112th Annual Conference Information Inside
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“If you are remotely interested in the legislative process, I urge you to register and attend.”

I am asking that you reserve the date, October 5, 2006, for a meeting in Kearney. That is the date of NACO’s 1st Annual Legislative Conference. The legislative conference will be solely focused on addressing legislative issues.

It will be highlighted by presentations from Senator Ray Aguilar from Grand Island, Patrick O’Donnell, the Clerk of the Legislature and Mitch McCartney, Website Technology.

This conference began as an idea and is soon to become reality. It is planned as a one day conference with an agenda for reviewing legislative issues, a look at the legislative process, establishing the NACO legislative platform and a general educational discussion on the unicameral process.

Given the fact that we will have 22 new senators in the upcoming legislative session, I feel this conference should be mandatory for anyone interested in the legislative process. I know that we can not cover “everything you need to know, but were afraid to ask” in the first conference, but we will be providing you with a tremendous amount of information.

If you are remotely interested in the legislative process, I urge you to register and attend. I also ask that you bear with us as this being the first legislative conference, we can only guess at the number of attendees to expect. We know that we will have some unforeseen issues arise.

Please register and attend NACO’s 1st Annual Legislative Conference and become a part of NACO history. An agenda and registration information can be found on page 7 of this issue of Countyline.
Hello to Everyone:

First of all, we had a great conference in Chicago last week (Aug. 4-8). Nebraska was well represented from West to East and large to small counties. I will let Tim and Larry and your own representatives fill you in on specific details. We did have a very contested election for 2nd Vice-President that added excitement to the entire conference. I had attended the NACo conference in 1993, 2004 and 2005 and had not witnessed an election that went through the entire balloting process. I very much appreciated the opportunity to take part in the conference.

Our next Nebraska challenge is our NACO Legislative Conference in Kearney on October 5, 2006. Again, I urge everyone with interest in legislation to start preparing subjects, research and detailed reasons as to why a proposal is needed and justified. It is so important that your legislative items are already thought out and justified in your own mind before being presented. Our NACO staff is a great resource and will help you in this process. Being prepared will allow us to use the October 5th session to make decisions and then have from October 5th to December 5th to formalize those decisions. This should help us to be ready much earlier in the process than we usually are.

In closing, please try to attend the Legislative Conference and I again urge every appointed and elected official to register and attend the December Conference.

Take care.

KEN
Two people stand on a wharf, one doing most of the talking, clearly upset when he notices this large group of diverse people looking on. From pilots to crane operators, from truck drivers to fiber optic technicians literally more people than one can count. Disturbed that their conversation was not private the question is asked, "Who are they?" And the answer - "Oh that's my _______."

A young lady and man sit at a table in an outdoor restaurant. Every appearance is that this is a quiet romantic dinner. Again the camera pulls to a wider shot and this large group of people appear looking on with a wistfulness of "how can I help?" Again the question is asked - "Who are all those people?" and again the answer - "Oh that's my _______."

Obviously in each case above the large group of people make up a service organization that support some product that the lead actor is using. But closer analysis shows that the product simply would be worthless if it did not have this _______ supporting it.

Just a short time ago I returned from the National Association of Counties Annual Conference in Chicago. The event was filled with speeches, vendors and networking among colleagues. This conference was unique in that it had to be planned in just over 1 year. Dates had to be changed, the location changed, hotels and facilities arranged for. But all of this was accomplished and the conference was a great success. There are few conferences I attend that I truly come home and say that each and every one of the speakers at the general sessions were outstanding. But this one fits that bill. Now the question is - how did it get that way? Well, just like our two friends above it was supported by a _______. People throughout Cook County took ownership of the challenge and simply made it happen.

As I watched the conference unfold and have watched the commercials above (more times that I want to admit), I realized that for each of us this is a true picture and story also. County government cannot function by the work of one, but only by the support of its _______. Each service that we offer in County government is supported by many in the background. But this support reaches beyond the boundaries of our individual counties. It reaches to Lincoln and the support of the Nebraska Association. With the global society that we live in as well as the services demanded of us, which are far more complex than those of past decades, we must also rely on the National Association of Counties. They too are a member of this _______. Please consider how all of these groups make up the entire support element of what we do. Take any one of them away and the quality and efficiency of our services diminishes.

If your county is a member of the National Association of Counties you have experienced the tremendous efforts they go to in order to support services at a local level. If not, then I ask you to consider bringing the National Association in to your _______. I assure you that they won’t be along for the ride, but rather become an integral part of your counties service delivery.

Email me today (Timothy@Loewenstein.net) and tell me that your county wants to have the National Association of Counties become an active part in your NETWORK.

Reporting from far and near.

Timothy
October 5, 2006 will be here sooner than we know and along with it will be NACO's 1st annual Legislative Conference. If you haven't already done so, be sure to mark your calendars with this date to attend the conference. In all, over six hours of educational sessions and legislative networking have been planned. Following this article is a tentative agenda for the conference. You may register online at NACO'S website: www.nacone.org. If you do not have access to the online registration, please contact the NACO office and a registration form will be mailed to you. The registration fee for this conference is only $30.00. Registration includes two breaks, a luncheon and all hand out materials. A block of rooms has been reserved at the Holiday Inn Hotel and Convention Center in Kearney. Rates for lodging are $67.00 single/double. You may contact the Holiday Inn at (308) 237-5971 for lodging. Be sure to mention that you are with the NACO Legislative Conference to receive the contracted rate.

This conference is your opportunity to learn how bills become law and how you can play an important role in the formation of laws that affect county government on a daily basis. If you review the agenda listed below, I'm sure that you'll agree that this conference is a very important part of each elected and appointed county official's continuing education, not to mention their opportunity to have input into the legislation that affects county government as a whole.

### NACO's 1st Annual Legislative Conference Agenda

<table>
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<tr>
<th>Time</th>
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<td>9:30 a.m.</td>
<td>Welcome, Introductions and Purpose</td>
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<td>10:00 a.m.</td>
<td>How a Bill Becomes Law</td>
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<td>10:45 a.m.</td>
<td>Break</td>
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<td>Legislative Website</td>
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<td>Luncheon</td>
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<td>1:00 p.m.</td>
<td>Committee Make-Up</td>
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<td>How to Testify Before the Legislature</td>
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<td>2:00 p.m.</td>
<td>NACO Platform</td>
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<tr>
<td>3:00 p.m.</td>
<td>Legislative Priorities</td>
</tr>
</tbody>
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Helping Nebraska counties reduce their risks and costs, and empower their officials and employees.
The benefits of networking—that's what NACO's Annual Conference is all about. When two or more county officials get together to exchange ideas, thoughts and experiences each of them will learn something beneficial from the other. So imagine how enlightening and educational this exchange can be when over 750 county officials get together to do the same. That's what you'll be experiencing when you attend NACO's 112th Annual Conference.

The conference will be held in Omaha this year at the Holiday Inn Central. A planning meeting was held on June 28 at Holiday Inn in Kearney. Executive officers of affiliate groups and NACO's executive branch committee gathered to discuss and establish agendas for their respective associations.

NACO is in the process of putting these agendas together, contacting the speakers requested, and making food and beverage arrangements. A health fair will be held on Wednesday and each affiliate group has been allotted time on their agenda to visit the fair.

