or estate trustee;

20 (b) The decedent's heir at law, next of kin, or beneficiary under a
21 will who has a material interest that will be affected by the
22 information; or

23 (c) A person who is a joint tenant with the decedent with a right of
24 survivorship.

25 (5) The Tax Commissioner or an employee of the Department of Revenue
26 may disclose a person's tax report or report information to such person's
27 trustee in bankruptcy.

28 (6) The Tax Commissioner or an employee of the Department of Revenue
29 may disclose a person's tax report or report information in compliance
30 with a court order.

31 (7) The Tax Commissioner or an employee of the Department of Revenue

1 may disclose a report or report information to the Revenue Committee of
2 the Legislature, the Appropriations Committee of the Legislature, or the
3 Executive Board of the Legislative Council if such report or information
4 does not identify any particular person, unless such person consents in
5 writing to the disclosure of such information.

6 (8) A person may waive the confidentiality rights provided in this
7 section if such waiver of rights is done in writing.

8 (9) Disclosure of a report or report information by officers,
9 agents, or employees of the Department of Revenue to other officers,
10 agents, or employees of the Department of Revenue in the ordinary course
11 of tax administration activities shall not constitute unlawful disclosure
12 of the report or report information.

13 (10) Upon request by the Governor, the Tax Commissioner shall
14 furnish reports and report information to such officers, agents, and
15 employees of the State of Nebraska as the Governor may prescribe by rule
16 and regulation or by executive order for the purpose of, and only to the
17 extent necessary for, statistical activities authorized by law.

18 (11) The Tax Commissioner or an employee of the Department of
19 Revenue may provide reports or report information for purposes of
20 academic research to researchers working at the University of Nebraska,
21 researchers working in the Nebraska state college system, researchers
22 working in the community college system, or researchers working in a
23 private college or university within the State of Nebraska if such
24 reports or report information does not identify any particular person.

25 Sec. 37. Interest on any final assessment shall accrue from the
26 date of entry of the final assessment on the total amount of its
27 components, including tax, interest, and any penalty, as one lump-sum
28 amount.

29 Sec. 38. Nothing in the Nebraska EPIC Option Consumption Tax Act
30 shall limit the ability of counties, cities, or villages from imposing a
31 separate consumption tax within the limits of the county, city, or

1 village.

2 Sec. 39. (1) Beginning in 2026, state agencies shall submit annual
3 budget requests for the operations of their respective state agencies to
4 the Governor and to the chairperson of the Appropriations Committee of
5 the Legislature by September 15.

6 (2) A state agency's annual budget request may exceed the amount
7 from the prior year by the percentage change in the Consumer Price Index
8 for All Urban Consumers published by the federal Bureau of Labor
9 Statistics.

10 (3) Notwithstanding the limit provided in subsection (2) of this
11 section, in the event of an emergency where an unforeseen contingency
12 arises, a state agency may petition the Legislature for an increase of
13 such agency's budget of up to but not more than two and one-half percent.

14 (4) Notwithstanding the limit provided in subsection (2) of this
15 section, in the event of a natural disaster where the Governor has
16 declared the affected area as a disaster area, a state agency may
17 petition the Legislature for an increase of such agency's budget of up to
18 but not more than five percent.

19 (5) This section applies to both the University of Nebraska and the
20 Nebraska state college system. The Board of Regents of the University of
21 Nebraska shall submit the budget request for the University of Nebraska
22 as prescribed in this section. The Board of Trustees of the Nebraska
23 State Colleges shall submit the budget request for the Nebraska state
24 colleges as prescribed in this section.

25 (6) Nothing in this section shall preclude the Legislature from
26 appropriating additional funds for relief or aid from the Cash Reserve
27 Fund.

28 Sec. 40. (1) Beginning in 2026, the Governor shall submit a
29 comprehensive annual statewide budget to the Legislature by December 1.
30 The Appropriations Committee of the Legislature shall approve and submit
31 a bill or bills for such comprehensive annual statewide budget for

1 approval by the Legislature. Such bill or bills shall balance expenses
2 with state revenue projected by the Nebraska Economic Forecasting
3 Advisory Board.

4 (2) Disbursement of consumption tax revenue shall be the sole
5 responsibility of the State Treasurer.

6 (3) Consumption tax revenue for each state agency shall be
7 administered and disbursed through the Department of Administrative
8 Services.

9 (4) Consumption tax revenue for political subdivisions shall be
10 administered and disbursed by the State Treasurer as provided in sections
11 41 to 54 of this act.

12 Sec. 41. For purposes of sections 41 to 47 of this act:

13 (1) Board means the Budget Equalization and Review Board created in
14 section 42 of this act;

15 (2) District representative means an individual who is elected to
16 the board to represent one of the five districts described in section 42
17 of this act;

18 (3) Political subdivision means any political subdivision of this
19 state other than a school district;

20 (4) Secretary means the Secretary of the Budget Equalization and
21 Review Board; and

22 (5) SEND score means the special expenditure needs direction score
23 calculated under section 46 of this act.

24 Sec. 42. (1) There is hereby created the Budget Equalization and
25 Review Board. The purpose of the board is to ensure that all ninety-three
26 Nebraska counties and all political subdivisions in this state receive
27 adequate representation regarding funding for their operations.

28 (2) The board shall consist of seven members comprised of five
29 district representatives, the secretary, and the Auditor of Public
30 Accounts or his or her designee. The five district representatives shall
31 have the right to vote on all matters and shall represent the five

1 districts described in subsection (3) of this section. Each district
2 representative shall meet all of the qualifications required for a county
3 commissioner. The secretary shall be a nonvoting, ex officio member of
4 the board. The Auditor of Public Accounts or his or her designee shall
5 also be a nonvoting, ex officio member of the board. District
6 representatives may hire staff as needed to assist them in their work.

7 (3) One district representative shall be elected from each of the
8 following districts:

9 (a) The Fort Atkinson District, which shall include the counties of
10 Cass, Sarpy, Douglas, Saunders, Washington, Dodge, Colfax, Platte, Burt,
11 Cuming, Stanton, Madison, Thurston, Wayne, Pierce, Dakota, Dixon, and
12 Cedar;

13 (b) The St. Deroin Fort District, which shall include the counties
14 of Butler, Polk, Hamilton, York, Seward, Lancaster, Otoe, Nemaha,
15 Johnson, Richardson, Pawnee, Gage, Saline, Fillmore, Clay, Jefferson,
16 Thayer, and Nuckolls;

17 (c) The Fort Hartsuff District, which shall include the counties of
18 Keya Paha, Boyd, Knox, Antelope, Holt, Rock, Brown, Garfield, Wheeler,
19 Loup, Blaine, Custer, Valley, Greeley, Sherman, Howard, Boone, Nance, and
20 Merrick;

21 (d) The Fort McPherson District, which shall include the counties of
22 Perkins, Lincoln, Dawes, Buffalo, Hall, Adams, Kearney, Phelps, Gosper,
23 Frontier, Hayes, Chase, Dundy, Hitchcock, Red Willow, Furnas, Harlan,
24 Franklin, and Webster; and

25 (e) The Fort Robinson District, which shall include the counties of
26 Sioux, Scotts Bluff, Banner, Kimball, Cheyenne, Morrill, Box Butte,
27 Dawes, Sheridan, Cherry, Garden, Deuel, Grant, Arthur, Keith, Hooker,
28 Thomas, McPherson, and Logan.

29 (4) District representatives shall be elected in the following
30 manner:

31 (a) The person elected to represent the Fort Atkinson District shall

1 reside within such district and shall be elected by the people of such
2 district once every four years beginning in the year 2026. Whenever a
3 vacancy exists, the Governor shall appoint a qualified candidate to fill
4 the seat until the next election;

5 (b) The person elected to represent the St. Deroin Fort District
6 shall reside within such district and shall be elected by the people of
7 such district once every four years beginning in the year 2028, except
8 that an election for a special two-year term shall be held in the year
9 2026. Whenever a vacancy exists, the Governor shall appoint a qualified
10 candidate to fill the seat until the next election;

11 (c) The person elected to represent the Fort Hartsuff District shall
12 reside within such district and shall be elected by the people of such
13 district once every four years beginning in the year 2026. Whenever a
14 vacancy exists, the Governor shall appoint a qualified candidate to fill
15 the seat until the next election;

16 (d) The person elected to represent the Fort McPherson District
17 shall reside within such district and shall be elected by the people of
18 such district once every four years beginning in the year 2028, except
19 that an election for a special two-year term shall be held in the year
20 2026. Whenever a vacancy exists, the Governor shall appoint a qualified
21 candidate to fill the seat until the next election; and

22 (e) The person elected to represent the Fort Robinson District shall
23 reside within such district and shall be elected by the people of such
24 district once every four years beginning in the year 2026. Whenever a
25 vacancy exists, the Governor shall appoint a qualified candidate to fill
26 the seat until the next election.

27 (5) The members of the board shall elect from among the district
28 representatives a chairperson to oversee the operations of the board and
29 a vice-chairperson to assist the chairperson in such duties.

30 (6) The board shall meet at least once per quarter throughout the
31 calendar year, and the meetings of the board shall be subject to the Open

1 Meetings Act.

2 (7) District representatives shall be compensated at a rate of
3 eighty thousand dollars per year until changed by the Legislature.
4 District representatives shall also be entitled to receive reimbursement
5 for expenses incurred incident to their service on the board as provided
6 in sections 81-1174 to 81-1177.

7 Sec. 43. (1) The Secretary of the Budget Equalization and Review
8 Board shall be appointed by the Governor and shall serve at the pleasure
9 of the Governor. The secretary shall serve for a term of four years
10 beginning in the year 2026 and may be reappointed by the Governor to
11 serve additional terms of office. The secretary shall be a certified
12 public accountant.

13 (2) The secretary shall create a manual for preparing budgets for
14 use by political subdivisions. The manual shall include clear directions
15 for filling out and filing any required budget forms and shall be written
16 in consultation with the Auditor of Public Accounts and the five district
17 representatives. The manual shall be approved by a majority vote of the
18 district representatives. The manual shall be updated as needed, but any
19 changes shall be approved by a majority vote of the district
20 representatives. Any proposed changes to the manual shall be reported to
21 the district representatives no less than seven days prior to a vote on
22 such changes.

23 (3) The secretary shall be responsible for maintaining a website for
24 the board. The website shall include a concise biography of each district
25 representative and the secretary. Within three calendar days after the
26 manual described in subsection (2) of this section has been approved, the
27 secretary shall make it publicly available on the website.

28 (4) The secretary shall advise the district representatives on
29 procedures contained in the manual, but the district representatives
30 shall act as the liaisons between the political subdivisions within their
31 respective districts and the board.

1 (5) The secretary shall record the minutes of any board meetings,
2 shall post the minutes of each board meeting on the website described in
3 subsection (3) of this section in a timely manner, and shall make any
4 such minutes available to the public.

5 (6) The secretary shall serve the district representatives by
6 performing any additional tasks assigned to the secretary by a majority
7 vote of the district representatives.

8 (7) The secretary shall be compensated at a rate of eighty thousand
9 dollars per year until changed by the Legislature. The secretary shall
10 also be entitled to receive reimbursement for expenses incurred while in
11 the performance of his or her duties as provided in sections 81-1174 to
12 81-1177.

13 Sec. 44. The manual described in section 43 of this act shall
14 include the following schedule for preparing budgets:

15 (1) On or before the second Monday in May of each calendar year,
16 each county shall send in writing to each political subdivision located
17 or headquartered within the county a request to prepare a preliminary
18 budget proposal, which shall include an itemized estimate of the probable
19 revenue needed for the ensuing fiscal year, actual expenses for the
20 previous five years, a five-year average of expenses, and any requests
21 for additional expenditures. The request to prepare a preliminary budget
22 proposal shall include a thirty-day deadline for submission of such
23 proposal;

24 (2) Each county and political subdivision shall prepare a
25 preliminary budget proposal and shall make such preliminary budget
26 proposal available to the public in written or electronic form no later
27 than the second Monday in June. Each preliminary budget proposal shall
28 include an itemized estimate of probable revenue needed for the ensuing
29 fiscal year, actual expenses for the previous five years, a five-year
30 average of expenses, and any requests for additional expenditures. The
31 five-year average of expenses represents the maximum amount of funding

1 that a county or political subdivision shall receive from the state;

2 (3) If a preliminary budget proposal for a county or political
3 subdivision includes a request for additional expenditures which exceeds
4 the five-year average of expenses for the county or political subdivision
5 by more than two and one-half percent, the county or political
6 subdivision shall schedule a public hearing for its preliminary budget
7 proposal to be held between the dates of July 1 and July 30. Public
8 notice of the hearing shall be given ten business days prior to the date
9 of the hearing. The agenda for any such public hearing shall include a
10 reasonable amount of time for questions and comments from the public.
11 Additional hearing dates may be scheduled at the discretion of the
12 governing body of the county or political subdivision;

13 (4) Each county and political subdivision shall make any necessary
14 changes to its preliminary budget proposal and approve the proposal by a
15 majority vote of the governing body of such county or political
16 subdivision. Political subdivisions shall submit such proposal to the
17 county in which the political subdivision is located or headquartered by
18 August 30. Each proposal shall include an itemized estimate of probable
19 revenue needed for the ensuing fiscal year, actual expenses for the
20 previous five years, a five-year average of expenses, and any requests
21 for additional expenditures;

22 (5) Each county shall prepare a countywide budget proposal which
23 includes the county's preliminary budget proposal along with the
24 preliminary budget proposals submitted by the political subdivisions
25 located or headquartered within the county. Under no circumstances shall
26 the county alter a preliminary budget proposal submitted by a political
27 subdivision;

28 (6) Each county shall submit the countywide budget proposal to the
29 district representative for the county, to the secretary, and to the
30 Auditor of Public Accounts on or before September 15. The countywide
31 budget proposal shall conform to the standardized form as prescribed in

1 the manual and shall include the county's and each political
2 subdivision's itemized estimate of probable revenue needed for the
3 ensuing fiscal year, actual expenses for the previous five years, a five-
4 year average of expenses, and any requests for additional expenditures;

5 (7) By September 24, each district representative shall notify each
6 county in his or her district and each political subdivision located or
7 headquartered within a county in his or her district, indicating whether
8 the preliminary budget proposal submitted by such county or political
9 subdivision conforms to the standards described in the manual. If the
10 district representative, the secretary, and the Auditor of Public
11 Accounts find that a preliminary budget proposal is unsatisfactory, the
12 county or political subdivision shall have until October 15 to correct
13 the proposal and submit a revised proposal to the district
14 representative, the secretary, and the Auditor of Public Accounts. If the
15 revised budget proposal remains unsatisfactory after the October 15
16 deadline, the district representative shall have authority to make any
17 necessary revisions to the budget proposal;

18 (8) Each district representative shall make a comprehensive report
19 for all of the countywide budget proposals within his or her respective
20 district and shall submit such comprehensive report to the board for
21 approval no later than October 25. Each comprehensive report shall also
22 be posted to the website described in section 43 of this act for public
23 viewing by October 25. Each comprehensive report shall require a majority
24 vote of the district representatives for approval before it can be
25 included in the statewide report described in subdivision (9) of this
26 section; and

27 (9) The secretary shall prepare a statewide report consisting of all
28 comprehensive reports approved under subdivision (8) of this section. The
29 statewide report shall be approved by a majority vote of the district
30 representatives. Once approved, the secretary shall submit the statewide
31 report to the Governor and to the chairperson of the Appropriations

1 Committee of the Legislature by November 15. The secretary shall also
2 make the report available for public viewing on the website described in
3 section 43 of this act by November 15.