NACO has contracted with the Holiday Inn Central, the Baymont Inn (previously the Hampton Inn) and the Homewood Suites for blocks of sleeping rooms for the conference. County officials and others will be able to fax their lodging requests to the Holiday Inn after 10:01 a.m. central standard time on August 18, 2006. At this time a rooming list form will be made available on NACO's website. County officials may access the lodging request form, complete it, and then fax it to the Holiday Inn Central. Lodging rates for these hotels are as follows:

**Holiday Inn Central**
- $87.00 single/double
- $195 suite

**Baymont Inn**
- $79.00 single/double

**Homewood Suites**
- $109.00

Once again we are requesting that those counties who have blocked several sleeping rooms review their requirements and release any sleeping rooms as soon as possible. No lodging requests will be accepted without names for each sleeping room requested. Cut off dates for changes or for canceling reservations is November 17, 2006. Any cancellations made after this date will be subject to the first night's lodging.

The conference registration fee will be $120.00 for early registrations; $135.00 for registrations received after November 17th. This fee includes one ticket for the Delegation Breakfast, one ticket for the Awards Banquet, two receptions, one refreshment break and all conference material. Tickets for the Inspirational Breakfast must be purchased separately. For security reasons, access to all functions and vendor areas will require a name tag for admittance.

You may register online after October 5, 2006 at www.nacone.org. If you do not have access to the online registration, you may contact the NACO office and a registration form will be sent to you. Conference agendas and details will be published in the next issue of Countyline.

The guest program will include tours of Boys Town and Joslyn Art Museum, and shopping at Regency Court, One Pacific Place and Oakview Mall. The guest program registration fee is $65.00. This fee includes transportation to and from all scheduled tours, admittance fee to each scheduled tour and lunch at the Joslyn Art Museum.
MIPS Inc. has created a new online registration system for NACO. All future NACO events will require online registration. It is very simple and will take far less time to register. The online registration page is located at www.nacone.org/registration.

**Step 1 - Sign up for your new NACO ID.**

On the right is the sign-in screen you will be presented with. If you have already signed up for an event in the past, you simply enter your NACO ID and click on the Sign-In button. You will be taken to a screen containing your account information (county, office, name, etc.) and any events you are registered for.

If this is the first time you have used the new NACO Online Registration System, you will need to click on the “Sign Up” link located in the middle right of the gray sign-in box.

This Sign Up link will take you to a screen where you can enter all of your account information. Once the account information is all entered, click on the submit button. Clicking the submit button will enter you into the Online Registration System, create your new NACO ID, and generate an email containing your new NACO ID.

**Step 2 - Selecting your NACO events.**

After clicking the submit button to create your new NACO ID, you will be taken to the registration screen. This screen identifies who you are and shows you which events you are registered for. Registering for an event is done by simply clicking on an event in the Upcoming Events list. You will be presented with a page laying out the cost of the selected event. Some events have options you can choose, such as ordering extra meal tickets.

The total for the event you have signed up for is presented online so you know how much the event will cost prior to your clicking submit. Once you click submit to enroll for the event, a verification email is sent. There is also a column on the screen labeled “map.” Clicking the icon in the map column will pop up a map showing the location of the event.

You can come back to the NACO Online Registration System as often as you want. Changes are allowed to your selected events until the event deadline. You will need to know your NACO ID to sign back in. If you lose it, click on the “Forgot your NACO ID” on the Sign In box. Your NACO ID will be emailed to you.

MIPS Inc. has done everything we could to make this process as easy as possible, but if you experience any problems, do not hesitate to give NACO a call.
Do you know of an elected or appointed county official who you feel serves as the embodiment of a true dedicated public official? If so, nominate that individual for the 28th annual County Official of the Year Award.

The Nebraska Association of County Officials will present its highest honor to one county official at the conclusion of the December 7th Awards Banquet.

The County Official of the Year Award was created in 1979 as a means of honoring one individual each year for his or her leadership abilities, high standard of public service and outstanding contributions made to the medium of county government and that person’s community.

The official nomination form can be found on NACO’s website at www.nacone.org. To nominate someone you know, print the form, complete it and return it to the NACO office by November 10, along with any supplemental materials you feel would provide additional insight into why this person is deserving of the award. Supporting material may include testimonial letters from peers or other printed matter that highlight his or her record of service.

Each of the 2006 nominees will be introduced and recognized during the course of the awards banquet. At the conclusion of the evening, the announcement will be made as to who has been chosen by a special selection committee.

The 2006 recipient will join an elite list of previous county officials who have received this award and will receive a handsomely engraved plaque befitting of this prestigious honor.
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*Nearly $1 billion saved by local entities since 1999.
By Shay Burk
Hastings Tribune

For the second time in two years, Adams County Clerk Chris Lewis has observed an election halfway around the world.

Lewis traveled to Macedonia earlier this month as a representative from the U.S. for the Organization for Security and Cooperation in Europe to observe the elections there.

OSCE is an organization comprised of 53 European countries, the U.S. and Canada that work to ensure safe and legal elections throughout Europe.

Prior to gaining their independence in 1991, Macedonians voted but the elections were often decided before election day.

"I'm glad to be a part of being able to further democracy in those former Soviet bloc countries," Lewis said.

Lewis made her first trip with the OSCE in July 2005 when she traveled in Albania. Albania and Macedonia border each other in eastern Europe.

In 2005, Nebraska Secretary of State John Gale learned about the OSCE and sent letters to election commissioners statewide. Lewis, who was one of few to apply, was then selected to travel to Albania. Her husband was still on file this year, so the OSCE offered her the opportunity again.

Her job on both trips was simply to observe the election process, take notes and write reports.

At the end of the trips, she was briefed on the outcome and success of the elections.

The election in Macedonia was the ninth since 1991, when the country gained its independence from Yugoslavia.

Lewis, who serves as the Adams County election commissioner, was offered the opportunity to go to Macedonia in May and left June 30.

She landed in Skopje on July 1 and spent the day recovering from jet lag. There is a seven-hour time difference between Macedonia and Nebraska.

On July 2, Lewis said she spent the day with a group of other observers learning about how the campaign had been going, the election code of Macedonia and how the media was handling the election.

The next day, Lewis and her group, including her partner, a translator and a driver, left for Tetovo in northwest Macedonia, near the Albanian border.

After visiting Albania in 2005, Lewis said she was more accustomed to the culture of the people in Tetovo. Eighty percent of the population is Albanian, while 20 percent is Macedonian.

Tetovo has a population of about 80,000.

Lewis' partner in Tetovo, a 34-year-old Norwegian, had previously worked in Macedonia after the revolution from 2001 to December 2004.

Lewis said the revolt was started by Albanians who were protesting for equal rights and treatment from the Macedonian government.

On July 4, Lewis said she toured Tetovo and visited the 15 polling stations her group was in charge of observing.

Of the 15 polling sites, most were in the same building, as many of the sites were schools.

On her 2005 trip to Albania, Lewis said she was in charge of 22 sites spread throughout a rural area.

"So there, I spent as much time at the polling stations as I did driving," she said.

The purpose of the Macedonian election was to elect 120 representatives to serve in the parliament. There are six districts in the country, which each elect 20 representatives.

In the region where Lewis was stationed, she said there were two parties that essentially were competitors. The two parties were the Democratic Party of Albania and the Democratic United Integration Party.

While those were the front-runners, Lewis said there were 19 different parties represented on the ballot in her region. Some areas had as many as 29 party coalitions on the ballot.

The Macedonian ballot was a 11-inch by 17-inch piece of paper that contained the name of each party, parties in coalition with the major party, names of the 20 candidates from each party and the party symbol.

For a person to vote, Lewis said he or she had to circle either the symbol, the party name or the candidates' names. If the person circled for more than one party, the ballot was not counted.