4 Sec. 45. (1) There is hereby created the County Trust Fund. The
5 fund shall be used to supply political subdivisions with adequate funds
6 to run their respective operations. The Appropriations Committee of the
7 Legislature shall use the statewide report received under section 44 of
8 this act to determine the amount to be transferred each year to the
9 County Trust Fund. The State Treasurer shall transfer money to the County
10 Trust Fund as directed by the Legislature. Any money in the fund
11 available for investment shall be invested by the state investment
12 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
13 State Funds Investment Act.

14 (2) Each political subdivision shall establish a separate bank
15 account for its operations and shall supply the State Treasurer with the
16 bank account number and routing number for such account. The State
17 Treasurer shall use such information to make electronic transfers from
18 the County Trust Fund into such bank accounts each month in a manner that
19 is compliant with the annual budget passed by the Legislature.

20 Sec. 46. (1) There is hereby created the County Stabilization Fund.
21 The purpose of the County Stabilization Fund is to assist counties with
22 additional or unexpected expenditures. The Legislature may transfer money
23 into the County Stabilization Fund as needed, but at no time shall the
24 balance of the County Stabilization Fund exceed ten percent of the total
25 amount transferred for the year into the County Trust Fund pursuant to
26 section 45 of this act. If the balance of the County Stabilization Fund
27 exceeds such amount, the State Treasurer shall transfer the excess to the
28 Cash Reserve Fund. Any money in the County Stabilization Fund available
29 for investment shall be invested by the state investment officer pursuant
30 to the Nebraska Capital Expansion Act and the Nebraska State Funds
31 Investment Act.

1 (2) The Legislature shall have sole authority to determine the
2 distributions to be made from the County Stabilization Fund.
3 Distributions from the fund shall be made annually to each county based
4 on each county's SEND score. Each county's SEND score shall be calculated
5 by the district representative for such county using the method described
6 in subsection (3) of this section.

7 (3) A county's SEND score shall reflect the amount that a county
8 needs to provide standardized quality countywide services to the
9 residents of the county and shall be calculated in the following manner:

10 (a) A public service needs score shall be calculated. The public
11 service needs score measures the amount of revenue a county needs to
12 provide for basic public services, such as fire departments and police
13 departments. A complete list of public service needs shall be included in
14 the manual. To calculate the public service needs score, highways and
15 hospitals shall be excluded from the calculation. All other services
16 shall be included. A five-year average cost per person for such services
17 shall be established. The public service needs score shall be the five-
18 year average cost per person multiplied by the population of the county;

19 (b) A highway maintenance score shall be calculated. The highway
20 maintenance score measures the amount that a county is expected to spend
21 to maintain its streets, roads, and highways. A complete list of
22 expenditures for streets, roads, and highways shall be included in the
23 manual. The highway maintenance score begins by determining the average
24 amount spent per mile each year by the county to maintain its streets,
25 roads, and highways. The highway maintenance score is then calculated by
26 taking the average spending per mile for the previous five-year period
27 and multiplying that number by the number of miles of streets, roads, and
28 highways that the county is responsible for servicing. Streets, roads,
29 and highways that are under the care of a municipality or township shall
30 not be included in the highway maintenances score unless the county is
31 under contract with the municipality or township to maintain such

1 streets, roads, or highways;

2 (c) A hospital score shall be calculated. The hospital score
3 measures the added burden that some counties in Nebraska have for
4 maintaining hospitals. The hospital score begins by determining the
5 average amount spent per person each year by the county for maintaining
6 the county's hospitals. The hospital score is then calculated by taking
7 the average spending per person for the previous five-year period and
8 multiplying that number by the population of the county; and

9 (d) The SEND score shall be calculated by adding together the public
10 service needs score, the highway maintenance score, and the hospital
11 score.

12 (4) The district representative shall include the SEND score for
13 each county in his or her district in the comprehensive report submitted
14 to the board under subdivision (8) of section 44 of this act, and the
15 secretary shall include the SEND score in the statewide report submitted
16 to the Governor and the chairperson of the Appropriations Committee of
17 the Legislature under subdivision (9) of section 44 of this act. The
18 reports shall include each county's public service needs score, highway
19 maintenance score, hospital score, and overall SEND score. In deciding
20 what to fund each year, the Legislature may give preference to counties
21 with an unusually high public service needs score, highway maintenance
22 score, or hospital score. Otherwise, the Legislature shall give
23 preference to counties with the highest overall SEND scores.

24 Sec. 47. (1) There is hereby created the County Rainy Day Fund. The
25 purpose of the County Rainy Day Fund is to provide money to counties that
26 are recovering from a fire, a flood, a tornado, or any other kind of
27 natural disaster which destroys buildings or structures used for
28 governmental purposes. The Legislature may transfer money into the County
29 Rainy Day Fund as needed, but at no time shall the balance of the County
30 Rainy Day Fund exceed eight percent of the total amount transferred for
31 the year into the County Trust Fund pursuant to section 45 of this act.

1 If the balance of the County Rainy Day Fund exceeds such amount, the
2 State Treasurer shall transfer the excess to the Cash Reserve Fund. Any
3 money in the County Rainy Day Fund available for investment shall be
4 invested by the state investment officer pursuant to the Nebraska Capital
5 Expansion Act and the Nebraska State Funds Investment Act.

6 (2) The County Rainy Day Fund shall be used solely for the purposes
7 of repairing structures, replacing structures, or providing for temporary
8 shelters or temporary structures for purposes of county, municipal, or
9 township government work - or work associated with any political
10 subdivision included in the countywide budget. The Legislature shall have
11 sole authority for determining whether distributions should be made from
12 the County Rainy Day Fund, except that whenever the Legislature stands in
13 recess for a period of at least five calendar days following a fire,
14 flood, tornado, or any other kind of natural disaster and the Governor
15 declares a state of emergency, the Governor may by way of executive order
16 withdraw money from the County Rainy Day Fund to repair damaged buildings
17 or structures or to provide for temporary shelters or temporary
18 structures for purposes of county, municipal, or township work, including
19 any work associated with a political subdivision included in the
20 countywide budget.

21 Sec. 48. For purposes of sections 48 to 54 of this act:

22 (1) Board means the School Equalization and Review Board created in
23 section 49 of this act;

24 (2) District representative means an individual who is elected to
25 the board to represent one of the five districts described in section 49
26 of this act; and

27 (3) Secretary means the Secretary of the School Equalization and
28 Review Board.

29 Sec. 49. (1) There is hereby created the School Equalization and
30 Review Board. The purpose of the board is to ensure that school districts
31 receive adequate representation regarding funding for their operations.

1 (2) The board shall consist of seven members comprised of five
2 district representatives, the secretary, and the Auditor of Public
3 Accounts or his or her designee. The five district representatives shall
4 have the right to vote on all matters and shall represent the five
5 districts described in subsection (3) of this section. Each district
6 representative shall have at least two years of experience as a school
7 superintendent. The secretary shall be a nonvoting, ex officio member of
8 the board. The Auditor of Public Accounts or his or her designee shall
9 also be a nonvoting, ex officio member of the board. District
10 representatives may hire staff as needed to assist them in their work.

11 (3) One district representative shall be elected from each of the
12 following districts:

13 (a) The Fort Atkinson District, which shall include the counties of
14 Cass, Sarpy, Douglas, Saunders, Washington, Dodge, Colfax, Platte, Burt,
15 Cuming, Stanton, Madison, Thurston, Wayne, Pierce, Dakota, Dixon, and
16 Cedar;

17 (b) The St. Deroin Fort District, which shall include the counties
18 of Butler, Polk, Hamilton, York, Seward, Lancaster, Otoe, Nemaha,
19 Johnson, Richardson, Pawnee, Gage, Saline, Fillmore, Clay, Jefferson,
20 Thayer, and Nuckolls;

21 (c) The Fort Hartsuff District, which shall include the counties of
22 Keya Paha, Boyd, Knox, Antelope, Holt, Rock, Brown, Garfield, Wheeler,
23 Loup, Blaine, Custer, Valley, Greeley, Sherman, Howard, Boone, Nance, and
24 Merrick;

25 (d) The Fort McPherson District, which shall include the counties of
26 Perkins, Lincoln, Dawes, Buffalo, Hall, Adams, Kearney, Phelps, Gosper,
27 Frontier, Hayes, Chase, Dundy, Hitchcock, Red Willow, Furnas, Harlan,
28 Franklin, and Webster; and

29 (e) The Fort Robinson District, which shall include the counties of
30 Sioux, Scotts Bluff, Banner, Kimball, Cheyenne, Morrill, Box Butte,
31 Dawes, Sheridan, Cherry, Garden, Deuel, Grant, Arthur, Keith, Hooker,

1 Thomas, McPherson, and Logan.

2 (4) District representatives shall be elected in the following
3 manner:

4 (a) The person elected to represent the Fort Atkinson District shall
5 reside within such district and shall be elected by the people of such
6 district once every four years beginning in the year 2028, except that an
7 election for a special two-year term shall be held in the year 2026.
8 Whenever a vacancy exists, the Governor shall appoint a qualified
9 candidate to fill the seat until the next election;

10 (b) The person elected to represent the St. Deroin Fort District
11 shall reside within such district and shall be elected by the people of
12 such district once every four years beginning in the year 2026. Whenever
13 a vacancy exists, the Governor shall appoint a qualified candidate to
14 fill the seat until the next election;

15 (c) The person elected to represent the Fort Hartsuff District shall
16 reside within such district and shall be elected by the people of such
17 district once every four years beginning in the year 2028, except that an
18 election for a special two-year term shall be held in the year 2026.
19 Whenever a vacancy exists, the Governor shall appoint a qualified
20 candidate to fill the seat until the next election;

21 (d) The person elected to represent the Fort McPherson District
22 shall reside within such district and shall be elected by the people of
23 such district once every four years beginning in the year 2026. Whenever
24 a vacancy exists, the Governor shall appoint a qualified candidate to
25 fill the seat until the next election; and

26 (e) The person elected to represent the Fort Robinson District shall
27 reside within such district and shall be elected by the people of such
28 district once every four years beginning in the year 2028, except that an
29 election for a special two-year term shall be held in the year 2026.
30 Whenever a vacancy exists, the Governor shall appoint a qualified
31 candidate to fill the seat until the next election.

1 (5) The members of the board shall elect from among the district
2 representatives a chairperson to oversee the operations of the board and
3 a vice-chairperson to assist the chairperson in such duties.

4 (6) The board shall meet at least once per quarter throughout the
5 calendar year, and the meetings of the board shall be subject to the Open
6 Meetings Act.

7 (7) District representatives shall be compensated at a rate of
8 eighty thousand dollars per year until changed by the Legislature.
9 District representatives shall also be entitled to receive reimbursement
10 for expenses incurred incident to their service on the board as provided
11 in sections 81-1174 to 81-1177.

12 Sec. 50. (1) The Secretary of the School Equalization and Review
13 Board shall be appointed by the Governor and shall serve at the pleasure
14 of the Governor. The secretary shall serve for a term of four years
15 beginning in the year 2026 and may be reappointed by the Governor to
16 serve additional terms of office. The secretary shall be a certified
17 public accountant or have at least four years of experience as a school
18 superintendent.

19 (2) The secretary shall create a manual for preparing budgets for
20 use by school districts. The manual shall include clear directions for
21 filling out and filing any required budget forms and shall be written in
22 consultation with the Auditor of Public Accounts and the five district
23 representatives. The manual shall be approved by a majority vote of the
24 district representatives. The manual shall be updated as needed, but any
25 changes shall be approved by a majority vote of the district
26 representatives. Any proposed changes to the manual shall be reported to
27 the district representatives no less than seven days prior to a vote on
28 such changes.

29 (3) The secretary shall be responsible for maintaining a website for
30 the board. The website shall include a concise biography of each district
31 representative and the secretary. Within three calendar days after the

1 manual described in subsection (2) of this section has been approved, the
2 secretary shall make it publicly available on the website.

3 (4) The secretary shall advise the district representatives on
4 procedures contained in the manual, but the district representatives
5 shall act as the liaisons between the schools within their respective
6 districts and the board.

7 (5) The secretary shall record the minutes of any board meetings,
8 shall post the minutes of each board meeting on the website described in
9 subsection (3) of this section in a timely manner, and shall make any
10 such minutes available to the public.

11 (6) The secretary shall serve the district representatives by
12 performing any additional tasks assigned to the secretary by a majority
13 vote of the district representatives.

14 (7) The secretary shall be compensated at a rate of eighty thousand
15 dollars per year until changed by the Legislature. The secretary shall
16 also be entitled to receive reimbursement for expenses incurred while in
17 the performance of his or her duties as provided in sections 81-1174 to
18 81-1177.

19 Sec. 51. The manual described in section 50 of this act shall
20 include the following schedule for preparing budgets:

21 (1) Each school board shall prepare an annual budget proposal by the
22 second Monday of June of each calendar year which shall apply to the
23 ensuing school year. The annual budget proposal shall include an average
24 per student cost for each of the schools within the school district. The
25 school board shall use the number of registered students in each school
26 on April 30 of the current calendar year to determine the average per
27 student cost for the ensuing school year. The school board shall also
28 include in its annual budget proposal a district-wide average per student
29 cost along with any other requests for additional expenditures per
30 school. The annual budget proposal shall include the school district's
31 budgets from the five previous years along with a five-year average. The

1 five-year average, plus two percent, shall represent the maximum amount
2 of funding that a school district shall receive from the state. The
3 annual budget proposal shall be made available for viewing by the public
4 on the school district's website no later than June 30;

5 (2) Each school board shall make any necessary adjustments to its
6 annual budget proposal and shall approve the annual budget proposal no
7 later than July 30 and shall post the revised budget proposal to the
8 school district's website no later than August 10;

9 (3) Upon approval of the annual budget proposal, each school board
10 shall submit its annual budget proposal to its district representative,
11 to the secretary, and to the Auditor of Public Accounts by August 15;

12 (4) The district representative for the school district, the
13 secretary, and the Auditor of Public Accounts shall review the school
14 district's budget proposal, and the district representative shall notify
15 the school district whether the budget proposal conforms to the standards
16 as outlined in the manual by August 30. If the district representative,
17 the secretary, and the Auditor of Public Accounts find that a school
18 district's budget proposal is unsatisfactory, the school board shall have
19 until September 30 to correct the proposal and submit a revised proposal
20 to the district representative, the secretary, and the Auditor of Public
21 Accounts. If the revised budget proposal remains unsatisfactory after the
22 September 30 deadline, the district representative, in consultation with
23 the secretary and the Auditor of Public accounts, shall make any
24 necessary revisions to the budget proposal;

25 (5) Each district representative shall submit a district-wide report
26 of all of the school districts within the representative's jurisdiction
27 to the board for approval. Each district-wide report shall require a
28 majority vote of the district representatives for approval before it can
29 be included in the statewide report described in subdivision (6) of this
30 section; and

31 (6) The secretary shall prepare a statewide report consisting of all

1 district-wide reports approved under subdivision (5) of this section. The
2 statewide report shall be approved by a majority vote of the district
3 representatives. Once approved, the secretary shall submit the statewide
4 report to the Governor and to the chairperson of the Appropriations
5 Committee of the Legislature by November 15. The secretary shall also
6 make the report available for public viewing on the website described in
7 section 50 of this act by November 15.

8 Sec. 52. (1) There is hereby created the Education Trust Fund. The
9 purpose of the Education Trust Fund is to provide for the free
10 instruction in the common schools of this state as required under Article
11 VII, section 1, of the Constitution of Nebraska. In order to ensure that
12 all students between the ages of five and twenty-one years attending the
13 common schools in this state have the opportunity to receive a free
14 education, the Legislature shall transfer money into the Education Trust
15 Fund annually to cover the five-year average operational costs per school
16 plus two percent for all public schools operating within the state.