"And they only had one opportunity," she said. "If they spoiled the ballot, they never got another one."

On election night, Lewis was able to witness the ballot tabulation at one of the smaller polling stations in Tetovo. Out of the 294 votes received there, she said only three had to be thrown out due to votes for more than one party.

Afterward, the ballots were taken to the Municipal Election Commission Office, where they were added with the other ballots, counted and reported to the State Election Commission.

The next morning, Lewis and the others returned to Skopje, where they got an initial observation on the process from the long-term observers.

Lewis was up at 4 a.m. July 7 for her long trip home.

"I got back into Lincoln that Friday night, but I was going with the sun, so I had been up 27 hours," Lewis said.

Her plane in Skopje was initially delayed two hours, so she already was behind when she arrived in Frankfurt, Germany.

Already behind with only 30 minutes until her next flight, Lewis’ light was screened on the tarmac when she arrived.

Coming off the plane, Lewis said there were officers checking passports. She said that was unusual, as passports are usually checked in the airport.

"So I immediately thought they must be looking for something or someone," she said.

Inside the airport, Lewis was scanned with a metal detecting wand and patted down by an officer. The officer made Lewis take off her money belt under her shirt to be screened, as well.

After leaving Europe, Lewis was again delayed in Chicago as President Bush had been in town earlier that day and all planes were delayed.

Lewis was scheduled to arrive in Lincoln at 9:30 p.m. July 7. Her plane didn’t leave Chicago until after that time.

"At that point, I just wanted to go home and go to bed," she said.

While the trip home was rather long, Lewis said she can’t wait for her next opportunity to serve as an election observer.

"It gets in your blood," she said. "You just want to do it again."

Reprinted with permission from Hastings Tribune.
First County Change A Light Campaign: Win National Recognition!

By: Kelly Zonderwyk, NACo Community Services Associate

At the recent National Association of Counties (NACo) Annual Conference, NACo and Office Depot announced a new partnership to bring counties the first County Change a Light Campaign. This Campaign is part of a national initiative with the Environmental Protection Agency’s ENERGY STAR Change a Light Campaign. Help show the power of county governments taking a small step and having a huge impact on our country’s energy consumption and greenhouse gas emissions.

The ENERGY STAR Change a Light Campaign encourages individuals to change the most frequently used light in their home to an energy efficient (ENERGY STAR qualified) light bulb – saving them money on energy bills and reducing greenhouse gas emissions in the process! Simply encourage all members of your county staff to pledge to change the most frequently used light in their home to an energy efficient one. The Campaign asks counties to collect the most signed pledges among county staff through the period of August 5, 2006 to September 30, 2006.

When they take the pledge on www.naco.org/changealight, they will automatically be directed to Office Depot’s offer of a $1.50 discount coupon for county employees towards the purchase of their new light bulb – online or in stores. A perfect opportunity to pick up an energy efficient light along with back to school supplies and to start the school year off brighter and more efficient!

Help your county become a top pledge collector and earn national recognition through the first ever County Change a Light Award! Winning counties in the following population categories to collect the most pledges will receive national recognition in Washington, DC on national ENERGY STAR Change a Light Day (Oct. 4, 2006): Small (pop. 50,000 and under), Medium (population 50,000-500,000), Large (population 500,000 and over).

For more information on how your county can participate and promote the Campaign among county staff contact Kelly Zonderwyk at kzonderwyk@naco.org or 202.942.4224.

Take your pledge online today at www.naco.org/changealight!!

The NACo/Office Depot Change a Light Campaign is in conjunction with the US Environmental Protection Agency’s (EPA) ENERGY STAR program... Nearly 20 percent of our home’s electricity use goes to lighting. You can make a difference!

Your home can emit twice the greenhouse gas emissions of your car.

ENERGY STAR qualified light bulbs, also known as compact fluorescents (CFLs), provide the same amount of light as standard incandescent bulbs, but have lower wattage ratings. This means they use less energy and cause less pollution.

Replacing a 100-watt incandescent with a 32-watt compact fluorescent can save you at least $30 in energy costs over the life of the bulb.

ENERGY STAR qualified light bulbs operate at less than 1,000F, they are also safer than typical halogen bulbs, which are frequently used in floor lamps or torchieres and burn at 1,000F. Due to their high heat output, halogens can cause burns and fires. CFLs are cool to the touch.

The 5 highest use fixtures in a home are typically the kitchen ceiling light, the living room table and floor lamps, bathroom vanity, and outdoor porch or post lamp.

If every American home changed out just 5 high-use light fixtures or the bulbs in them with ones that have earned the ENERGY STAR, each family would save more than $60 every year in energy costs, and together we’d keep more than one trillion pounds of greenhouse gases out of our air – equal to the emissions of 8 million cars. That’s a $6 billion energy savings for Americans, equivalent to the annual output of more than 21 power plants.
The following is a continuation of the discussion of the Open Meetings Act, codified in Neb. Rev. Stat. §§84-1407 to 84-1414. The article will focus on closed sessions since they were not discussed in the May 2006 Countyline and the previous article referred you to an article that appeared in the December 1998 Countyline.

Once again, the purpose of the Open Meetings is worth repeating, if there is a question as to whether or not a session should be open or closed. “It is declared to be the policy of the state that the formation or public policy is public business and may not be conducted in secret.” Section 84-1408.

The closed session section of the open meetings law is referred to as the most controversial of the Open Meetings Act.

Portions of the closed session were amended this year by LB 898 (2006) to include the following: (1) The subject matter and the reason necessitating the closed session shall be identified in the motion to close, (2) 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, and (3) the public body must restrict its discussion in closed session to the purposes stated in the motion to go into closed session. The former language to (3) was for a restriction to apply to discussion of the matter in the minutes. These changes were included along with other changes that took effect July 14, 2006.

Pursuant to Neb. Rev. Stat. § 84-1410(1), any public body may hold a closed session by the affirmative vote of a majority of its voting members (a) if a closed session is clearly necessary for the protection of the public interest or (b) for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting.

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.

These examples are not exclusive; they are merely examples, and other reasons may exist. Council of Government Hearing on LB 325, 84th Nebraska Legislature, First Session (1975) at page 3; 1975-76 Rep. Att’y Gen. 150 (Opinion No. 116, dated August 29, 1975); Op. Att’y Gen. No. 65 (April 17, 1985).

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body. Section 84-1410.

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. Section 84-1410(2).

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. Section 84-1410(3).

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 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. Section 84-1410(4).

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. Section 84-1410(5).

The statutory provision allowing public bodies to hold closed sessions for “strategy sessions” regarding litigation or threatened litigation by necessity involve discussions regarding whether to make or reject a settlement offer. Such decisions regarding litigation strategy should not have to be discussed publicly, during an open session, in front of the body’s opponent. Becker v. Allen, 1996 WL 106217 (Neb. Ct. App. 1996) (Not approved for publication).

In Pokorny v. City of Schuyler, 202 Neb. 334, 275 N.W.2d 281 (1979) the court held there is nothing in the law that requires negotiations for the purchase of land to be conducted at open meetings, but deliberations only about whether an offer to purchase should be made is action that should be taken at an open meeting.