17 (2) The Appropriations Committee of the Legislature shall use the
18 statewide report received under section 51 of this act to determine the
19 amount to be transferred each year to the Education Trust Fund. The State
20 Treasurer shall transfer money to the Education Trust Fund as directed by
21 the Legislature. Any money in the fund available for investment shall be
22 invested by the state investment officer pursuant to the Nebraska Capital
23 Expansion Act and the Nebraska State Funds Investment Act.

24 (3) Each school district shall establish a separate bank account for
25 its operations and shall supply the State Treasurer with the bank account
26 number and routing number for such account. The State Treasurer shall use
27 such information to make electronic transfers from the Education Trust
28 Fund into such bank accounts each month in a manner that is compliant
29 with the annual budget passed by the Legislature.

30 Sec. 53. (1) There is hereby created the Education Stabilization
31 Fund. The purpose of the Education Stabilization Fund is to ensure that

1 every school district receives adequate funding for its operations. The
2 Legislature may transfer money into the Education Stabilization Fund as
3 needed, but at no time shall the balance of the Education Stabilization
4 Fund exceed ten percent of the total amount transferred for the year into
5 the Education Trust Fund pursuant to section 52 of this act. If the
6 balance of the Education Stabilization Fund exceeds such amount, the
7 State Treasurer shall transfer the excess to the Cash Reserve Fund. Any
8 money in the Education Stabilization Fund available for investment shall
9 be invested by the state investment officer pursuant to the Nebraska
10 Capital Expansion Act and the Nebraska State Funds Investment Act.

11 (2) The Legislature shall have sole authority to determine the
12 distributions to be made from the Education Stabilization Fund.
13 Distributions from the fund shall be made annually to each school
14 district based on each school district's stabilization score. Each school
15 district's stabilization score shall be calculated by the district
16 representative for such school district as follows:

17 (a) A special student needs score shall be calculated by adding
18 together the number of students with physical disabilities, the number of
19 special education students, the number of students with learning
20 disabilities, and the number of students learning English as a second
21 language on April 30 and dividing that number by the total number of
22 students enrolled in the district on April 30. If a student fits into
23 more than one of the categories listed in this subdivision, he or she
24 shall be included in the total for each such category;

25 (b) A transportation score shall be calculated by adding up the
26 total number of miles traveled by school buses and parents throughout the
27 school district during the month of April and dividing that number by
28 thirty. The number of miles traveled by school buses and parents shall
29 include transportation of students to and from school, for field trips,
30 and for after school activities;

31 (c) A technology score shall be calculated by adding up the number

1 of computers owned by the school district on April 30 and dividing that
2 number by the total number of students enrolled in the district on April
3 30;

4 (d) A textbook score shall be calculated by adding up the number of
5 textbooks owned by the school district on April 30 and dividing that
6 number by the total number of students enrolled in the district on April
7 30;

8 (e) A poverty score shall be calculated by adding up the total
9 number of students receiving federally subsidized school lunches during
10 the month of April and dividing that number by the total number of
11 students enrolled in the school district on April 30; and

12 (f) The stabilization score shall be calculated by adding together
13 the special student needs score, the transportation score, the technology
14 score, the textbook score, and the poverty score.

15 (3) The district representative shall include the stabilization
16 score for each school district within his or her jurisdiction in the
17 district-wide report submitted to the board under subdivision (5) of
18 section 51 of this act, and the secretary shall include the stabilization
19 score in the statewide report submitted to the Governor and the
20 chairperson of the Appropriations Committee of the Legislature under
21 subdivision (6) of section 51 of this act. The reports shall include each
22 school district's special student needs score, transportation score,
23 technology score, textbook score, poverty score, and overall
24 stabilization score. In deciding what to fund each year, the Legislature
25 may give preference to school districts with an unusually high special
26 student needs score, transportation score, technology score, textbook
27 score, or poverty score. Otherwise, the Legislature shall give preference
28 to school districts with the highest overall stabilization scores.

29 Sec. 54. (1) There is hereby created the Education Facilities and
30 Growth Fund. The purpose of the Education Facilities and Growth Fund is
31 to provide money to school districts for the construction of new

1 buildings and facilities, the maintenance of current buildings and
2 facilities, and growth promotion. The Legislature may transfer money into
3 the Education Facilities and Growth Fund as needed, but at no time shall
4 the balance of the Education Facilities and Growth Fund exceed eight
5 percent of the total amount transferred for the year into the Education
6 Trust Fund pursuant to section 52 of this act. If the balance of the
7 Education Facilities and Growth Fund exceeds such amount, the State
8 Treasurer shall transfer the excess to the Cash Reserve Fund. Any money
9 in the Education Facilities and Growth Fund available for investment
10 shall be invested by the state investment officer pursuant to the
11 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
12 Act.

13 (2) The Education Facilities and Growth Fund shall be used solely
14 for the purposes of building new structures or facilities, repairing or
15 replacing current structures or facilities, promoting new programs,
16 expanding current programs, or enhancing current programs.

17 (3) Each district representative shall include requests for projects
18 to be funded from the Education Facilities and Growth Fund each year in
19 the district-wide report submitted to the board pursuant to subdivision
20 (5) of section 51 of this act. The secretary shall include such requests
21 in the statewide report submitted to the Governor and the chairperson of
22 the Appropriations Committee of the Legislature pursuant to subdivision
23 (6) of section 51 of this act.

24 (4) The Legislature shall have sole authority for determining which
25 projects receive funding each year from the Education Facilities and
26 Growth Fund.

27 Sec. 55. Section 13-319, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 13-319 Any county by resolution of the governing body may impose a
30 sales and use tax of one-half percent, one percent, or one and one-half
31 percent upon the same transactions sourced as provided in sections

1 77-2703.01 to 77-2703.04 within the county, but outside any incorporated
2 municipality which has adopted a local sales tax pursuant to section
3 77-27,142, on which the state is authorized to impose a tax pursuant to
4 the Nebraska Revenue Act of 1967, as amended from time to time. Any sales
5 and use tax imposed pursuant to this section must be used (1) to finance
6 public safety services provided by a public safety commission, (2) to
7 provide the county share of funds required under any other agreement
8 executed under the Interlocal Cooperation Act or Joint Public Agency Act,
9 or (3) to finance public safety services provided by the county. A sales
10 and use tax shall not be imposed pursuant to this section until an
11 election has been held and a majority of the qualified electors have
12 approved the tax pursuant to sections 13-322 and 13-323. A sales and use
13 tax shall not be imposed pursuant to this section if the county is
14 imposing a tax pursuant to section 77-6403. Any sales and use tax imposed
15 pursuant to this section shall terminate as provided in section 3 of this
16 act.

17 Sec. 56. Section 13-501, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 13-501 (1) Sections 13-501 to 13-513 shall be known and may be
20 cited as the Nebraska Budget Act.

21 (2) The Nebraska Budget Act shall apply until January 1, 2026. On
22 and after such date, the budgetary process shall be governed by the
23 Nebraska EPIC Option Consumption Tax Act.

24 Sec. 57. Section 13-2813, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 13-2813 (1) A municipal county by ordinance of its council may
27 impose a sales and use tax of one-half percent, one percent, or one and
28 one-half percent upon the same transactions within the entire municipal
29 county on which the state is authorized to impose a tax pursuant to the
30 Nebraska Revenue Act of 1967, as amended from time to time.

31 (2) A municipal county shall not impose a new sales and use tax,

1 increase the tax, or extend the territory of an existing sales and use
2 tax until an election is held and a majority of the registered voters as
3 provided in section 13-2810 have approved the tax, increase, or
4 extension. The ballot issue proposing approval of a new sales and use tax
5 or the increase or territorial extension of an existing sales and use tax
6 may be combined with the issue proposing creation of a municipal county.

7 (3) Any sales and use tax imposed pursuant to this section shall
8 terminate as provided in section 3 of this act.

9 Sec. 58. Section 18-2147, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 18-2147 (1) Any redevelopment plan as originally approved or as
12 later modified pursuant to section 18-2117 may contain a provision that
13 any ad valorem tax levied upon real property, or any portion thereof, in
14 a redevelopment project for the benefit of any public body shall be
15 divided, for the applicable period described in subsection (3) of this
16 section, as follows:

17 (a) That portion of the ad valorem tax which is produced by the levy
18 at the rate fixed each year by or for each such public body upon the
19 redevelopment project valuation shall be paid into the funds of each such
20 public body in the same proportion as are all other taxes collected by or
21 for the body. When there is not a redevelopment project valuation on a
22 parcel or parcels, the county assessor shall determine the redevelopment
23 project valuation based upon the fair market valuation of the parcel or
24 parcels as of January 1 of the year prior to the year that the ad valorem
25 taxes are to be divided. The county assessor shall provide written notice
26 of the redevelopment project valuation to the authority as defined in
27 section 18-2103 and the owner. The authority or owner may protest the
28 valuation to the county board of equalization within thirty days after
29 the date of the valuation notice. All provisions of section 77-1502
30 except dates for filing of a protest, the period for hearing protests,
31 and the date for mailing notice of the county board of equalization's

1 decision are applicable to any protest filed pursuant to this section.
2 The county board of equalization shall decide any protest filed pursuant
3 to this section within thirty days after the filing of the protest. The
4 county clerk shall mail a copy of the decision made by the county board
5 of equalization on protests pursuant to this section to the authority or
6 owner within seven days after the board's decision. Any decision of the
7 county board of equalization may be appealed to the Tax Equalization and
8 Review Commission, in accordance with section 77-5013, within thirty days
9 after the date of the decision;

10 (b) That portion of the ad valorem tax on real property, as provided
11 in the redevelopment contract, bond resolution, or redevelopment plan, as
12 applicable, in the redevelopment project in excess of such amount, if
13 any, shall be allocated to and, when collected, paid into a special fund
14 of the authority to be used solely to pay the principal of, the interest
15 on, and any premiums due in connection with the bonds of, loans, notes,
16 or advances of money to, or indebtedness incurred by, whether funded,
17 refunded, assumed, or otherwise, such authority for financing or
18 refinancing, in whole or in part, the redevelopment project. When such
19 bonds, loans, notes, advances of money, or indebtedness, including
20 interest and premiums due, have been paid, the authority shall so notify
21 the county assessor and county treasurer and all ad valorem taxes upon
22 taxable real property in such a redevelopment project shall be paid into
23 the funds of the respective public bodies. An authority may use a single
24 fund for purposes of this subdivision for all redevelopment projects or
25 may use a separate fund for each redevelopment project; and

26 (c) Any interest and penalties due for delinquent taxes shall be
27 paid into the funds of each public body in the same proportion as are all
28 other taxes collected by or for the public body.

29 (2) To the extent that a redevelopment plan authorizes the division
30 of ad valorem taxes levied upon only a portion of the real property
31 included in such redevelopment plan, any improvements funded by such

1 division of taxes shall be related to the redevelopment plan that
2 authorized such division of taxes.

3 (3)(a) For any redevelopment plan for which more than fifty percent
4 of the property in the redevelopment project area has been declared an
5 extremely blighted area in accordance with section 18-2101.02, ad valorem
6 taxes shall be divided for a period not to exceed twenty years after the
7 effective date as identified in the project redevelopment contract or in
8 the resolution of the authority authorizing the issuance of bonds
9 pursuant to section 18-2124.

10 (b) For all other redevelopment plans, ad valorem taxes shall be
11 divided for a period not to exceed fifteen years after the effective date
12 as identified in the project redevelopment contract, in the resolution of
13 the authority authorizing the issuance of bonds pursuant to section
14 18-2124, or in the redevelopment plan, whichever is applicable.

15 (4) The effective date of a provision dividing ad valorem taxes as
16 provided in subsection (3) of this section shall not occur until such
17 time as the real property in the redevelopment project is within the
18 corporate boundaries of the city. This subsection shall not apply to a
19 redevelopment project involving a formerly used defense site as
20 authorized in section 18-2123.01.

21 (5) Beginning August 1, 2006, all notices of the provision for
22 dividing ad valorem taxes shall be sent by the authority to the county
23 assessor on forms prescribed by the Property Tax Administrator. The
24 notice shall be sent to the county assessor on or before August 1 of the
25 year of the effective date of the provision. Failure to satisfy the
26 notice requirement of this section shall result in the taxes, for all
27 taxable years affected by the failure to give notice of the effective
28 date of the provision, remaining undivided and being paid into the funds
29 for each public body receiving property taxes generated by the property
30 in the redevelopment project. However, the redevelopment project
31 valuation for the remaining division of ad valorem taxes in accordance

1 with subdivisions (1)(a) and (b) of this section shall be the last
2 certified valuation for the taxable year prior to the effective date of
3 the provision to divide the taxes for the remaining portion of the
4 twenty-year or fifteen-year period pursuant to subsection (3) of this
5 section.

6 (6) The division of taxes authorized in this section shall terminate
7 when the property tax terminates in accordance with section 4 of this
8 act.

9 Sec. 59. Section 77-201, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 77-201 (1) Except as provided in subsections (2) through (4) and (6)
12 of this section, all real property in this state, not expressly exempt
13 therefrom, shall be subject to taxation and shall be valued at its actual
14 value.

15 (2) Agricultural land and horticultural land as defined in section
16 77-1359 shall constitute a separate and distinct class of property for
17 purposes of property taxation, shall be subject to taxation, unless
18 expressly exempt from taxation, and shall be valued at seventy-five
19 percent of its actual value, except that for school district taxes levied
20 to pay the principal and interest on bonds that are approved by a vote of
21 the people on or after January 1, 2022, such land shall be valued at
22 fifty percent of its actual value.

23 (3) Agricultural land and horticultural land actively devoted to
24 agricultural or horticultural purposes which has value for purposes other
25 than agricultural or horticultural uses and which meets the
26 qualifications for special valuation under section 77-1344 shall
27 constitute a separate and distinct class of property for purposes of
28 property taxation, shall be subject to taxation, and shall be valued for
29 taxation at seventy-five percent of its special valuation as defined in
30 section 77-1343, except that for school district taxes levied to pay the
31 principal and interest on bonds that are approved by a vote of the people

1 on or after January 1, 2022, such land shall be valued at fifty percent
2 of its special valuation as defined in section 77-1343.

3 (4) Historically significant real property which meets the
4 qualifications for historic rehabilitation valuation under sections
5 77-1385 to 77-1394 shall be valued for taxation as provided in such
6 sections.

7 (5) Tangible personal property, not including motor vehicles,
8 trailers, and semitrailers registered for operation on the highways of
9 this state, shall constitute a separate and distinct class of property
10 for purposes of property taxation, shall be subject to taxation, unless
11 expressly exempt from taxation, and shall be valued at its net book
12 value. Tangible personal property transferred as a gift or devise or as
13 part of a transaction which is not a purchase shall be subject to
14 taxation based upon the date the property was acquired by the previous
15 owner and at the previous owner's Nebraska adjusted basis. Tangible
16 personal property acquired as replacement property for converted property
17 shall be subject to taxation based upon the date the converted property
18 was acquired and at the Nebraska adjusted basis of the converted property
19 unless insurance proceeds are payable by reason of the conversion. For
20 purposes of this subsection, (a) converted property means tangible
21 personal property which is compulsorily or involuntarily converted as a
22 result of its destruction in whole or in part, theft, seizure,
23 requisition, or condemnation, or the threat or imminence thereof, and no
24 gain or loss is recognized for federal or state income tax purposes by
25 the holder of the property as a result of the conversion and (b)
26 replacement property means tangible personal property acquired within two
27 years after the close of the calendar year in which tangible personal
28 property was converted and which is, except for date of construction or
29 manufacture, substantially the same as the converted property.

30 (6) The property tax imposed pursuant to Chapter 77 shall terminate
31 as provided in section 4 of this act.

1 Sec. 60. Section 77-2004, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 77-2004 (1) In the case of a father, mother, grandfather,
4 grandmother, brother, sister, son, daughter, child or children legally
5 adopted as such in conformity with the laws of the state where adopted,
6 any lineal descendant, any lineal descendant legally adopted as such in
7 conformity with the laws of the state where adopted, any person to whom
8 the deceased for not less than ten years prior to death stood in the
9 acknowledged relation of a parent, or the spouse or surviving spouse of
10 any such persons, the rate of tax shall be:

11 (a) For decedents dying prior to January 1, 2023, one percent of the
12 clear market value of the property received by each person in excess of
13 forty thousand dollars; and

14 (b) For decedents dying on or after January 1, 2023, one percent of
15 the clear market value of the property received by each person in excess
16 of one hundred thousand dollars.

17 (2) Any interest in property, including any interest acquired in the
18 manner set forth in section 77-2002, which may be valued at a sum less
19 than or equal to the applicable exempt amount under subsection (1) of
20 this section shall not be subject to tax. In addition the homestead
21 allowance, exempt property, and family maintenance allowance shall not be
22 subject to tax. Interests passing to the surviving spouse by will, in the
23 manner set forth in section 77-2002, or in any other manner shall not be
24 subject to tax. Any interest passing to a person described in subsection
25 (1) of this section who is under twenty-two years of age shall not be
26 subject to tax.

27 (3) The tax imposed pursuant to this section shall terminate as
28 provided in section 5 of this act.

29 Sec. 61. Section 77-2005, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related

1 to the deceased by blood or legal adoption, or other lineal descendant of
2 the same, or the spouse or surviving spouse of any of such persons, the
3 rate of tax shall be:

4 (a) For decedents dying prior to January 1, 2023, thirteen percent
5 of the clear market value of the property received by each person in
6 excess of fifteen thousand dollars; and

7 (b) For decedents dying on or after January 1, 2023, eleven percent
8 of the clear market value of the property received by each person in
9 excess of forty thousand dollars.

10 (2) If the clear market value of the beneficial interest is less
11 than or equal to the applicable exempt amount under subsection (1) of
12 this section, it shall not be subject to tax. In addition, any interest
13 passing to a person described in subsection (1) of this section who is
14 under twenty-two years of age shall not be subject to tax.

15 (3) The tax imposed pursuant to this section shall terminate as
16 provided in section 5 of this act.

17 Sec. 62. Section 77-2006, Revised Statutes Cumulative Supplement,
18 2022, is amended to read:

19 77-2006 (1) In all other cases the rate of tax shall be:

20 (a) For decedents dying prior to January 1, 2023, eighteen percent
21 of the clear market value of the beneficial interests received by each
22 person in excess of ten thousand dollars; and

23 (b) For decedents dying on or after January 1, 2023, fifteen percent
24 of the clear market value of the beneficial interests received by each
25 person in excess of twenty-five thousand dollars.

26 (2) If the clear market value of the beneficial interest is less
27 than or equal to the applicable exempt amount under subsection (1) of
28 this section, it shall not be subject to any tax. In addition, any
29 interest passing to a person who is under twenty-two years of age shall
30 not be subject to tax.

31 (3) The tax imposed pursuant to this section shall terminate as

1 provided in section 5 of this act.

2 Sec. 63. Section 77-2701, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 77-2701 (1) Sections 77-2701 to 77-27,135.01, 77-27,222, 77-27,235,
5 77-27,236, and 77-27,238 to 77-27,240 shall be known and may be cited as
6 the Nebraska Revenue Act of 1967.

7 (2) The sales and use tax and the income tax imposed pursuant to the
8 Nebraska Revenue Act of 1967 shall terminate as provided in section 3 of
9 this act.

10 Sec. 64. Section 77-27,148, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 77-27,148 (1) Sections 77-27,142 to 77-27,148 may be cited as the
13 Local Option Revenue Act.

14 (2) Any sales and use tax imposed pursuant to the Local Option
15 Revenue Act shall terminate as provided in section 3 of this act.

16 Sec. 65. Section 77-3506, Revised Statutes Cumulative Supplement,
17 2022, is amended to read:

18 77-3506 (1) All homesteads in this state shall be assessed for
19 taxation the same as other property, except that there shall be exempt
20 from taxation, on any homestead described in subsection (2) of this
21 section, one hundred percent of the exempt amount.

22 (2) The exemption described in subsection (1) of this section shall
23 apply to homesteads of:

24 (a) A veteran who was discharged or otherwise separated with a
25 characterization of honorable or general (under honorable conditions),
26 who is drawing compensation from the United States Department of Veterans
27 Affairs because of one hundred percent service-connected disability, and
28 who is not eligible for total exemption under sections 77-3526 to
29 77-3528, an unremarried surviving spouse of such a veteran, or a
30 surviving spouse of such a veteran who remarries after attaining the age
31 of fifty-seven years;

1 (b) An unremarried surviving spouse of any veteran, including a
2 veteran other than a veteran described in section 80-401.01, who was
3 discharged or otherwise separated with a characterization of honorable or
4 general (under honorable conditions) and who died because of a service-
5 connected disability or a surviving spouse of such a veteran who
6 remarries after attaining the age of fifty-seven years;

7 (c) An unremarried surviving spouse of a serviceman or servicewoman,
8 including a veteran other than a veteran described in section 80-401.01,
9 whose death while on active duty was service-connected or a surviving
10 spouse of such a serviceman or servicewoman who remarries after attaining
11 the age of fifty-seven years; and

12 (d) An unremarried surviving spouse of a serviceman or servicewoman
13 who died while on active duty during the periods described in section
14 80-401.01 or a surviving spouse of such a serviceman or servicewoman who
15 remarries after attaining the age of fifty-seven years.

16 (3) Application for exemption under this section shall include
17 certification of the status set forth in subsection (2) of this section
18 from the United States Department of Veterans Affairs. Such certification
19 shall not be required in succeeding years if no change in status has
20 occurred, except that the county assessor or the Tax Commissioner may
21 request such certification to verify that no change in status has
22 occurred.

23 (4) The exemption provided in this section shall only apply with
24 respect to years in which a property tax is imposed. The exemption shall
25 terminate when the property tax terminates in accordance with section 4
26 of this act.

27 Sec. 66. Section 77-3507, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 77-3507 (1) All homesteads in this state shall be assessed for
30 taxation the same as other property, except that there shall be exempt
31 from taxation on homesteads of qualified claimants a percentage of the

1 exempt amount as limited by section 77-3506.03. The percentage of the
2 exempt amount shall be determined based on the household income of a
3 claimant pursuant to subsections (2) through (4) of this section.

4 (2) For 2014, for a qualified married or closely related claimant,
5 the percentage of the exempt amount for which the claimant shall be
6 eligible shall be the percentage in Column B which corresponds with the
7 claimant's household income in Column A in the table found in this
8 subsection.

9	Column A	Column B
10	Household Income	Percentage
11	In Dollars	Of Relief
12	0 through 31,600	100
13	31,601 through 33,300	90
14	33,301 through 35,000	80
15	35,001 through 36,700	70
16	36,701 through 38,400	60
17	38,401 through 40,100	50
18	40,101 through 41,800	40
19	41,801 through 43,500	30
20	43,501 through 45,200	20
21	45,201 through 46,900	10
22	46,901 and over	0

23 (3) For 2014, for a qualified single claimant, the percentage of the
24 exempt amount for which the claimant shall be eligible shall be the
25 percentage in Column B which corresponds with the claimant's household
26 income in Column A in the table found in this subsection.

27	Column A	Column B
28	Household Income	Percentage
29	In Dollars	Of Relief
30	0 through 26,900	100

1	26,901 through 28,300	90
2	28,301 through 29,700	80
3	29,701 through 31,100	70
4	31,101 through 32,500	60
5	32,501 through 33,900	50
6	33,901 through 35,300	40
7	35,301 through 36,700	30
8	36,701 through 38,100	20
9	38,101 through 39,500	10
10	39,501 and over	0

11 (4) For exemption applications filed in calendar years 2015 through
12 2017, the income eligibility amounts in subsections (2) and (3) of this
13 section shall be adjusted by the percentage determined pursuant to the
14 provisions of section 1(f) of the Internal Revenue Code of 1986, as it
15 existed prior to December 22, 2017. For exemption applications filed in
16 calendar year 2018 and each calendar year thereafter, the income
17 eligibility amounts in subsections (2) and (3) of this section shall be
18 adjusted by the percentage change in the Consumer Price Index for All
19 Urban Consumers published by the federal Bureau of Labor Statistics from
20 the twelve months ending on August 31, 2016, to the twelve months ending
21 on August 31 of the year preceding the applicable calendar year. The
22 income eligibility amounts shall be adjusted for cumulative inflation
23 since 2014. If any amount is not a multiple of one hundred dollars, the
24 amount shall be rounded to the next lower multiple of one hundred
25 dollars.

26 (5) The exemption provided in this section shall only apply with
27 respect to years in which a property tax is imposed. The exemption shall
28 terminate when the property tax terminates in accordance with section 4
29 of this act.

30 Sec. 67. Section 77-3508, Revised Statutes Cumulative Supplement,
31 2022, is amended to read:

1 77-3508 (1)(a) All homesteads in this state shall be assessed for
2 taxation the same as other property, except that there shall be exempt
3 from taxation, on any homestead described in subdivision (b) of this
4 subsection, a percentage of the exempt amount as limited by section
5 77-3506.03. The exemption shall be based on the household income of a
6 claimant pursuant to subsections (2) through (4) of this section.

7 (b) The exemption described in subdivision (a) of this subsection
8 shall apply to homesteads of:

9 (i) Veterans as defined in section 80-401.01 who were discharged or
10 otherwise separated with a characterization of honorable or general
11 (under honorable conditions) and who are totally disabled by a non-
12 service-connected accident or illness;

13 (ii) Individuals who have a permanent physical disability and have
14 lost all mobility so as to preclude locomotion without the use of a
15 mechanical aid or a prosthetic device as defined in section 77-2704.09;

16 (iii) Individuals who have undergone amputation of both arms above
17 the elbow or who have a permanent partial disability of both arms in
18 excess of seventy-five percent; and

19 (iv) Beginning January 1, 2015, individuals who have a developmental
20 disability as defined in section 83-1205.

21 (c) Application for the exemption described in subdivision (a) of
22 this subsection shall include certification from a qualified medical
23 physician, physician assistant, or advanced practice registered nurse for
24 subdivisions (b)(i) through (b)(iii) of this subsection, certification
25 from the United States Department of Veterans Affairs affirming that the
26 homeowner is totally disabled due to non-service-connected accident or
27 illness for subdivision (b)(i) of this subsection, or certification from
28 the Department of Health and Human Services for subdivision (b)(iv) of
29 this subsection. Such certification from a qualified medical physician,
30 physician assistant, or advanced practice registered nurse or from the
31 Department of Health and Human Services shall be made on forms prescribed

1 by the Department of Revenue. If an individual described in subdivision
2 (b)(i), (ii), (iii), or (iv) of this subsection is granted a homestead
3 exemption pursuant to this section for any year, such individual shall
4 not be required to submit the certification required under this
5 subdivision in succeeding years if no change in medical condition has
6 occurred, except that the county assessor or the Tax Commissioner may
7 request such certification to verify that no change in medical condition
8 has occurred.

9 (2) For 2014, for a married or closely related claimant as described
10 in subsection (1) of this section, the percentage of the exempt amount
11 for which the claimant shall be eligible shall be the percentage in
12 Column B which corresponds with the claimant's household income in Column
13 A in the table found in this subsection.

14	Column A	Column B
15	Household Income	Percentage
16	In Dollars	Of Relief
17	0 through 34,700	100
18	34,701 through 36,400	90
19	36,401 through 38,100	80
20	38,101 through 39,800	70
21	39,801 through 41,500	60
22	41,501 through 43,200	50
23	43,201 through 44,900	40
24	44,901 through 46,600	30
25	46,601 through 48,300	20
26	48,301 through 50,000	10
27	50,001 and over	0

28 (3) For 2014, for a single claimant as described in subsection (1)
29 of this section, the percentage of the exempt amount for which the
30 claimant shall be eligible shall be the percentage in Column B which
31 corresponds with the claimant's household income in Column A in the table

1 found in this subsection.

2	Column A	Column B
3	Household Income	Percentage
4	In Dollars	Of Relief
5	0 through 30,300	100
6	30,301 through 31,700	90
7	31,701 through 33,100	80
8	33,101 through 34,500	70
9	34,501 through 35,900	60
10	35,901 through 37,300	50
11	37,301 through 38,700	40
12	38,701 through 40,100	30
13	40,101 through 41,500	20
14	41,501 through 42,900	10
15	42,901 and over	0

16 (4) For exemption applications filed in calendar years 2015 through
17 2017, the income eligibility amounts in subsections (2) and (3) of this
18 section shall be adjusted by the percentage determined pursuant to the
19 provisions of section 1(f) of the Internal Revenue Code of 1986, as it
20 existed prior to December 22, 2017. For exemption applications filed in
21 calendar year 2018 and each calendar year thereafter, the income
22 eligibility amounts in subsections (2) and (3) of this section shall be
23 adjusted by the percentage change in the Consumer Price Index for All
24 Urban Consumers published by the federal Bureau of Labor Statistics from
25 the twelve months ending on August 31, 2016, to the twelve months ending
26 on August 31 of the year preceding the applicable calendar year. The
27 income eligibility amounts shall be adjusted for cumulative inflation
28 since 2014. If any amount is not a multiple of one hundred dollars, the
29 amount shall be rounded to the next lower multiple of one hundred
30 dollars.

31 (5) The exemption provided in this section shall only apply with

1 respect to years in which a property tax is imposed. The exemption shall
2 terminate when the property tax terminates in accordance with section 4
3 of this act.

4 Sec. 68. Section 77-6406, Revised Statutes Cumulative Supplement,
5 2022, is amended to read:

6 77-6406 Any sales and use tax imposed pursuant to the The Qualified
7 Judgment Payment Act shall terminate as provided in section 3 of this act
8 terminates on January 1, 2027.

9 Sec. 69. Section 77-6827, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 77-6827 (1) In order to utilize the incentives allowed in the
12 Imagine Nebraska Act, the taxpayer shall file an application with the
13 director, on a form developed by the director, requesting an agreement.

14 (2) The application shall:

15 (a) Identify the taxpayer applying for incentives;

16 (b) Identify all locations sought to be within the agreement and the
17 reason each such location constitutes or is expected to constitute a
18 qualified location;

19 (c) State the estimated, projected amount of new investment and the
20 estimated, projected number of new employees;

21 (d) Identify the required levels of employment and investment for
22 the various incentives listed within section 77-6831 that will govern the
23 agreement. The taxpayer may identify different levels of employment and
24 investment until the first December 31 following the end of the ramp-up
25 period on a form approved by the director. The identified levels of
26 employment and investment will govern all years covered under the
27 agreement;

28 (e) Identify whether the agreement is for a single qualified
29 location, all qualified locations within a county, all qualified
30 locations in more than one county, or all qualified locations within the
31 state;

1 (f) Acknowledge that the taxpayer understands the requirements for
2 offering health coverage, and for reporting the value of such coverage,
3 as specified in the Imagine Nebraska Act;

4 (g) Acknowledge that the taxpayer does not violate any state or
5 federal law against discrimination;

6 (h) Acknowledge that the taxpayer understands the requirements for
7 providing a sufficient package of benefits to its employees as specified
8 in the Imagine Nebraska Act; and

9 (i) Contain a nonrefundable application fee of five thousand
10 dollars. The fee shall be remitted to the State Treasurer for credit to
11 the Nebraska Incentives Fund.

12 (3) An application must be complete to establish the date of the
13 application. An application shall be considered complete once it contains
14 the items listed in subsection (2) of this section.

15 (4) Once satisfied that the application is consistent with the
16 purposes stated in the Imagine Nebraska Act for one or more qualified
17 locations within this state, the director shall approve the application,
18 subject to the base authority limitations provided in section 77-6839.