A case which deals with

(Continued on page 15)
The following is a closed session and what is acceptable is Grein v. Board of Education of the School District of Fremont, 216 Neb. 158, 343 N.W.2d 718 (1984). It involved a closed session by a school board for discussion of the low bid on a boiler project. The Nebraska Supreme Court held that the closed session was improper because protection of public interest in this case demanded discussion in a public meeting. The case holds:

1. Provisions of the statute permitting closed sessions must be narrowly and strictly construed.
2. The public interest which is protected in § 84-1410(1) is “that shared by citizens in general and by the community at large concerning pecuniary or legal rights and liabilities.” 216 Neb. at 165, 343 N.W.2d at 723; Wasikowski v. The Nebraska Quality Jobs Board, 264 Neb. 403, 648 N.W.2d 756 (2002).
3. Good faith motivation for a closed session is not a cure for non-compliance with the public meetings laws.
5. If a public body is uncertain about the type of session to be conducted, open or closed, bear in mind the policy of openness promoted by the Open Meetings Act and opt for a meeting in the presence of the public.

Nebraska public meeting law reflects the Legislature’s judgment of the appropriate balance between the public’s interest in open discussion of governmental issues and the rights of individuals, such as state employees, to have their performance as employees considered in private if they so choose. Meyer v. Board of Regents of the University of Nebraska, 1 Neb. App. 893, 510 N.W.2d 450 (1993). In Meyer, the court determined if the primary purpose for a closed session of a public body is authorized under the open meetings statutes, then any necessary discussion of incidental matters is also authorized. In the case, the Nebraska Court of Appeals suggested that the University Board of Regents could properly discuss the appointment of an interim president for the University during a closed session called to evaluate and consider the employment status of the president.

Opinions of the Attorney General:

There are several Attorney General Opinions which discuss the Open Meetings Act. Some of those that deal with closed sessions include the following:

1. Discussions of legal matters between a county board and a county attorney involving pending litigation or legal consequences of specific action are suitable for a closed session. 1975-76 Rep. Att’y Gen. 150 (Opinion No. 116, dated August 29, 1975).
2. A public body can go into a proper closed session for discussion of personnel matters and then reconvene for a public vote with no lengthy explanation of the rationale underlying the decision. 1989 Att’y Op. Gen. No. 63.
3. The closed session exception for prevention of needless injury to reputation is for the protection of individual employees and not for the protection of governmental officers on the public body. 1d.
4. For enforcement purposes, the Attorney General will take the position that detailed minutes of closed sessions are not required by the Public Meetings Statutes. However, the minutes of such sessions must meet the requirements of § 84-1410. 1998 Att’y Gen. Op. No. 45
5. A county clerk, county attorney and county treasurer acting as a group under § 32-567 (3) to make an appointment to fill a vacancy on a county board may not go into closed session for evaluation of the merits of the candidates based upon the express language of § 84-1410 (1). 1997 Att’y Gen. Op. No. 50.

For additional information see the actual statutes of the Open Meetings Act. For an outline of the Act created by Jon Bruning, the Attorney General and Dale Comer from the Attorney General’s Office see the following Web site: http://www.ago.state.ne.us. See also May 2006 Countyline article “Open Meetings Act and LB 898 (2006) Modifications.”

Your Thoughtfulness Means So Much

Thank you, county officials, for the many cards and calls I received expressing your love and sympathy regarding the death of my husband, Sterling Troxel. Your thoughtfulness and concerns are greatly appreciated. Thank you again.

De Troxel
Receptionist/Secretary,
Nebraska Association of County Officials
By Scott Bartels  
Manager for the Saline Co. Area Transit

Being a demand-response, public transportation system, Saline County Area Transit (SCAT) serves all eight towns within the county as well as the rural residents, which encompasses a population of approximately 10,000.

The transit provides portal to portal public transportation to locations outside of Saline County, including Lincoln, Beatrice, Fairbury, York and Geneva.

Most passengers are traveling for medical purposes such as doctor appointments, eye exams, MRIs, physical therapy, and dialysis treatment. Yet, with our fare structure, it costs no more if the passenger makes multiple stops. As a result, passengers will typically patronize a bank, post office, attorney, financial advisor, accountant, discount store, pharmacy, restaurant or library on the same trip. In addition, some passengers prefer to visit friends or relatives for part of the day until it is time to begin the route home.

Passengers greatly appreciate being able to accomplish two, three, or even more tasks at varying locations in a single day. I believe this is one reason why, when measured by one way boardings, SCAT has experienced a significant increase over the past three years. For fiscal years 2004 through 2006 one way boardings increased 5.9, 15.1, and 19.7 percent respectively over the previous fiscal year.

Routes may occasionally be as short as 40 miles, but the majority of them are 150 to 220 miles per day. In fiscal year 2006 SCAT compiled 100,821 miles, averaging 8,400 miles per month.

Historically, a crew of three or four part-time drivers has met SCAT’s scheduling needs, resulting in a lot of coordination time spent by management. More recently it has become hard to compete with wages and benefits offered by other employers. In order to attract quality employees SCAT may move toward offering full-time employment and a few basic benefits to meet its core needs and fill in with part-time help for short trips. In return, it is anticipated that a stronger commitment and dedication will develop between the Transit and its driver employees. As a manager, I place emphasis on this relationship because, as with any transportation system, SCAT’s drivers are the frontline to the public. And the public deserves to be greeted by friendly, helpful, courteous drivers who are willing to assist their passengers.

(Continued on page 17)
One issue has developed that greatly concerns me. Even with increased boardings and turnover in riders, and a strong increase in the Hispanic population, SCAT has made no progress in overcoming the communication barriers to providing transportation to the Hispanic community. While some positive steps are underway, such as using volunteer interpreters to print schedules, flyers, and advertisements in Spanish, other obstacles remain. Specifically, current staff is not bilingual and the budget is not large enough to expand the work force necessary to add routes that would meet the community’s needs. Training and education for current employees may be one answer, but even then SCAT will have to fund the cost of classes and compensate employees for class time. Secondly, this requires a strong commitment from part-time staff to devote evening hours so as not to conflict with scheduled route times. None the less, when SCAT is able to work through this issue, a continued increase in usage and an expansion in the number of routes provided can be anticipated.

Editor’s Note: When NACO Executive Director, Larry Dix met with transportation officials earlier this summer he requested that they provide articles for Countyline to create an increased awareness of the role that our rural transportation providers play. This article was written and provided as a result of this request.

Lancaster County Bridge Engineer Receives Appreciation Award

An Appreciation Award was presented to Virgil Dearmont, Lancaster County Bridge Engineer, at the June Nebraska Association of County Officials (NACO) Highway Superintendents Meeting. The Award was issued for his efforts and participation in Nebraska’s team to develop bridge inspection documentation as required by the National Bridge Inspection Standards (NBIS). He was instrumental in working with FHWA and the NDOR Safety Committee to improve safety on rural roads for purchasing Type 3 object markers for installation at bridges by bridge owners. He represents the counties in the decision making processes and has been the NACO Highway Superintendents President and currently is Vice-President. The Award was jointly signed by the NDOR Director John Craig, the NACO Executive Director Larry Dix, and the FHWA Division Administrator William Brownell.

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The Importance of County Government in Nebraska
By: Elmer Krueger

The most important part of county government is the personal service one can receive on a day to day basis from all the government offices. You could not walk into a state office and expect them to understand the issues of the citizens in a county some distance away. Cubula goes, through the Tax Assessor that the average citizen has some say in how things are run and somewhere to go to voice their displeasure. The state would not be concerned if my roadway needed gravel or a bridge needed repair. County government in your rural areas is usually your largest employer and some of the better paying jobs. The loss of these jobs will affect the population and the economy. If these people had to travel out of the county to work they would shop in the area that they worked. The less populated counties would literally become ghost towns.