19 (5) The director shall make his or her determination to approve or
20 not approve an application within ninety days after the date of the
21 application. If the director requests, by mail or by electronic means,
22 additional information or clarification from the taxpayer in order to
23 make his or her determination, such ninety-day period shall be tolled
24 from the time the director makes the request to the time he or she
25 receives the requested information or clarification from the taxpayer.
26 The taxpayer and the director may also agree to extend the ninety-day
27 period. If the director fails to make his or her determination within the
28 prescribed ninety-day period, the application is deemed approved, subject
29 to the base authority limitations provided in section 77-6839.

30 (6) There shall be no new applications for incentives filed under
31 this section after the effective date of this act ~~December 31, 2030~~. All

1 complete applications filed on or before the effective date of this act
2 ~~December 31, 2030~~, shall be considered by the director and approved if
3 the location or locations and taxpayer qualify for benefits, subject to
4 the base authority limitations provided in section 77-6839. Agreements
5 may be executed with regard to complete applications filed on or before
6 the effective date of this act ~~December 31, 2030~~. All agreements pending,
7 approved, or entered into before such date shall continue in full force
8 and effect.

9 Sec. 70. Section 79-1001, Revised Statutes Cumulative Supplement,
10 2022, is amended to read:

11 79-1001 (1) Sections 79-1001 to 79-1033 shall be known and may be
12 cited as the Tax Equity and Educational Opportunities Support Act.

13 (2) The Tax Equity and Educational Opportunities Support Act shall
14 apply until January 1, 2026. On and after such date, funding for the
15 public schools shall be governed by the Nebraska EPIC Option Consumption
16 Tax Act.

17 Sec. 71. Section 85-2231, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 85-2231 (1) Sections 85-2231 to 85-2237 shall be known and may be
20 cited as the Community College Aid Act.

21 (2) The Community College Aid Act shall apply until January 1, 2026.
22 On and after such date, community colleges shall be funded as provided in
23 the Nebraska EPIC Option Consumption Tax Act.

24 Sec. 72. Original sections 13-319, 13-501, 13-2813, 18-2147,
25 77-27,148, 77-3507, and 85-2231, Reissue Revised Statutes of Nebraska,
26 and sections 77-201, 77-2004, 77-2005, 77-2006, 77-2701, 77-3506,
27 77-3508, 77-6406, 77-6827, and 79-1001, Revised Statutes Cumulative
28 Supplement, 2022, are repealed.

FISCAL NOTE
 LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2023-24		FY 2024-25	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below	See Below	See Below	See Below

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

LB 79 seeks to amend various sections related to taxation, and to enact the Nebraska EPIC Option Consumption Tax Act (EPIC Act).

LB 79 terminates the following:

- The Nebraska Budget Act
- Tax-increment financing
- Property tax
- The inheritance tax
- Sales and use taxes
- The income tax
- The Homestead exemption
- The Tax Equity and Educational Opportunities Support Act (TEEOSA)
- The Community College Aid Act

Additionally, LB 79 changes the deadline for applications under the ImagiNE Nebraska Act to be the effective date of the EPIC Act.

The Nebraska Budget Act:

Under LB 79, The Nebraska Budget Act would be terminated as of January 1, 2026. On and after that date, the EPIC Act would dictate the budget process.

Property Tax:

Under LB 79, property tax imposed pursuant to Chapter 77 would be repealed at the end of the day on December 31, 2025. Property taxes due from 2025 could still be collected during calendar year 2026, but no property taxes would be imposed on real or personal property beginning January 1, 2026. Along with this, the division of taxes for tax-increment financing would also be terminated. With the termination of property taxes, the Homestead Exemption, TEEOSA, and the Community College Aid Act would end.

The Inheritance Tax:

Under LB 79, the inheritance tax imposed pursuant to sections 77-2001 to 77-2040 would be repealed at the end of the day on December 31, 2025. Inheritance taxes due from 2025 could be collected during calendar year 2026, but no inheritance taxes would be imposed on a deceased person's estate beginning January 1, 2026.

Sales and Use Taxes:

Under LB 79, the state sales and use tax of the Nebraska Revenue Act of 1967 and all local sales and use taxes of the Local Option Revenue Act, the Qualified Judgment Payment Act, and sections 13-319 and 13-2813 would be repealed at the end of the day on December 31, 2025. The Department of Revenue (DOR) could collect sales and use taxes due from 2025 during calendar year 2026, but no sales and use taxes would be imposed on purchases of goods and services beginning January 1, 2026. The current recipients of state sales and use tax are the General Fund, Department of Transportation, and cities and counties through the Highway Allocation Fund.

The Income Tax:

Under LB 79, the state income tax of the Nebraska Revenue Act of 1967 would be repealed at the end of the day on December 31, 2025. The DOR could collect taxes due from 2025 during calendar year 2026, but income earned in 2026 would not be subject to the income tax.

Consumption Tax:

LB 79 seeks to institute a consumption tax in place of the various sources of tax revenue that would be eliminated under the bill. Under the EPIC Act, the consumption tax would begin on January 1, 2026 on taxable property or services at a rate of 7.5%

The following items would be exempt from the consumption tax:

- The sale of land
- Any taxable property or service that is subject to an excise tax in the state
- The purchase of taxable property or services for business purpose in a trade or business
- The purchase of taxable property or service for an investment purpose and held exclusively for an investment purpose
- The purchase of taxable property or service for educational purposes
- The purchase of used property
- The purchase of groceries for off-premises consumption

Under LB 79, the proceeds of the taxes paid pursuant to the EPIC Act would be collected by the DOR and remitted to the State Treasurer for credit to the General Fund.

LB 79 would allow the Tax Commissioner to designate tax collectors in order to enforce and facilitate the proper administration of the consumption tax.

Under LB 79, in the case of taxable property or service purchased outside of the state and brought into the state for use or consumption in the state and in the mentioned case of property or services being converted to personal use in the state, the purchaser would remit the consumption tax on a form prescribed by the Tax Commissioner.

LB 79 would allow for any person engaging in a trade or business, including farms and ranches, to apply for a tax-exempt certificate from the Tax Commissioner. The tax-exempt certificate would be required to contain an identification number unique to the applicant. The Tax Commissioner would adopt and promulgate rules and regulations regarding the tax-exempt certificate.

LB 79 requires all registered sellers or liable persons to remit consumption taxes on or before the fifteenth day of each month to the Tax Commissioner, with certain exceptions, along with the completion of a form reporting various details relating to gross payments received and taxes collected for the prior month. The EPIC Act allows for registered sellers to deduct 0.25% from the consumption tax collected to reimburse for the cost to collect the tax.

LB 79 identifies large sellers as any seller that has collected more than \$100,000 in consumption tax in the prior 12 months. These sellers are required to remit their taxes due to the Tax Commissioner on the first Monday or first business day following the end of each week. These sellers are required to provide security in the form of a cash bond, surety bond, a certificate of deposit, or a treasury bond in an amount equal to \$100,000 or 1.5 times the average monthly tax liability of the large seller, whichever is greater.

LB 79 would require the Tax Commissioner to establish a system under which a violation of the Nebraska EPIC Act could be brought to the attention of the Tax Commissioner for investigation and is authorized to develop and maintain a program of awards in which individuals may be recognized and rewarded in a manner deemed appropriate by the Tax Commissioner for discovering, reporting, and prosecuting tax fraud.

LB 79 would provide up to \$1,000, up to \$5,000, and up to \$10,000 exemptions to the consumption tax on gross payments per calendar year and a credit for qualified inventory of a trade or business.

LB 79 would require the DOR to maintain a continuing education program to train employees of the department and to provide them with a current knowledge of state and applicable federal tax laws. The bill would also require the Tax Commissioner to prepare an annual report beginning in 2027 to present to the Revenue Committee. This report would include information on the audits, assessments, or examinations done by the DOR in the previous year.

LB 79 states that nothing in the EPIC Act shall limit the ability of counties, cities, or villages from imposing a separate consumption tax within the limits of the county, city, or village.

LB 79 would establish a process of budgeting for state agencies (also applies to the University of Nebraska and the Nebraska state college system). Beginning in 2026, each state agency would submit an annual budget request to the Appropriations Committee chairperson and to the Governor. An annual request for an agency would be limited to the amount equal to the percentage change in

the Consumer Price Index for All Urban Consumers, which is released by the federal Bureau of Labor Statistics. In the event of an emergency where an unforeseen contingency arises, the agency can petition the Legislature for a budget increase up to 2.5%. In the event of a natural disaster where the Governor has declared the affected area as a disaster area, the agency can petition the Legislature for a budget increase up to 5%.

Under LB 79, beginning in 2026, the Governor would submit an annual statewide budget to the Legislature by December 1. The Appropriations Committee of the Legislature would approve and submit a bill or bills for the annual statewide budget for approval by the Legislature. The bill or bills would balance expenses with state revenue projected by the Nebraska Economic Forecasting Advisory Board.

LB 79 would create the Budget Equalization and Review Board so that the 93 counties and all political subdivisions in this state receive representation regarding funding for their operations. The Board would consist of 7 members with 5 district representatives, the secretary, and the Auditor of Public Accounts or his or her designee. District representatives could hire staff as needed to assist them in their work. The Board would meet at least once per quarter throughout the calendar year with meetings of the Board subject to the Open Meetings Act. District Representatives and the Secretary of the Board would be compensated at a rate of \$80,000 per year until changed by the Legislature and entitled to receive reimbursement for expenses incurred incident to their service on the Board as provided in sections 81-1174 to 81-1177. The district representatives would make a comprehensive report for all of the countywide budget proposals within their respective districts and would submit such comprehensive report to the Board for approval. Each comprehensive report would require a majority vote of the district representatives for approval. Once approved, the proposals would be included in a statewide report prepared by the Secretary of the Board and the statewide report would need to be approved by a majority vote of the district representatives. After approval, the Secretary of the Board would submit the statewide report to the Governor and to the chairperson of the Appropriations Committee.

LB 79 establishes the County Trust Fund to supply political subdivisions with adequate funds to run their respective operations. The Appropriations Committee would use the mentioned statewide report to determine the amount to be transferred each year to the County Trust Fund. The State Treasurer would transfer money to the County Trust Fund as directed by the Legislature.

LB 79 establishes the County Stabilization Fund to assist counties with additional or unexpected expenditures. The Legislature could transfer money into the County Stabilization Fund as needed, but at no time could the balance of the County Stabilization Fund exceed 10% of the total amount transferred for the year into the County Trust Fund. The distributions to be made from the County Stabilization Fund made annually to each county would be based on each county's SEND score. This score would reflect the amount that a county needs to provide standardized quality countywide services to the residents of the county.

LB 79 establishes the County Rainy Day Fund to provide money to counties that are recovering from a fire, a flood, a tornado, or any other kind of natural disaster which destroys buildings or structures used for governmental purposes. The Legislature could transfer money into the County Rainy Day Fund as needed, but at no time could the balance of the County Rainy Day Fund exceed 8% of the total amount transferred for the year into the County Trust Fund.

LB 79 creates the School Equalization and Review Board so that school districts receive representation regarding funding for their operations. Like the Budget and Equalization Review Board, it would be composed of 5 district representatives, a secretary, and the Auditor of Public Accounts or his or her designee. District representatives could hire staff as needed to assist them in their work. The Board would meet at least once per quarter throughout the calendar year with meetings of the board subject to the Open Meetings Act. District Representatives and the Secretary of the Board would be compensated at a rate of \$80,000 per year until changed by the Legislature and entitled to receive reimbursement for expenses incurred incident to their service on the Board as provided in sections 81-1174 to 81-1177. The district representatives would submit a district-wide report of all of the school districts within the representative's jurisdiction to the Board for approval. Each district-wide report would require a majority vote of the district representatives for approval. Once approved, the proposals would be included in a statewide report prepared by the Secretary of the Board and the statewide report would need to be approved by a majority vote of the district representatives. After approval, the Secretary of the Board would submit the statewide report to the Governor and to the chairperson of the Appropriations Committee.

LB 79 establishes the Education Trust Fund to provide for the free instruction in the common schools of the state. The Legislature would transfer money into the Education Trust Fund annually to cover the five-year average operational costs per school plus 2% for all public schools operating within the state. The Appropriations Committee would use the mentioned statewide report to determine the amount to be transferred each year to the Education Trust Fund. The State Treasurer would transfer money to the Education Trust Fund as directed by the Legislature.

LB 79 establishes the Education Stabilization Fund so school districts receive adequate funding for their operations. The Legislature could transfer money into the Education Stabilization Fund as needed, but at no time could the balance of the Education Stabilization Fund exceed 10% of the total amount transferred for the year into the Education Trust Fund. The distributions to be made from the Education Stabilization Fund made annually to each school district would be based on each school district's stabilization score. The stabilization score would take into account special student needs, transportation, technology, textbooks, and poverty.

LB 79 establishes the Education Facilities and Growth Fund to provide money to school districts for the construction of new buildings and facilities, the maintenance of current buildings and facilities, and growth promotion. The Legislature could transfer money into the Education Facilities and Growth Fund as needed, but at no time could the balance of the Education Facilities and Growth Fund exceed 8% of the total amount transferred for the year into the Education Trust Fund.

The DOR estimates the consumption tax from LB 79 would generate the following revenue to the General Fund:

- FY24-25: \$0
- FY25-26: \$2,978,000,000
- FY26-27: \$7,493,000,000
- FY27-28: \$7,855,000,000
- FY28-29: \$8,234,000,000

This revenue gain is estimated by the DOR to be offset by the elimination of income, sales, property, and inheritance tax, which would cause a revenue loss of:

- FY24-25: \$0
- FY25-26: (\$3,271,000,000)
- FY26-27: (\$9,287,000,000)
- FY27-28: (\$12,407,000,000)
- FY28-29: (\$12,799,000,000)

The DOR estimates net expenditures for the General Fund to change, as well. The elimination of the Homestead Exemption and Real Property Tax Credit will decrease expenditures. This estimated net change in General Fund expenditures is as follows:

- FY24-25: \$0
- FY25-26: \$0
- FY26-27: (\$739,600,000)
- FY27-28: (\$763,250,000)
- FY28-29: (\$787,635,500)

The DOR assumes that new revenue will be used to redistribute back to all of the funds and political subdivisions impacted by the EPIC Act. This includes the Highway Allocation Fund, the State Highway Capital Improvement Fund, the Highway Cash Fund, and local option sales tax. Given this, the net impact of LB 79 is estimated as follows by the DOR:

- FY24-25: \$0
- FY25-26: (\$763,000,000)
- FY26-27: (\$2,312,800,000)
- FY27-28: (\$5,088,150,000)
- FY28-29: (\$5,119,164,500)

There is no basis to disagree with these estimates by the DOR.

Also, the DOR estimates a one-time OCIO programming charge of \$1,391,544 for mainframe and web development. Additionally, DOR projects the need for additional staff beginning in FY24-25, including Training Specialists, Revenue Agents, Fiscal Compliance Analysts, Revenue Auditors, and more. DOR estimates this to be offset by a reduction in staff beginning in FY26-27 as tax issues are completed and positions are eliminated or reassigned. These positions are primarily those relating to property assessment and revenue operations. As a result, this would reduce DOR expenditures each year over time. Please refer to the DOR's fiscal note for a detailed breakdown on the expected personnel changes.

The Department of Health and Human Services approximates a reduction to the Temporary Assistance for Needy Families (TANF) federal funding in the amount of \$16,772,596 based on FY22 numbers as a result of the elimination of the Nebraska Earned Income Tax Credit and Child and Dependent Care Tax Credit that could no longer be claimed as a result of this bill. There is no basis to disagree with this estimate.

The Department of Administrative Services (DAS) estimates an increase to state expenditures as a result of the state being taxed through the consumption tax under this bill. DAS estimates an increase to expenditures in FY25-26 of \$75,118,482 and \$150,236,963 in FY26-27. There is no basis to disagree with these estimates. For a detailed breakdown of the increase to expenditures estimated by DAS, please see their fiscal note.

The state is also anticipated to have additional responsibilities under this bill that would result in significant increased expenditures. The change to the budget process adds the Budget Equalization and Review Board and the School Equalization and Review Board to compile and approve budgets statewide for political subdivisions. This task will require staff and operational funding for these Boards in order to fulfill their responsibilities. In addition, once these budgets are passed by the Boards, the Legislature and Governor would need more staff for the review of these added governmental budgets now under the purview of the state for funding.

With the creation of the Budget Equalization and Review Board, political subdivisions would send their budget proposals to the county for the countywide report. Political subdivisions would be defined as any political subdivision in the state other than a school district. When political subdivisions cover multiple counties, this bill would create complexities for how to fund these political subdivisions.

The effect to counties and other political subdivisions would be significant as a result of this bill. The revenue sources for nearly all political subdivisions would be eliminated with the repealing of the inheritance, sales and use, and property tax. The EPIC Act would allow for counties, cities, or villages to impose their own consumption taxes, which would offset the revenue loss if utilized.

The sections of the EPIC Act that change the Nebraska budget process would also significantly impact counties and other political subdivisions. These entities would need to restructure their processes to comply with the new requirements. The elimination of the taxes in the EPIC Act would reduce spending needs for staff and activities that had been connected to the eliminated taxes while staff may be added or re-assigned to account for new responsibilities under this bill.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 79	AM:	AGENCY/POLT. SUB: Department of Revenue	
REVIEWED BY: Neil Sullivan	DATE: 3/1/2023	PHONE: (402) 471-4179	
COMMENTS: No basis to disagree with the Department of Revenue assessment of fiscal impact, net General Fund revenue gain, and local government revenue reduction resulting from LB 79.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 79	AM:	AGENCY/POLT. SUB: Community Colleges	
REVIEWED BY: Neil Sullivan	DATE: 3/1/2023	PHONE: (402) 471-4179	
COMMENTS: No basis to disagree with the Community Colleges assessment of federal aid reduction resulting from LB 79. The percentages used for the calculated impact of elimination of tax-exempt status and year-over-year increase may be over stated.			
The impact to Community Colleges does not impact the State General Fund nor State appropriation, and the tax status impact would not be included in the enterprise impact provided by the Department of Administrative Services.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 79	AM:	AGENCY/POLT. SUB: Health & Human Services	
REVIEWED BY: Neil Sullivan	DATE: 3/1/2023	PHONE: (402) 471-4179	
COMMENTS: No basis to disagree with the Health & Human Services fiscal impact assessment of federal funding reduction resulting from LB 79.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE			
LB: 79	AM:	AGENCY/POLT. SUB: Department of Transportation	
REVIEWED BY: Neil Sullivan	DATE: 3/1/2023	PHONE: (402) 471-4179	
COMMENTS: No basis to disagree with the Department of Transportation assessment of fiscal impact from LB 79.			

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 79	AM:	AGENCY/POLT. SUB: Nebraska Association of County Officials
REVIEWED BY: Neil Sullivan	DATE: 3/1/2023	PHONE: (402) 471-4179
COMMENTS: No basis to disagree with the Nebraska Association of County Officials assessment of indeterminate impact from LB 79.		

State Agency Estimate

State Agency Name: Department of Revenue				Date Due LFO:			
Approved by: Glen White				Date Prepared: 02/28/2023		Phone: 471-5896	
	FY 2023-2024		FY 2024-2025		FY 2025-2026		
	Expenditures	Revenue	Expenditures	Revenue	Expenditures	Revenue	
General Funds	See Below	See Below	See Below	See Below	See Below	See Below	
Cash Funds		See Below		See Below		See Below	
Federal Funds							
Other Funds		See Below		See Below		See Below	
Total Funds	See Below	See Below	See Below	See Below	See Below	See Below	

LB 79 creates the Nebraska EPIC Option Consumption Tax Act (EPIC Act). EPIC stands for the elimination of property, income, and corporate taxes.

Section 3 through 5 repeal the state income tax, sales and use tax, all local sales and use taxes pursuant to the Local Option Revenue Act, Qualified Judgment Payment Act, and §§ 13-319 and 13-2813, the property tax, and the inheritance tax. These repeals are effective at the end of the day on December 31, 2025.

The Nebraska Department of Revenue (DOR) may collect the income tax due from 2025 during the calendar year 2026, but income earned in 2026 is not subject to the income tax. DOR may collect the sales and use taxes due from 2025 during the calendar year 2026, but no sales and use taxes will be imposed on purchases of goods and services beginning January 1, 2026. DOR may collect the property taxes due from 2025 during calendar year 2026, but no property taxes will be imposed beginning January 1, 2026. DOR may collect inheritance taxes due from 2025 during calendar year 2026, but no inheritance taxes will be imposed on a deceased person’s estate beginning January 1, 2026.

Beginning January 1, 2026, Section 7 imposes a tax on the use or consumption in Nebraska of taxable property or services. The tax rate is 7.5%. The person purchasing the taxable property or services is liable for the tax.

Registered sellers collect the tax, and the tax constitutes a part of the purchase price and is a debt from the purchaser to the registered seller until collected. The tax collected by registered sellers constitutes a debt owed by the seller to the state. Section 7 also establishes the method and manner of collection and payment of the consumption tax for various categories of property, services, and wages or salary including the following:

- The tax imposed on sales of new automobiles, trucks, trailers, semi-trailers, and truck-tractors as defined in the Motor Vehicle Registration Act (motor vehicles) and is paid to the county treasurer of the county where the transaction took place. In the rental or lease of motor vehicles, the lessor must collect the tax on the rental or lease price.

		Major Objects of Expenditure					
Class Code	Classification Title	23-24	24-25	25-26	23-24	24-25	25-26
		FTE	FTE	FTE	Expenditures	Expenditures	Expenditures
A29621	Revenue Tax Specialist	0.0	0.0	2.0	\$0	\$0	\$131,000
A11011	Training Specialist	0.0	1.0	2.0	\$0	\$51,400	\$105,400
V29224	Revenue Agent Supervisor	0.0	0.0	0.5	\$0	\$0	\$30,900
V29223	Revenue Agent Senior	0.0	0.0	0.5	\$0	\$0	\$26,300
R29222	Revenue Agent	0.0	0.0	2.5	\$0	\$0	\$114,000
Benefits.....					\$0	\$17,000	\$134,500
Operating Costs.....					\$1,391,544		
Travel.....						\$5,000	\$40,000
Capital Outlay.....							
Capital Improvements.....							
Total.....					\$1,391,544	\$73,400	\$582,100

- The tax on wages or salary paid by a taxable employer, which are taxable services, must be remitted the month after the date the wages were paid. Taxable employers include any household employing domestic servants, and any government except for government enterprises as defined in section 25 of the Act.
- Purchases must remit the consumption tax imposed on property or services purchased outside Nebraska and brought into Nebraska for use in the State to DOR.
- Property or services purchased for a business purpose in a trade or business or for sale outside Nebraska that is later converted for personal use in Nebraska are deemed purchased at the time of conversion are subject to tax on the fair market value of the property on the date of conversion.
- Real estate is taxed as follows:
 - The building and sale of a new structure, like a dwelling, barn, or other building is subject to tax.
 - The building and sale of an addition to a structure is subject to tax.
 - The remodeling and sale of an already existing structure is subject to tax.
 - The sale of an already existing structure by any agent other than the seller or purchaser of real property is considered a taxable service and subject to tax on the commissions or fees imposed by the agents of the seller and purchaser.
- Land is not subject to the tax.
- Medical and dental services are subject to tax as follows:
 - No tax is imposed to persons receiving medical or dental services covered by a medical or dental insurance policy because such person is already subject to an excise tax as described in section 8 of the EPIC Act.
 - If the person is not covered by and insurance policy, the tax is imposed on the fair market value of the services provided and is collected by the office, hospital, or clinic.
 - If the person is under age 18 the parent or legal guardian is liable for paying the tax. If the person is a ward of the state, the state agency charges with the care of the person is liable for paying the tax.

Section 8 lists the exemptions from the consumption tax and requires the Tax Commissioner to create a tax-exemption certificate application. Section 8 exempts taxable property or services that are subject to the following state excise taxes:

- Motor fuels, under § 66-489.
- Cigarettes, under § 77-2602.
- Alcohol-related products, under §§ 53-160, 53-160.04, and 53-162.
- Insurance premiums, under § 77-908.
- Nameplate capacity tax, under § 77-6203.
- Motor vehicle registration fees, under the Motor Vehicle Registration Act.
- Aircraft fuel tax, under § 3-148.
- Documentary stamp tax, under § 76-901.
- Petroleum release remedial action fee, under § 66-1521.
- State and county lodging taxes, under the Nebraska Visitors Development Act.
- Oil and gas severance tax, under § 57-70.
- Corporate occupation tax, under § 21-303.
- Oil and gas conservation charge, under § 57-919.

- Uranium severance tax, under § 57-1202; and
- All other fees imposed by government entities, including, but not limited to, campsite rental fees, marriage license fees, and court filing fees.

The following are also exempt from the consumption tax:

- Taxable property or services purchased for a business purpose in a trade or business. The term purchased for a business purpose in a trade or business means purchased by a person engaged in a trade or business and used in a trade or business:
 - For resale.
 - To produce, provide, render, or sell taxable property or services; or
 - In furtherance of other bona fide business purposes.
- Taxable property or services purchased for an investment purpose and held exclusively for an investment purpose. Purchased for an investment purpose means purchased exclusively for purposes of appreciation or the production of income.
- Taxable property or services purchased for educational purposes.
- Used Property
- Groceries purchased for off-premises personal consumption.

By no later than October 1, 2025, the Tax Commissioner must create an application for a tax-exempt certificate for persons engaging in a trade or business, including farms and ranches, for use when purchasing property or services for a business purposes in a trade or business. The application must be made available in electronic form on the DOR website and in paper form. The Tax Commissioner must adopt and promulgate rules and regulations for the application by September 1, 2025.

Section 9 provides the sourcing provisions, and states that the consumption tax is a destination principal tax. Section 9 governs whether the destination of taxable property or services is within or outside of Nebraska. The destination of

- Tangible personal property is the state or territory in which the property was first delivered to the purchaser, including agents and authorized representatives.
- Real property, or rents or leaseholds on real property is the state or territory in which the real property is located.
- Any other taxable property, including intangible property, is the residence of the purchaser.
- Services, unless other provided by Section 9, is the state or territory in which the use or consumption of the services occurred. Allocation of service invoices relating to more than one jurisdiction must be based on time or another method determined by rule and regulation by the Tax Commissioner.
- Telecommunications services is the residence of the purchaser. Telecommunications services include telephone, including cell phone, beeper, radio, cable television, satellite, and computer online or network services.
- Transportation services (a) where both the original and final destination are in Nebraska, is Nebraska; (b) where the final destination is outside of Nebraska, but the origin is in Nebraska, is deemed 100%

attributable to Nebraska; and (c) where the origin is outside Nebraska and the final destination is in Nebraska, is deemed 0% to Nebraska.

- Electrical services are the residence of the purchaser.
- Financial intermediation services, as defined in Section 27 of the Act, is where the transaction originated.
- Except as otherwise provided in this section, rents paid for leases of tangible property and leaseholds on such property is where the property is located while in use.
- Rental and lease payments on land vehicles, aircraft and watercraft is (A) for a rental or lease of one month or less, the location where the land vehicle, aircraft, or watercraft was originally delivered to the renter or lessee; and (B) for rentals or leases greater than one month, the residence of the renter or lessee.

Except as otherwise provided, Section 10 requires a registered seller or other person liable to collect and remit consumption tax to submit to the Tax Commissioner on or before the 15th day of each month a report relating to the previous calendar month along with the consumption taxes due for such month. For large sellers, the consumption tax is due weekly. Large seller means any seller that has collected more than \$100,000 of consumption taxes in the previous 12 months. A registered seller must deduct and withhold from the consumption taxes due .25% of the consumption tax collected to reimburse for the cost of collecting the tax.

The Tax Commissioner may adopt and promulgate rules and regulations granting registered sellers whose yearly tax liability is less than \$3,000 to remit consumption taxes on a quarterly basis; and sellers whose yearly tax liability is less than \$900 to remit the taxes due annually.

Section 13 imposes various civil and criminal penalties for violations of the EPIC Act.

Section 15 gives the Tax Commissioner authority to serve administrative summons and places restrictions on when the administrative summons may be used.

Section 18 provides that the consumption taxes paid under the EPIC Act will be collected by the DOR and remitted to the State Treasurer for credit to the General Fund.

Section 19 gives the Tax Commissioner the authority to seize property, garnish wages or salary, and file liens to collect amounts due under the EPIC Act in certain situations.

Section 20 allows decisions of the Tax Commissioner under the EPIC Act to be appealed in accordance with the Administrative Procedure Act.

Section 21 provides that any person engaged in a dispute with the Tax Commissioner pertaining to consumption taxes may be entitled to reasonable attorney's fees, accountancy fees, and other reasonable professional fees incurred in direct relation to the dispute, unless the Tax Commissioner establishes that his or her position was substantially justified.

Section 23 requires gaming sponsors to register with DOR and makes the taxable gaming services of a gaming sponsor subject to the consumption tax. A gaming sponsor is any person selling one or more chances, except that a not-for-profit organization, as defined in Section 26, that has gross receipts from the sale of chances of less than \$5,000 during any calendar year is not required to register. Gaming sponsors must collect and remit the

consumption tax by the 15th day of each month with respect to taxable gaming services during the previous calendar month.

Section 24 imposes the consumption tax on purchases of taxable property or services by the federal government, state governments, and any political subdivisions.

Section 25. Government enterprises owned or operated by federal, state, or local government units, or political subdivisions must collect and remit consumption tax on any sale of taxable property or service. The term applies to government-owned entities receiving gross payments from private persons, except a govern-owned entity is not considered a government enterprise unless in any calendar month it has revenue from selling taxable property or services exceeding \$1,000. These enterprises may use the same exemptions from the consumption tax as private enterprises.

Section 26 provides that not-for-profit organizations are required to pay consumption tax on all taxable property and services but allows an exception and does not impose the consumption tax on employee wages or salary of the not-for-profit.

The EPIC Act defines not-for-profit organizations as a not-for-profit organization organized and operated exclusively for (a) religious purposes; (b) charitable purposes; (c) scientific purposes; (d) purposes of testing for public safety; (e) literary purposes; (f) educational purposes; (g) purposes of civic duty or social welfare; (h) labor purposes; (i) agricultural or horticultural purposes; (j) chamber of commerce, business leagues, or trade associations; or (k) fraternal beneficiary societies, orders, lodges, or associations of which no part of the net earnings inures to the benefit of any private shareholder or individual.

Section 27 imposes the consumption tax on financial intermediation services with respect to an underlying investment account or debt. The consumption tax will be imposed and collected with the same frequency that statements are rendered by the financial institution in connection with the investment account or debt but not less frequently than quarterly.

Section 28 imposes the consumption tax on financing leases, meaning any lease under which the lessee has the right to acquire the property for 50% or less of its fair market value at the end of the term. It requires the Tax Commissioner to adopt and promulgate rules and regulations for disaggregating the principal and interest components of a financing lease.

Sections 29 and 30 set the interest rates for various debt instruments, investments, investment financing leases and accounts. Section 30 requires the Tax Commissioner to publish the applicable rates monthly. Under Section 30, the interest on any past due consumption taxes will be at the rate specified in § 45-104.02, as such rate may from time to time be adjusted.