County government provides many services, but none quite as important as the protection of its citizens. If we did not have the County Sheriff’s office we would have to wait for help to arrive in an emergency. Depending on the severity of the emergency a few minutes could be the key between life and death. There are many more services that the Sheriff department provides but I am going to go on to a few other offices.

The County Treasurer’s office is the one who sends and collects the taxes, which pay for the maintenance of county roads, operation of our community schools, and the management of our fire departments and ambulance. The Assessor can send out taxes the County Assessor must assess the property to market value. During this process the Assessor must maintain up to date records of all property that changes hands in the counties borders. These values are used as the base of levying taxes. Another part of the tax formula is the budgets submitted by each political subdivision.

Another big office is the County Clerk. He is the one who issues titles for motor vehicles, records deeds, mortgages, and liens. The Clerk also tracts voters for eligibility to vote in upcoming elections and issues absentee ballots. Without county government all these people would be without a job. Everyone in the area would have to travel a greater distance to accomplish the simplest things.
As soon as I received the reminder from the county treasurer to re-license my car, I knew I was going to be making a trip to the court house. What I didn’t know is the amount of work that takes place in the Treasurer’s office. The fact that they have to keep the records of all the vehicles in the county and send yearly reminders for re-licensing is a monumental task. If Nebraska’s counties didn’t keep adequate records of vehicles statewide, the county sheriff and other law enforcement officials involved wouldn’t be able to do their job efficiently.

These are only a couple examples of the countless responsibilities held by the county. So many people are employed and involved with each the various branches. There is the County Judge, the Register of Deeds, the County Assessor, the Clerk, and the County Attorney, just to mention a few. Each of these positions have their own responsibilities that are essential to the county. If they don’t uphold their responsibilities, the entire county suffers, in turn the state suffers.

I’ve learned that counties are more involved in the lives of the citizens than I originally imagined. Each county on its own has to be able to function and cooperate with the others in order to create a unified state. Because of the way each of Nebraska’s counties handle their important responsibilities, our state is capable of working as a whole in a positive and growing way.

**The Importance of County Government in Nebraska**  
By: Stacy Scheer

County government is one aspect of life which our society tends to overlook. We may complain about road construction slowing us down or taking ten minutes out of our busy schedule to vote. However, upon closer look, we should realize that county government is an essential part of our life, and without it we would all have many problems to deal with. My mom has served as the Madison County Clerk all my life, so I have experienced first-hand the importance of county government.

When people think of government, they often think of the national government, including the President and current issues within the White House and Congress. However, people often overlook the effectiveness of county government because it allows each citizen to become more involved at the local level. The success of our United States government begins at the county level.

County government differs from the state and national levels of government in many ways. In each county, citizens have the opportunity to voice their opinions. If a citizen has a concern, he or she can attend a Commissioner’s meeting and discuss the issue. Also, special elections are often held to ensure that the majority of the people’s needs are fulfilled. Another advantage of county officials is that they are personable because they are local average citizens just like you and I. They have similar concerns about problems in our community, such as quality of education and the safety of citizens.

Each office in county government has its own functions to administer. The County Sheriff’s Office works diligently to guarantee our safety. The County Clerk’s Office deals with elections, titles, and marriage licenses. Issuing motor vehicle license plates and collecting taxes are two responsibilities of the County Treasurer. Although we may not be directly affected by each office, many other local offices also conscientiously work to establish a successful county government system.

Whether or not we realize it, county government is an important part of our everyday life. So the next time you come upon a road construction crew, roll your vehicle window down and thank them for their work. Likewise, on Election Day, let’s all exercise our right to vote and be thankful that we have the opportunity to choose our leaders and voice our opinions. Still, County Government is more than just elections; it’s about maintaining order, keeping citizens safe, and serving taxpayers at the local level. As citizens, we need to take the time to recognize the work of our county government and appreciate the ways in which it benefits us.
### Sustaining Members

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Alternative Investments Public Agencies  
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**Maximus, Inc.**  
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Phone: 402-462-6481  
Management Consulting Services  
Contact: Diane Blaschko, Vice President

**Nebraska Machinery Co.**  
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Omaha, NE 68138  
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Construction and Road Equipment  
Contact: Lisa Ebel, Marketing Specialist

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Fulton, MO 65251  
Phone: 877-677-3678  
Public Retirement Program Administrator  
Contact: Joyce Hall, Regional Director

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Contact: Curt Beck, Executive Dir.

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Health Insurance Provider  
Contact: Ken Dustin, Vice President

**First Concord Benefits Group**  
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Lincoln, NE 68516  
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Employee Benefits  
Contact: Jill Johnson, Manager

**First American Real Estate Tax Service**  
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Denver, CO 80246  
Phone: 800-899-4829 ext 2146  
Real Estate Tax Information Provider  
Contact: Gene Gowens

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Wahoo, NE 68066  
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Contact: Alison Koranda, Marketing Coordinator

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Alternative Insurance Plans  
Contact: Mike Boden, Partner

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Grand Island, NE 68801  
Phone: 308-384-1330  
Hotel and Convention Center  
Contact: Mark Hoefling, Assistant General Manager

**Kirkham Michael**  
12700 West Dodge Rd  
Omaha, NE 68154  
Phone: 402-255-3804  
Engineering Services Provider  
Contact: Dan Park, Senior Vice President

**Countryman Associates PC**  
2215 West 12th Street  
Hastings, NE 68901  
Phone: 402-463-6711  
CPA Firm  
Contact: Ron Willnerd

**Northeast Nebraska Juvenile Services Inc.**  
P.O. Box 50  
Madison, NE 68748  
Phone: 402-454-3955  
Juvenile Detention/Staff Security Program  
Contact: Mike Applegate, Administrator

**Lower Platte River Corridor Alliance**  
P.O. Box 83581  
Lincoln, NE 68501-3581  
Phone: 402-476-2729  
River Management Coalition  
Contact: Rodney Verhoeff, Coordinator

**Holiday Inn Hotel & Convention Center**  
110 Second Avenue  
Kearney, NE 68848  
Phone: 308-237-5971  
Hotel & Convention Center  
Contact: Craig Link

**Speece-Lewis, Inc.**  
3534 S. 48th St., Suite 4  
Lincoln, NE 68506  
Phone: 402-483-5466  
Engineer Consultants  
Contact: Larry Lewis, Vice President

**University of Nebraska Lincoln Extension**  
211 Agriculture Hall  
Lincoln, NE 68583  
Phone: 402-472-2966  
Educational Institution  
Contact: Keith Niemann, Director

**US Bank**  
233 S. 13th St.  
Lincoln, NE 68508  
Phone: 402-434-1153  
Governing Bank  
Contact: Mary Ulmer

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Omaha, NE 68112  
Phone: 402-451-3335  
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Contact: John Lemen, Account Manager

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Lincoln, NE 68501  
Phone: 402-434-1777  
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Contact: L.E. Leber, President

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Snyder, NE 68664-0218  
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Public Warning System  
Contact: Edward Busse, Sales Rep
The long time dream of a Nebraska Firefighters Museum is becoming a reality. The dream was always to create a special place to honor Nebraska firefighters, a place to preserve the rich history of Nebraska firefighting and foremost, a place to serve as an education center to provide opportunities for people to learn and understand how fire prevention and fire safety directly affects their daily lives.

In August of 2004, the NE Firefighters Board placed a winning bid on a beautiful 10 acre site with two existing buildings along the Platte River just south of Kearney with easy access from I-80. The land itself is in Kearney County.