Section 31 provides the following three exemptions from the consumption tax. The first exempts up to \$1,000 of gross payments per calendar year tax if (a) made by a person not connected with a trade or business at any time during the calendar year before making such gross payment and (b) made to purchase taxable property or service brought into Nebraska by such person for use or consumption by such person in Nebraska. The second exempts up to \$5,000 of gross payments per calendar year if received (a) by a person not connected with a trade or business during the calendar year before receiving the gross payments; and (b) in connection with a casual or isolated sale.

The third exempts up to \$10,000 of gross payments per calendar year received by a person from the sale of financial intermediation services, as defined under the EPIC Act, to be claimed as a credit toward the consumption tax. This credit is not available to large sellers as defined in Section 10 of the EPIC Act.

Section 32 provides for a transitional inventory credit for trades or businesses which held qualified inventory on the close of business on December 31, 2025. The credit is allowed with respect to the month when the inventory is sold subject to the consumption tax. The credit equals the cost of the qualified inventory, as defined in subsection (2), times the rate of the consumption tax. Subsection (2) of Section 32 provides that qualified inventory will have the cost that it had for federal income tax purposes for the trade or business as of December 31, 2025, including any amounts capitalized by reason of IRC § 263A.

Section 34 requires the DOR to maintain a continuing education program to train employees with current knowledge of state and applicable federal tax laws. Beginning in 2027, the Tax Commissioner must prepare an annual report and present it to the Revenue Committee concerning the number and kind of audits, assessments, or examinations conducted in the previous year. The Tax Commissioner must also develop procedures for monitoring employee performance which may include use of evaluations obtained from taxpayers.

Section 35 allows the Tax Commissioner to enter into written agreements with any registered seller to pay consumption tax that has been finally assessed or not appealed in installment payments for a period not lasting more than 12 months except such agreement may be renewed at the direction of the Tax Commissioner for succeeding periods not to exceed 12 months. The Tax Commissioner has authority to amend, modify or terminate the installment payment agreement in certain circumstances and must adopt and promulgate rules and regulations for implementation of this section. Any county, city, or village administering its own consumption tax has the same authority.

Section 37 imposes interest on final assessments to accrue from the date of entry of the final assessment on the total amount of its components, including tax, interest, and any penalty, as one lump-sum amount.

Section 38 permits counties, cities, or villages to impose its own separate consumption tax within its county, city, or village limits.

Section 69 amends § 77-6827 and provides that there will be no new incentive applications under the Imagine Nebraska Act after the effective date of the EPIC Act. Complete applications filed on or before the effective date of the EPIC Act must be considered and approved if it otherwise meets the requirements of § 77-6839. Agreements may be executed regarding complete applications filed on or before the effective date of this act.

The DOR estimates that eliminating sales tax on Motor Vehicle and Non-Motor Vehicle will have the following fiscal impact to various cash funds and local option sales tax:

	Highway Allocation Fund (Cities and Counties)	State Highway Capital Improvement Fund	Highway Cash Fund	Local Option Sales Tax (Assume 1.5%)
FY2024-25	\$ -	\$ -	\$ -	\$ -
FY2025-26	\$ (62,800,000)	\$ (36,100,000)	\$ (53,100,000)	\$ (318,000,000)
FY2026-27	\$ (193,200,000)	\$ (112,000,000)	\$ (163,200,000)	\$ (790,000,000)
FY2027-28	\$ (198,200,000)	\$ (115,900,000)	\$ (167,300,000)	\$ (818,000,000)
FY2028-29	\$ (203,400,000)	\$ (119,900,000)	\$ (171,500,000)	\$ (847,000,000)

For the purposes of calculating the consumption tax, DOR utilized the Personal Consumption Expenditure (PCE) from the Bureau of Economic Analysis and assumed that 83% of PCE is subject to the new consumption tax. The table below shows the General Fund revenue loss from eliminating the individual and corporate income tax and the sales and use tax; the General Fund revenue gain from the new consumption tax; the revenue loss for the counties with the elimination of property and inheritance tax; the elimination of the homestead exemption program and real property tax credit fund:

	General Fund Revenues Loss from Eliminating Income and Sales Tax	Revenues Loss for Counties from Elimination of Property and Inheritance Tax	Reduction in General Fund Expenditure due to Homestead and Real Property Tax Credit	General Fund Revenues from Consumption Tax
FY2024-25	\$ -	\$ -	\$ -	\$ -
FY2025-26	\$ (3,234,000,000)	\$ (37,000,000)	\$ -	\$ 2,978,000,000
FY2026-27	\$ (6,369,000,000)	\$ (2,918,000,000)	\$ 739,600,000	\$ 7,493,000,000
FY2027-28	\$ (6,538,000,000)	\$ (5,869,000,000)	\$ 763,250,000	\$ 7,855,000,000
FY2028-29	\$ (6,711,000,000)	\$ (6,088,000,000)	\$ 787,635,500	\$ 8,234,000,000

Note that the General Fund revenues gain from the consumption tax includes the tax on new motor vehicles that currently is distributed into two funds. LB 79 does not provide sufficient detail regarding how the new revenue consumption tax would be distributed among various existing cash funds, the cities and the counties. The General Fund revenues gain from consumption tax on the table above represent the total revenues before any redistribution of funds.

Assuming that the new revenue from consumption tax at 7.5% will be used to redistribute to all funds and local governments that are impacted by the elimination of other taxes, then the net overall impact of LB 79 will be as follows:

	Net Total of All Funds
FY2024-25	\$ -
FY2025-26	\$ (763,000,000)
FY2026-27	\$ (2,312,800,000)
FY2027-28	\$ (5,088,150,000)
FY2028-29	\$ (5,119,164,500)

It is estimated that the DOR will require 1.0-2.0 FTE Training Specialist starting in FY2024-2025 and 2.0 FTE Revenue Tax Specialists for FY2025-2026 and FY2026-2027 only. The Department will require the addition of the following ongoing staff; starting in January 2026: 1.0 FTE Revenue Agent Supervisor, 1.0 FTE Revenue Agent Senior, and 5.0 FTE Revenue Agents; starting in January 2027: an additional 5.0 FTE Revenue Agents, 12.0 FTE Fiscal Compliance Analysts and 8.0 FTE Revenue Auditor IIIs; starting in July 2027: 2.0 FTE Attorney IIIs.

Reductions to existing Department’s staff will occur in phases as tax issues are completed, beginning in 2027 through 2030. The following positions will be reassigned or eliminated as needed to fulfill departmental duties: 8.0 FTE Office Technicians, 1.0 FTE Revenue Operations Clerk I, 13.0 FTE Revenue Operations Clerk IIs, 1.0 FTE Revenue Section Manager I, 3.0 FTE Revenue Supervisor Is, 1.0 FTE Revenue Supervisor II, 1.0 FTE Revenue Agent Supervisor, 1.0 FTE Revenue Agent Senior and 5.0 FTE Revenue Agents. In addition, Property Assessment will eliminate 8.0 FTE Revenue Tax Specialist Seniors, 7.0 FTE Revenue Property Assessment Liaisons and 1.0 FTE Revenue Property Administrator.

It is estimated that LB 79 will require a one-time programming charge of \$1,391,544 paid to the OCIO for mainframe and web development.

The operative date for this bill is three months after adjournment.

Eliminating the property tax to be replaced by the EPIC Consumption tax will result in a significant reduction in costs and employees at the county level. This reduction cannot be determined by DOR. LB 79 would effectively repeal TEEOSA.

It's estimated that major objects expenditures for the years beyond FY2025-26 will be as follows:

Major Objects of Expenditure							
Class Code	Classification Title	26-27	27-28	28-29	26-27	27-28	28-29
		FTE	FTE	FTE	Expenditures	Expenditures	Expenditures
A29621	Revenue Tax Specialist	2.0	0.0	0.0	\$134,200	\$0	\$0
V29224	Revenue Agent Supervisor	0.5	1.0	1.0	\$31,700	\$64,900	\$66,600
V29223	Revenue Agent Senior	0.5	1.0	1.0	\$27,000	\$55,400	\$56,800
R29222	Revenue Agent	2.5	10.0	10.0	\$116,900	\$479,100	\$491,100
A21211	Fiscal Compliance Analyst	6.0	6.0	12.0	\$306,600	\$314,300	\$644,300
A21253	Revenue Auditor III	4.0	4.0	8.0	\$272,900	\$279,700	\$573,500
G31113	Attorney III	0.0	2.0	2.0	\$0	\$181,100	\$185,600
A11011	Training Specialist	1.0	0.0	0.0	\$54,000	\$0	\$0
Benefits.....					\$311,300	\$453,600	\$665,800
Operating Costs.....							
Travel.....							
Capital Outlay.....					\$50,000	\$65,000	\$0
Capital Improvements.....							
Total.....					\$1,304,600	\$1,893,100	\$2,683,700

It's estimated that the reduction to major objects expenditures for the years beyond FY2025-26 will be as follows:

Major Objects of Expenditure							
Class Code	Classification Title	26-27	27-28	28-29	26-27	27-28	28-29
		FTE	FTE	FTE	Expenditures	Expenditures	Expenditures
K01011	Office Technician	1.0	3.0	6.0	\$ (32,900)	\$ (100,400)	\$ (204,100)
R29111	Revenue Operations Clerk I	0.5	1.0	1.0	\$ (17,700)	\$ (35,800)	\$ (35,800)
R29112	Revenue Operations Clerk II	1.0	4.0	10.0	\$ (40,800)	\$ (166,400)	\$ (423,800)
G29330	Revenue Section Manager	0.5	1.0	1.0	\$ (39,400)	\$ (79,700)	\$ (79,700)
V29114	Revenue Operations Supervisor I	1.0	3.0	3.0	\$ (54,800)	\$ (167,200)	\$ (167,200)
V29115	Revenue Operations Supervisor II	0.5	1.0	1.0	\$ (31,700)	\$ (64,200)	\$ (64,200)
V29224	Revenue Agent Supervisor	0.5	1.0	1.0	\$ (31,700)	\$ (64,200)	\$ (64,200)
V29223	Revenue Agent Senior	0.5	1.0	1.0	\$ (27,000)	\$ (54,700)	\$ (54,700)
R29222	Revenue Agent	1.0	2.0	4.0	\$ (46,700)	\$ (94,600)	\$ (192,800)
A29622	Revenue Tax Specialist Senior	8.0	8.0	8.0	\$ (620,400)	\$ (636,000)	\$ (651,900)
A27121	Revenue Property Assessment Liaison Trainee	7.0	7.0	7.0	\$ (351,800)	\$ (360,600)	\$ (369,600)
	Revenue Property Administrator	1.0	1.0	1.0	\$ (133,127)	\$ (139,784)	\$ (146,773)
Benefits.....					\$ (471,300)	\$ (648,000)	\$ (810,100)
Operating Costs.....					\$ (378,600)	\$ (388,100)	\$ (397,800)
Travel.....					\$ -	\$ -	\$ -
Capital Outlay.....					\$ -	\$ -	\$ -
Capital Improvements.....					\$ -	\$ -	\$ -
Total.....					\$ (2,277,927)	\$ (2,999,684)	\$ (3,662,673)

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2023

LB⁽¹⁾ 79

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Community Colleges

Prepared by: ⁽³⁾ Courtney Wittstruck Date Prepared: ⁽⁴⁾ 01/17/23 Phone: ⁽⁵⁾ 402-381-2084

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	<u>-628,585,263</u>	_____	<u>-647,442,821</u>
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>_____</u>	<u>-628,585,263</u>	<u>_____</u>	<u>-647,442,821</u>

Explanation of Estimate:

21-22 Actual from Page 2 of Uniform Budget Document. Less federal student aid. Then add 10% due to loss of tax-free exemption. Finally, add a 3% YoY increase.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

State Agency or Political Subdivision Name:(2) Department of Health and Human Services

Prepared by: (3) John Meals

Date Prepared 2-28-23

Phone: (5) 471-6719

	FY 2023-2024		FY 2024-2025	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	See Below		See Below	

Return by date specified or 72 hours prior to public hearing, whichever is earlier.

Explanation of Estimate:

LB 79 would result in a loss of Temporary Assistance for Needy Families (TANF) federal funding if the Nebraska Earned Income Tax Credit (EITC) or Child and Dependent Care Tax Credit can no longer be claimed as part of Maintenance of Effort (MOE) expenditure in the TANF program.

For Federal Fiscal Year (FFY) 2022, Nebraska's TANF MOE expenditures totaled \$48,300,544 which exceeded Nebraska's MOE requirement of \$28,400,000. The State claimed \$31,265,233 for Earned Income Tax Credit and \$5,407,907 for Childcare and Dependent Care Tax credits for MOE expenditures. If LB79 passes both tax credits would end and reduce Nebraska's MOE to \$11,627,404 (based on FFY2022).

Based on these same facts, Nebraska would not meet its required \$28,400,000 MOE by \$16,772,596. Therefore, the following federal fiscal year, the state would be penalized and receive a reduction of \$16,772,596 to its annual \$56,627,234 TANF grant.

The TANF MOE penalty is a dollar-for-dollar penalty on an annual basis. Every year that Nebraska does not meet the MOE requirement, the TANF grant for the following fiscal year would be reduced by the MOE requirement shortfall.

MAJOR OBJECTS OF EXPENDITURE

PERSONAL SERVICES:	NUMBER OF POSITIONS		2023-2024	2024-2025
	POSITION TITLE	23-24	24-25	EXPENDITURES
Benefits.....				
Operating.....				
Travel.....				
Capital Outlay.....				
Aid.....				
Capital Improvements.....				
TOTAL.....				

Please complete ALL (5) blanks in the first three lines.

LB⁽¹⁾ 79

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Department of Transportation

Prepared by: ⁽³⁾ Liza Alderman Date Prepared: ⁽⁴⁾ 2/24/23 Phone: ⁽⁵⁾ 402-479-4692

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB 79 applies to NDOT with respect to the elimination of sales and use tax as it currently exists effective January 1, 2026. The bill creates the Nebraska EPIC Consumption Tax. The EPIC Consumption Tax imposes a tax on the use or consumption of taxable property or services in the State of Nebraska at a rate of 7.5% with all proceeds credited to the General Fund. Section 8 of the bill provides exemptions from the EPIC Consumption Tax of which motor fuel, motor vehicle registration fees, and aviation fuel are included.

NDOT has estimated, with guidance from the Department of Revenue, the fiscal impact to the Highway Cash Fund (NDOT), State Highway Capital Improvement Fund (NDOT), and Highway Allocation Fund (cities and counties) would be as follows:

	FY2024-25	FY2025-26	FY2026-27	FY2027-28	FY2028-29
Highway Cash Fund	\$0.00	(\$53,100,000)	(\$163,200,000)	(\$167,300,000)	(\$171,500,000)
State Highway Capital Improvement Fund	\$0.00	(\$36,100,000)	(\$112,000,000)	(\$115,900,000)	(\$119,900,000)
Highway Allocation Fund (Cities/Counties)	\$0.00	(\$62,800,000)	(\$193,200,000)	(\$198,200,000)	(\$203,400,000)

If LB 79 is enacted, NDOT will be required to indefinitely postpone highway construction projects in the program as a result of the reduction in revenue.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

LB⁽¹⁾ 79

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Nebraska Association of County Officials (NACO)

Prepared by: ⁽³⁾ Elaine Menzel Date Prepared: ⁽⁴⁾ 1/11/2023 Phone: ⁽⁵⁾ 402.434.5660

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

LB79 would adopt the Nebraska EPIC Option Consumption Tax Act. This legislation would repeal many current taxes, including property taxes and inheritance taxes which are relied on by counties for funding their operations. In place of the repealed taxes, a consumption tax would be implemented to fund county government. Counties could implement consumption taxes, including on services. The overall fiscal impact changes are complex in funding and budgeting for counties; therefore, the overall fiscal impact is unknown at this time.