The combined space in the two buildings totals 18,000 square feet. They will be renovated and remodeled to house the historical firefighting equipment and memorabilia that the Museum now owns. An extensive center for fire prevention and firefighting education will also be part of the remodeling project.

The Museum collection presently includes vintage fire trucks, ladder wagons, and hose carts. There will be numerous examples of fire extinguishers, grenades and leather buckets used in various periods of fire fighting. A brass fire pole is also part of the collection. Much of the memorabilia dates back to the 1880’s, a time when borders were being drawn and many of Nebraska’s counties were being organized. The equipment was collected from across the state.

The most recent piece of antique fire apparatus acquired and refurbished is an 1880 hose cart. It originally had two to four sections of leather hose and was pulled by four to six men who pulled it to a fire in readiness for the firefighters following with a hand pumper. It was given to the NE Firefighters Museum and Education Center and will be one of the Museum’s permanently displayed pieces of antique fire equipment.

Nebraska fire departments are now finding a home for saved equipment once used to protect lives and property, but now replaced with high tech materials. Nelson Volunteer Fire Department gave the Museum, among other things, a canister smoke mask, an MSA smoke mask, and an aged first aid suitcase. The Arnold Rural Fire Department gave their 1920 Model T Ford Fire Truck. Last year the Museum was the recipient of a 1942 Seagraves Fire Truck and a 1943 Seagraves Fire Truck. These trucks were owned by Paul Powers of Hastings.

The Education Center will be a hands on experience for kids as well as adults. It will be exciting and informative. There will be bells to ring, sirens to blow, and fire trucks to touch and feel. It will feature interactive educational exhibits with learning kiosks which will entertain and educate visitors as to fire prevention and fire safety. Educational touch screen systems will add to the programs. One of special features of the Museum & Education Center will be a unique time line exhibit detailing the entire history of firefighting in the state of Nebraska.

The design and fabrication of the Educational Center will be completed by Hartman Historical Services of Omaha. Mr. Hartman has worked on Mutual of Omaha’s Corporate Lobby Exhibit, Johnny Carson exhibits in Norfolk, and most recently the exhibit for the National Guard Association Museum in Washington, D.C.

Of interest to all visiting the NE Firefighters Museum & Education Center will be a beautiful Memorial Garden. It will be on the edge of the Platte River and will provide a quiet area for reflection. The Memorial Garden will honor not only those who gave their lives in the line of duty but also every retired or active fireman who is gone but not forgotten.

The NE Firefighters Board of Directors approved a campaign goal of $3.5 million a year ago. About $2.2 million will be used for the remodeling of the two buildings, the rest of the $3.5 million will be used to start an endowment fund, create educational exhibits and pay for the land and first year of operation.

There is not a person whose life has not been affected in some way by a fire or by knowing a fireman. “There are 458 fire departments in our state”, Lt. Governor Rick Sheehy said as the Capital Campaign started, “This project, with its emphasis on education and fire prevention, has the potential to benefit every person and every community in our state. It is also a wonderful way to honor the over 12,000 firefighters who protect our lives and property”. Lt. Governor Sheehy is one of the Co-Chairmen of the Capital Campaign. The other Co-Chairs are Ron Larsen of Kearney and Delwin Smeal of Snyder.

This is Nebraska’s Firefighters Museum Education Center. All donations and contributions are appreciated as we say thank you to our Nebraska firefighters, who have been and will continue to be our “unsung heroes”. The Nebraska Firefighters and Education Center may be contacted through any of the following: NE Firefighters Foundation, P.O. Box 2423, Kearney, NE 68848-2423. (308)293-3859

Email: nefirefightersmuseum@hotmail.com

Website: www.nebraskafirefightersmuseum.com

Article submitted by Doralene Weed, Board of Directors, NE Firefighters Foundation, Past President NACO 1990
### September Legal Calendar

<table>
<thead>
<tr>
<th>Date</th>
<th>Office/Department</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>County Board</td>
<td>Final levy allocations adopted unless modified by agreement of board and the governing board of requesting political subdivision. 77-3443</td>
</tr>
<tr>
<td>1</td>
<td>Assessor</td>
<td>Before this date, the county assessor must certify to the Department of Revenue average assessed value of single-family residential property for purposes of homestead exemptions. 77-3506.02</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>In counties having a population of 100,000 or less, the second half of general real property taxes become delinquent. In all counties, the second half of all personal property taxes and real estate taxes on mobile homes, cabin trailers, manufactured homes, or similar property assessed and taxed as improvements to leased property becomes delinquent. Deadline for filing a poverty affidavit for personal property. 77-204, 77-1716, 77-1718</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>After this date of each year next after the personal taxes and real estate taxes on mobile homes, cabin trailers, manufactured homes, or similar property assessed and taxed as improvements to leased property for the last preceding year have become delinquent, such taxes shall be collected with interests and costs of collection by distress and sale of personal property, mobile homes, cabin trailers, manufactured homes, or similar property assessed and taxed as improvements to leased property belonging to the person against whom levied. 77-1717</td>
</tr>
<tr>
<td>1</td>
<td>Clerk, Election Commissioner</td>
<td>Last day for political subdivision to submit a special issue for the general ballot. 32-559</td>
</tr>
<tr>
<td>1</td>
<td>Clerk</td>
<td>Last day to file for office by petition. 32-617</td>
</tr>
<tr>
<td>5</td>
<td>Clerk</td>
<td>Report to the Department of Health and Human Services Finance and Support a statement of all marriages recorded during the preceding month. 71-614</td>
</tr>
<tr>
<td>5</td>
<td>Clerk</td>
<td>Remit fees to the State Treasurer for credit to the General Fund for certificates of title, notation of liens, duplicates for boats and motor vehicles. 37-1287, 60-161</td>
</tr>
<tr>
<td>7</td>
<td>Clerk, Election Commissioner</td>
<td>Last day to issue and mail special absentee ballots to those registered voters with application on file specifically requesting a special absentee ballot. 32-808</td>
</tr>
<tr>
<td>10</td>
<td>County Board of Equalization</td>
<td>Any action of the county board of equalization pursuant to section 77-1502 may be appealed to the TERC on or before September 10 if the county has a population greater than 100,000 and has adopted a resolution to extend the deadline for hearing protests under section 77-1502. 77-1510</td>
</tr>
<tr>
<td>15</td>
<td>County Board of Equalization</td>
<td>County Board of Equalization and special valuation protests must be heard and decided by this date or on or before September 30 if the county has a population greater than 100,000 and has adopted a resolution to extend the deadline for hearing protests under section 77-1502. 77-1504</td>
</tr>
<tr>
<td>15</td>
<td>Clerk, Register of Deeds, Treasurer</td>
<td>County clerk or register of deeds must pay over to the county treasurer all fees received and take the receipt to the county treasurer. 33-130.</td>
</tr>
<tr>
<td>15</td>
<td>Clerk of the District Court</td>
<td>Make a report to the county board, under oath, showing the different items of such fees, revenue, perquisites, or receipts received, from whom, at what time, and for what service, and the total amount received by such officer since the last report, and also the amount received for the current year. Account for and pay any fees, revenue, perquisites, or receipts not later than the fifteenth day of the month following the calendar month in which such fees, revenue, perquisites, or receipts were received. 33-106.02</td>
</tr>
<tr>
<td>20</td>
<td>County Board</td>
<td>Final day to adopt the budget and appropriate the amounts specified in the budget for the departments, offices, activities, and funds of the county for the period to which the budget applies. 23-909</td>
</tr>
<tr>
<td>20</td>
<td>County Board</td>
<td>Final day for governing bodies, except Class I school districts, to file with and certify to the levying board a copy of the adopted budget statement, together with the amount of the tax to be levied. Information must also be filed with the auditor on or before this date. 13-508 (1), 79-1225</td>
</tr>
<tr>
<td>22</td>
<td>Clerks, Election Commissioners</td>
<td>Deadline to have early voting ballots ready and sent to UOCAVA voters with requests on file. 32-808, 32-939</td>
</tr>
<tr>
<td>25</td>
<td>Treasurer</td>
<td>By this date each month, the treasurer must transmit all motor vehicle registration fees collected to the state. 60-3,141(3)</td>
</tr>
<tr>
<td>27</td>
<td>Clerks, Election Commissioners</td>
<td>Deadline for publishing and posting the notice of election. Also, deadline for sending the notice of election to affected political subdivisions. 32-802</td>
</tr>
<tr>
<td>30</td>
<td>Assessor</td>
<td>Assessor may amend school district taxable value report for corrections or errors. 79-1016</td>
</tr>
<tr>
<td>During Month</td>
<td>County Board of Equalization</td>
<td>Publish a list of all real estate in the county owned by agricultural and horticultural societies, educational, religious, charitable and cemetery organizations which are exempt from taxation for that year. 77-202.03(5)</td>
</tr>
</tbody>
</table>