Real and personal property taxes and inheritance taxes would be repealed effective 12/31/2025 by LB 79. In 2022, local governments levied over \$4.728 Billion in property taxes, including counties which levied over \$770 million of that amount. If in effect, LB 79 would outright repeal counties to collect such taxes. Further, the inheritance tax would be repealed and significantly impact collections of the tax for counties. The amount of reduction is anticipated to be approximately in the amount of approximately \$52.26 million (\$69.68 million which is average of last 5 fiscal years inheritance tax collections of all 93 counties reduced by 25% which is the estimated fiscal reduction in inheritance tax collections due to the enactment of LB 310 (2022)).

The consumption tax revenue for counties and budget funding for operations would be administered and disbursed by the State Treasurer. Funding received by each county would be determined by the Budget Equalization Board. The County Trust Fund would be used to supply political subdivisions with adequate funds to run their respective operations. Additionally, the County Stabilization Fund would be created for the purpose of assisting counties with additional or unexpended expenditures and a rainy-day fund. There would be a transfer of functions from the State to counties and substantial ones from the counties to the State, particularly for determining a county's individual budgetary needs and providing an allowance for the operations of such county.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

Please complete ALL (5) blanks in the first three lines.

LB⁽¹⁾ 79 **FISCAL NOTE**

State Agency OR Political Subdivision Name: ⁽²⁾ Department of Administrative Services (DAS) – Budget - Enterprise

Prepared by: ⁽³⁾ Ann Martinez Date Prepared: ⁽⁴⁾ 02-28-2023 Phone: ⁽⁵⁾ 402-471-4135

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
REVOLVING FUNDS	_____	_____	_____	_____
TOTAL FUNDS	<u>See Below</u>	<u>See Below</u>	<u>See Below</u>	<u>See Below</u>

Explanation of Estimate:

LB 79 as introduced would adopt the Nebraska EPIC Option Consumption Tax Act beginning January 1, 2026, at a rate of seven and one-half percent (7.5%). LB 79 would also terminate the Budget Act, tax-increment financing, the property tax, the inheritance tax, sales and use taxes, the income tax, the homestead exemption, the Tax Equity and Education Opportunities Support Act and the Community College Aid Act as prescribed.

Currently, the State of Nebraska is exempt from sales tax – both state and local. LB 79 as introduced doesn't exempt the State from the Nebraska EPIC Option Consumption Tax.

A review of state expenditures (excluding the University and the State Colleges) from the most recently completed fiscal year (FY21-23) was made by fund type. The review included the six major account categories – Salaries, Benefits, Operating Expenses, Travel, Capital Outlay and Government Aid to determine those expenditures that would be subject to the seven and one-half percent (7.5%) consumption tax. Within each major category some object codes were excluded from the calculations, including the major categories of Salaries and Government Aid.

The estimated impact of the seven and one-half percent (7.5%) consumption tax when applied to State expenditures (assuming no increases in expenditures) in FY25-26 (beginning January 1, 2026) is \$75,118,482 and \$150,236,963 in FY26-27.

These increased expenditures would require increases in general, cash, federal and revolving fund appropriation in the future fiscal years of FY25-26 and FY26-27. The increased costs would require an increase in assessments, rates and surcharges that are charged across the Enterprise as well as fees charged to customers outside of state government to generate sufficient funds to cover the increase in expenditures.

The table below summarizes the estimated impact by fund type for FY25-26 and FY26-27 of the seven and one-half percent (7.5%) consumption tax.

Fund Type	Estimated Increased Enterprise Expenditures – FY25-26	Estimated Increased Enterprise Expenditures – FY26-27
General Fund	\$11,808,338	\$23,616,676
Cash Fund	\$35,584,716	\$71,169,432
NCCF Fund	\$1,367,441	\$2,734,882
Federal Fund	\$15,385,118	\$30,770,236
Revolving Fund	\$6,034,413	\$12,068,825
Trust Fund	\$4,938,456	\$9,876,912
Total	\$75,118,482	\$150,236,963

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

POSITION TITLE	NUMBER OF POSITIONS		2023-24	2024-25
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....				
Operating.....				
Travel.....				
Capital outlay.....				
Aid.....				
Capital improvements.....				
TOTAL.....				

Please complete ALL (5) blanks in the first three lines.

LB⁽¹⁾ 79

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ NE Dept of Education

Prepared by: ⁽³⁾ Bryce Wilson/Kevin Lyons Date Prepared: ⁽⁴⁾ 1-12-23 Phone: ⁽⁵⁾ 402-471-4320

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

This bill would completely restructure the Nebraska tax system. The bill creates the Nebraska elimination of property, income, and corporate taxes (EPIC) Option Consumption Tax Act. Property, Income, Sales, and Inheritance taxes would be repealed on 12/31/25. A consumption tax would replace the current tax structure. The consumption tax would be 7.5% on product and services subject to this tax with some exemptions.

Beginning in 2026/27 school year, school budgets would be approved by the School Equalization and Review Board. Provisions of TEEOSA would be repealed as of 1/1/26 and funding for public schools shall be governed by the NE EPIC Consumption Option Tax Act. Schools would receive the five-year average spending plus 2% from the State Education Trust Fund. School fiscal year and audit timelines would need to be changed to allow for the student cost calculations to be available in June as required to determine the five-year average.

Additional aid may be available to schools based through the Education Stabilization fund that is allocated to Districts by the Legislature. A stabilization score that takes into consideration special needs, transportation, technology, textbooks, and poverty would be submitted to the Legislature each year to guide the distribution of the Education Stabilization fund which cannot exceed 10% of the Education Trust Fund.

LB 79 creates the Education Facilities and Growth fund created with funds transferred in at the discretion of the Legislature to address building and facility needs of School Districts. The Legislature would be responsible for determining which projects were funded each year. This fund is limited to 8% of the Education Trust Fund amount.

Since this bill completely changes the taxing structure in Nebraska and how Governmental agencies are funded the fiscal impact is complex and cannot be determined at this time.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

<u>Personal Services:</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>POSITION TITLE</u>	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>
	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____

Travel.....	_____	_____
Capital outlay.....	_____	_____
Aid.....	_____	_____
Capital improvements.....	_____	_____
TOTAL.....	_____	_____

Please complete ALL (5) blanks in the first three lines.

2023

LB⁽¹⁾ 79

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Lancaster County

Prepared by: ⁽³⁾ Dennis Meyer Date Prepared: ⁽⁴⁾ 1-13-23 Phone: ⁽⁵⁾ 402-441-6869

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Lancaster County's revenue would decrease because of the elimination of property taxes and inheritance taxes. The County's budgeted amount of property tax for FY22-23 is \$89.2 million and the amount for inheritance tax was \$5 million. The bill will not be effective for a couple years so the amount of property tax will be slightly higher. Estimating the amount of reduction in other revenues is almost impossible because of unknown variances. Interest earnings will be subject to when money is received at the county level versus when property tax was collected. Any changes to motor vehicle tax could result in a \$11.5 million loss in revenue to the county.

Estimating the changes in expenditures is impossible because of the unknown changes that could happen. Departments will need to be reorganized and policies and procedures will change tremendously due to the elimination of property taxes.

Payroll changes would need to be made and Lancaster County has a new payroll system that will need to be updated.

The County Treasurer's office will need to determine what revenues will still be collected at the county level. Property taxes are just a piece of what is collected. Distributions to local subdivisions will need to be changed.

The County Assessor/Register of Deeds office will need to be reorganized due to the elimination of property taxes.

Outstanding bonds that are backed by property tax will need to be reviewed.

The budget process will need to be reviewed because of the elimination of the Nebraska Budget Act. This bill will change up the budget process for all political subdivisions including that the county will collect all budget information for all political subdivisions within each county. The information to be sent to the Budget Equalization and Review Board will drive what the county will need to do to comply.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____

Operating.....	_____	_____
Travel.....	_____	_____
Capital outlay.....	_____	_____
Aid.....	_____	_____
Capital improvements.....	_____	_____
TOTAL	_____	_____

Please complete ALL (5) blanks in the first three lines.

2023

LB⁽¹⁾ 79

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Metropolitan Community College

Prepared by: ⁽³⁾ Brenda Schumacher Date Prepared: ⁽⁴⁾ 1/13/2023 Phone: ⁽⁵⁾ (531)622-2406

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2023-24</u>		<u>FY 2024-25</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	(100,000,000)	_____	(104,000,000)
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	(18,500,000)	_____	(19,500,000)
TOTAL FUNDS	=====	(118,500,000)	=====	(123,500,000)

Explanation of Estimate:

Since LB 79 does not provide information regarding how much if any Nebraska EPIC Option Consumption Tax MCC would receive, we are projecting a total loss of our property tax and state aid revenue dollars. These two revenue categories are approximately 75% of our total revenue and without this funding MCC could not continue to provide educational services. The estimate was calculated using our current budget for FY 22-23 and increasing each year of property tax by approximately 5% and state aid by 3%.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2023-24</u>	<u>2024-25</u>
	<u>23-24</u>	<u>24-25</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____

ANNUAL REPORT

League Association of Risk Management

22-23



LEAGUE ASSOCIATION of RISK MANAGEMENT

Serving Nebraska
communities with
risk management
solutions since 1995

1335 L Street Suite 200
Lincoln NE 68508

larmpool.org



MESSAGE FROM THE CHAIR

It's great to be part of a group that supports each other- that's LARM.

Nebraskans have a lot in common. We know what hail and high water is all about. We also know that it takes good people and common sense to be successful. LARM knows the needs of Nebraska municipalities. Since 1995 they've provided common sense risk management solutions. LARM staff also works hard to assist members with timely claim and coverage information. Word of LARM's quality service has spread with new members added each year. 2023 was another outstanding year of growth and stability. The LARM Board and Staff look forward to providing Nebraska communities with the risk management solutions they've come to expect. Have a safe year!

Joey Spellerberg, Mayor of Fremont, Nebraska and LARM Chair

LARM's organization and purpose

The League Association of Risk Management (LARM) is a risk management pool organized pursuant to the Intergovernmental Risk Management Act (IRMA), Neb. Rev. Stat. Sections 44-4301 to 44-4339.

Established in 1995, LARM offers coverage and risk management services to cities, villages, and other governmental entities in Nebraska. LARM's goal is to be a long-term, stable, cost-effective risk management alternative for Nebraska governmental entities.

The governing authority of LARM is a Board of Directors consisting of elected or appointed officials or employees of participating members. The President and Executive Director of the League of Nebraska Municipalities (LNM) serve as non-voting ex officio members of the Board of Directors. The Nebraska Department of Insurance regulates and oversees the operation of risk management pools in Nebraska.

LARM's vision is to provide members who own the program with reliable and continuous service that effectively manages their financial risks and promotes rate and coverage stability. As of February 1, 2024, LARM provides risk management coverages and services to 213 Nebraska cities, villages, and other governmental entities.

LARM members have come to rely on LARM for top-notch coverages, competitive pricing, outstanding customer service, efficient claims service and loss control assistance.

For more information about LARM, go to larmpool.org.

Financial Strength

Sedgwick Risk Pooling Services annually evaluates LARM's surplus strength using standard insurance industry benchmarks. The 2022-2023 analysis shows that LARM is in a strong financial position, as indicated in the ratios below. Mark Weaver, Vice President of Finance, Sedgwick Risk Pooling Services.



Loss and LAE to

Contributions Ratio

This ratio shows profitability and shows the ability of the pool to cover non claim expense. The goal is for this ratio to be less than 45%. The ratio is 42.9%, well within the industry guidelines.

Loss Reserves to

Surplus Ratio

The ratio above shows the ability as a risk management pool to withstand adverse claim development. LARM Loss Reserves as of 9-30-2023 were \$7,679,436 and the Surplus was \$8,470,580. The ratio is 90.7% - below the industry standard of below 100%.

Contributions to Surplus Ratio

This ratio shows the flexibility of the risk management pool to increase retention, increase membership, or return dividends. The 2022-2023 Contributions were \$13,598,774 so the ratio as of 9-30-2023 was 160.5% - well below the industry standard of less than 300%.

Liquid Assets to Liabilities Ratio

This ratio shows the liquidity needed to pay existing liabilities. LARM's Liquid Assets as of 9-30-23 were \$30,737,713 and Liabilities were \$22,267,133. The ratio is 138% which is much higher than the industry standard of greater than 100%.

Self-insured Retention to

Surplus Ratio

This ratio shows the ability of a pool to withstand large claims. This ratio as of 9-30-23 was 8.9% - well below the industry standard best practice of less than 25%.

Risk Management and The Pool in 2022-2023

In our goal to assist and educate our LARM members about risk management to promote safety and reduce claims, we provide our LARM members with a multitude of safety information and tools. Each month we email members the Lean on LARM Risk Management newsletter. We also provide safety articles, online training, policies, claim information and contact information on our website.



In 2022-2023 LARM provided \$700 to 14 individual LARM members who had police departments to purchase an approved bullet proof vest. A requirement of being awarded the LARM Armor Grant is that the LARM member's department have in place a mandatory wear body armor policy for their patrol officers.

Contact James.Kelley@larmpool.org for in person or online training.

Pictured is City of Valley Police Officer Geoff Willmann. The City of Shelton is on the front of the report.

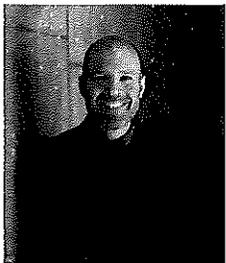
Newest LARM Members

LARM added 18 new members in 2023 making a total of 211 members

LARM continues to grow with 42 new members added since January of 2021. Of those, 18 new members were added in 2023. They were: Village of Dorchester; SID #274- Sarpy County; SID #358 Sarpy County; City of Minatare; City of Burwell; Village of Danbury; Village of Lebanon; City of Valley; Village of Elsie; SID #367 - Sarpy County; SID #368 - Sarpy County; Village of Ohioa; Village of Farwell; Village of Melbeta; Village of Wallace; Village of Dunbar; City of Ogallala; and the Village of Naponee.

Continuing to provide quality service to our members

John Hobbs has been added to the Loss Control team to assist your organization in preventing injuries or accidents. Contact John at john.hobbs@larmpool.org



for more information.

We at LARM are continually working to provide the best services we can to our members.

Our staff

works with members to help reduce claims, answer questions about coverages, and give opportunities for training whether it be online or in person. Call 402-742-2600 for the main office.

Hello, LARM Members!

In 2022-2023 LARM provided 72 LARM members with the Lean on LARM Safety Grant.

The League Association of Risk Management offers a \$500 grant to LARM members to fund or partially fund safety items that will assist in reducing or preventing injuries, property losses, workers' compensation claims and/or liability claims.

Since January 2018, LARM Safety grant funds have been distributed to LARM members for items that include safety harnesses, traffic cones, safety apparel, eye protection, security cameras, AEDs, playground surfacing, body cameras, first aid kits, barricades, gas monitors, fire extinguishers and much more.



From the home office:
Dave Bos, LARM
Executive Director
dave.bos@larmpool.org
402-853-1055

LARM Board of Directors



Joey Spellerberg
Chair
City of Fremont
Mayor



Connie Jo Beck
City of St. Paul
Clerk/Deputy
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Pam Buethe
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Chris Rector
City of Holdrege
City Administrator



Sandra Schendt
City of Nelson
Clerk/Treasurer



Deb VanMatre
City of Gibbon
Mayor



L. Lynn Rex
League of
Nebraska
Municipalities
Executive Director
LARM Administrator

LARM's Mission

To proactively identify, prevent, or economically resolve loss exposures in a professional manner while supporting an environment of education, integrity, and consistency that results in the mitigation of risk.

LARMpool.org



1335 L Street
Suite 200
Lincoln NE 68508

402-742-2600

customerservice@larmpool.
org