(Continued on page 24)
## October Legal Calendar

<table>
<thead>
<tr>
<th>Date</th>
<th>Office</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>Verify report on distress warrants to the county board and make an itemized report covering the amount uncollected. 77-1719.02</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>Report to county board delinquent and unsold parcels. 77-1918</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>Prior to this date, the Department of Revenue shall furnish to the county treasurer the total amount of aid from state sources appropriated to the county and each city, village, school district and learning community in the county. 77-1704.01</td>
</tr>
<tr>
<td>1</td>
<td>Assessor</td>
<td>By this date, the assessor shall forward to the Secretary of State the name and address of every trust owning agricultural land in the county as shown on the assessment rolls. 76-1517</td>
</tr>
<tr>
<td>1</td>
<td>Assessor</td>
<td>The owner of a rent-restricted housing project shall file a statement with the county assessor on or before this date of each year that details income and expense data for the prior year, a description of any land-use restrictions, and such other information as the county assessor may require. 77-1333</td>
</tr>
<tr>
<td>1 to Dec. 31</td>
<td>Clerk, Election Commissioner</td>
<td>Blackout period for special elections. 32-405</td>
</tr>
<tr>
<td>2</td>
<td>Clerk, Election Commissioner</td>
<td>Last day to make the voter registration lists available to the state and county parties. List is available upon request and free of charge. 32-808. First day to distribute sample ballots to county, city or village not to exceed 10% of their votes cast in the previous election, if publications do not reach the entities. 32-804</td>
</tr>
<tr>
<td>First</td>
<td>Sheriff</td>
<td>Make report to County Board showing the different fees collected or earned, total fees since the last report, and total collected in that year. The sheriff shall at this time pay all fees earned to the treasurer, who shall credit the fees to the county's general fund. 33-117(3)</td>
</tr>
<tr>
<td>First</td>
<td>Clerk of the District Court, Treasurer</td>
<td>Money other than witness fees, fines, penalties, forfeiture which are uncalled for by the parties shall be remitted quarterly to the state treasurer following the expiration of a three year period. 24-345</td>
</tr>
<tr>
<td>First</td>
<td>Clerk of the District Court, Treasurer</td>
<td>Clerk of the District Court must file with the county board the names and amounts of witness fees which remain uncalled for a period of six months. Six months later these fees are paid over to the county treasurer and credited to the county common school fund. 33-140, 33-140.02</td>
</tr>
<tr>
<td>5</td>
<td>Clerk</td>
<td>Report to the Department of Health and Human Services Finance and Support a statement of all marriages recorded during the preceding month. 71-614</td>
</tr>
<tr>
<td>5</td>
<td>Clerk</td>
<td>Remit fees to the State Treasurer for credit to the General Fund for certificates of title, notation of liens, duplicates for boats and motor vehicles. 37-1287, 60-161</td>
</tr>
<tr>
<td>5</td>
<td>Clerk, Election Commissioner</td>
<td>Last day for Election Commissioners to appoint judges, clerks and inspectors, if needed. 32-221</td>
</tr>
<tr>
<td>10</td>
<td>General</td>
<td>Prior to this date, excess levies to exceed levy limits or final levy allocations must be approved at an election or &quot;town hall meeting&quot; to be applicable. A vote to modify or rescind a previously approved vote must also be approved prior to this date. 77-3444</td>
</tr>
<tr>
<td>12</td>
<td>Clerk, Election Commissioner</td>
<td>Deadline for clerks and election commissioners using vote counting machines to submit a written plan to the Secretary of State outlining procedures that will be followed on election day. 32-1049</td>
</tr>
<tr>
<td>13</td>
<td>Clerk</td>
<td>Resolutions setting a tax request different from the prior year must be certified and forwarded to the county clerk on or before this date. 77-1601.02</td>
</tr>
<tr>
<td>15</td>
<td>Board of Equalization</td>
<td>On or before this date, levy the necessary taxes for the current year and certify all levies. 77-1601, 77-3443</td>
</tr>
<tr>
<td>15</td>
<td>General</td>
<td>By this date or on or before October 30 if the county has adopted a resolution to extend the deadline for hearing protests under section 77-1502, appeals by taxpayers must be filed with the Tax Equalization and Review Commission (TERC) from county board of equalization action. 77-1504</td>
</tr>
<tr>
<td>15</td>
<td>Clerk, Treasurer</td>
<td>Each county clerk or register of deeds shall, not later than the fifteenth day of the month following the calendar month in which fees are received, pay over to the county treasurer all fees received and take the receipt of the county treasurer. 33-130</td>
</tr>
<tr>
<td>15</td>
<td>Clerk of the District Court</td>
<td>Make a report to the county board, under oath, showing the different items of such fees, revenue, perquisites, or receipts received, from whom, at what time, and for what service, and the total amount received by such officer since the last report, and also the amount received for the current year. Account for and pay any fees, revenue, perquisites, or receipts not later than the fifteenth day of the month following the calendar month in which such fees, revenue, perquisites, or receipts were received. 33-106.02</td>
</tr>
<tr>
<td>20</td>
<td>Clerk, Election Commissioner</td>
<td>Postmark deadline for mailed in registrations. 32-321</td>
</tr>
<tr>
<td>20</td>
<td>Clerk, Election Commissioner</td>
<td>Last day for deputy registrars to register voters for an upcoming election. 32-306</td>
</tr>
<tr>
<td>22</td>
<td>Clerk, Election Commissioner</td>
<td>First day to publish sample ballots in the newspaper. 32-803</td>
</tr>
<tr>
<td>24</td>
<td>Clerk, Election Commissioner</td>
<td>Last day to accept a mail-in registration with an illegible postmark. 32-321</td>
</tr>
</tbody>
</table>

(Continued on page 25)
<table>
<thead>
<tr>
<th>Date</th>
<th>Department</th>
<th>Task or Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>Treasurer</td>
<td>By this date each month, the treasurer must transmit all motor vehicle registration fees collected to the state. 60-3,141(3)</td>
</tr>
<tr>
<td>27</td>
<td></td>
<td>Deadline to post the sample ballots in the office of the clerk or the election commissioner. 32-805</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Last day to mail an early voting ballot with mail in registration application form to person not registered to vote. 32-941, 32-945</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Last day for in person voter registration. 32-302</td>
</tr>
<tr>
<td>31</td>
<td>General</td>
<td>Form 941N, the Nebraska Quarterly Withholding Return, must be filed for the previous calendar quarter.</td>
</tr>
<tr>
<td>31</td>
<td>Assessor</td>
<td>A copy of the plan of assessment and any amendments shall be mailed to the Department of Property Assessment and Taxation on or before this date each year. Section 77-1311.02</td>
</tr>
</tbody>
</table>

### November Legal Calendar

<table>
<thead>
<tr>
<th>Date</th>
<th>Department</th>
<th>Task or Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sheriff, Clerk, of Dist. Court, Clerk, County Board</td>
<td>Sheriff or such person in charge of the administration of the jail must file jail report with the clerk of the district court and the county clerk, for the use of the county board. 47-107.</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer, Sheriff</td>
<td>The treasurer must issue and deliver to the sheriff distress warrants for persons having delinquent personal tax or real estate tax on a mobile home, cabin trailer, manufactured home, or similar property assessed and taxed as improvements to leased land for that year. 77-1718</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>The treasurer must file with the county clerk a statement in writing, setting forth in detail the name of each person charged with personal property tax which the county treasurer and his or her deputies have been unable to collect by reason of the removal or insolvency of the person charged with such tax, the value of the property and the amount of tax, the cause of inability to collect such tax in each separate case, in a column provided in the list for that purpose. 77-1742</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>If the school district secretary fails to submit the annual fall membership report or a school district fails to file an audit report with the Commissioner of Education by the statutory deadline, certain school aid will be withheld by the Commissioner and county treasurer. 79-528(4), 79-1089</td>
</tr>
<tr>
<td>1</td>
<td>Assessor</td>
<td>The State Tax Commissioner must certify his determination of a homestead exemption applicant's eligibility to the county assessor. 77-3517</td>
</tr>
<tr>
<td>1</td>
<td>Treasurer</td>
<td>Semi-annual statement showing amount collected on account of state, county and district school tax and all other sources from which school funds are derived must be filed with State Treasurer and Tax Commissioner. Settlement of general school funds must also be made. 79-1034</td>
</tr>
<tr>
<td>4</td>
<td>Clerk, Election Commissioner</td>
<td>Last day to publish sample ballots in the newspaper. 32-803</td>
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<td>5</td>
<td>County Board of Equalization</td>
<td>On or before this date, the county board of equalization upon its own motion may act to correct a clerical error which has resulted in the calculation of an incorrect levy by any entity otherwise authorized to certify a tax request under section 77-1601.02, 77-1601.</td>
</tr>
<tr>
<td>7</td>
<td>General</td>
<td>Statewide General Election. 32-403</td>
</tr>
<tr>
<td>10</td>
<td>County Officials</td>
<td>Any local system may file with the Property Tax Administrator a written request for a nonappealable correction of the adjusted valuation due to clerical error or, for agricultural land, assessed value changes by reason of a land qualified or disqualified for special use valuation. 79-1016(5)</td>
</tr>
<tr>
<td>14</td>
<td>Clerk, Election Commissioner</td>
<td>Deadline for verification and notification to the state system of provisional ballots status. 32-1002</td>
</tr>
<tr>
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<td>Clerk of the District Court</td>
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(Continued on page 26)
### November Legal Calendar

*(Continued from page 25)*

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<th>Location</th>
</tr>
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<tbody>
<tr>
<td>September 14, 2006</td>
<td>Southeast District Meeting</td>
<td>Beatrice, Holiday Inn Express</td>
</tr>
<tr>
<td>September 15, 2006</td>
<td>Northeast District Meeting</td>
<td>Norfolk, Lifelong Learning Center</td>
</tr>
<tr>
<td>September 21, 2006</td>
<td>Central District Meeting</td>
<td>Kearney, Ramada Inn</td>
</tr>
<tr>
<td>September 27, 2006</td>
<td>Panhandle District Meeting</td>
<td>Bridgeport, Prairie Winds Community Center</td>
</tr>
<tr>
<td>September 28, 2006</td>
<td>West Central District Meeting</td>
<td>McCook, Republican River Valley Event Center</td>
</tr>
<tr>
<td>October 5, 2006</td>
<td>NACO’s 1st Annual Legislative Conference</td>
<td>Kearney, Holiday Inn Convention Center</td>
</tr>
<tr>
<td>December 5-7, 2006</td>
<td>NACO’s 112th Annual Conference</td>
<td>Omaha, Holiday Inn Central</td>
</tr>
<tr>
<td>February 7-9, 2007</td>
<td>County Board Workshop</td>
<td>Kearney, Holiday Inn Convention Center</td>
</tr>
<tr>
<td>April 12, 2007</td>
<td>NACO Legislative Day</td>
<td>Lincoln, NACO Office &amp; State Capitol</td>
</tr>
<tr>
<td>May 10, 2007</td>
<td>County Board of Equalization Workshop</td>
<td>Kearney, Holiday Inn Convention Center</td>
</tr>
<tr>
<td>June 13-15, 2007</td>
<td>Clerks, Election Commissioners, Register of Deeds, Treasurers Workshop</td>
<td>Kearney, Holiday Inn Convention Center</td>
</tr>
<tr>
<td>October 11, 2007</td>
<td>NACO’s 2nd Annual Legislative Conference</td>
<td>Kearney, Holiday Inn Convention Center</td>
</tr>
<tr>
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<td>NACO’s 113th Annual Conference</td>
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### Calendar Of Events

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### September Contest

The winner of the July Countyline Magazine contest was Arnold Hall, Holt/Boyd County Veterans’ Service Officer. Arnold will receive a handsome desk clock for his efforts. If you would like to have a copy of the solution to the July puzzle, send Lisa Wefer an e-mail request. Lisa’s e-mail address is lisa@nacone.org.

Since September is state fair time, the September contest consists of a trivia question pertaining to the 1962 musical “Our State Fair” starring Pat Boone, Ann Margaret and Bobby Darin. Send your answer to the following question to NACO at the address shown on the cover of this magazine.

**CONTEST QUESTION**: What were Ann Margaret, Pat Boone and Bobby Darin’s first and last stage names in this production?

Be sure to include your name, the county and the office you work in. Mark “Contest Entry” on the outside of the envelope. Answers must be received by October 20, 2006 to be eligible.
Reminder!

NACO Legislative Conference — October 5!

Register online today!
www.nacone.org
“Living proof – walking works.”

Migraine headaches caused Karen to see a neurologist, who recommended that she take a daily prescription drug. “I didn’t want to be on medication, and that’s when the doctor said to start walking 20 to 30 minutes a day. So I started walking, and I haven’t had a headache since.”

At first, it was an effort to fit walking into her schedule, so Karen added it to her list of things to do. “I started out slow, but now I can hardly stop. I will walk to the bank or the post office. That way, I’m getting my errands and my walking done all at the same time.”

Walking took away Karen’s headaches and gave her a healthier outlook on life. “I’ve lost weight, my cholesterol lowered eight points, my blood pressure is fine and I have more energy. I can accomplish a lot more because I feel better.”

Karen thinks Blue Cross and Blue Shield of Nebraska is on the right track with its “Walking Works” program. “Walking is fun — and it’s a lot cheaper than taking a prescription every day. I think the Blues are good for you.”

“I enjoy my walks in the beautiful Nebraska countryside.”

— Karen,
Blue Cross and Blue Shield of Nebraska member

Blue Cross Blue Shield of Nebraska
bcbsne.com