

## Administrative

### 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. 17-209.02, 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, wish 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 'I 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:

- A. Names of the contracting parties;
- B. Nature of the interest of the officer in question;
- C. Date that the contract was approved by the Municipality involved;
- D. Amount of the contract; and
- E. Basic terms of the contract.

**Administrative**

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 prerequisites 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: SALARIES OF OFFICIALS.** Effective December 1, 1998, the members of the Board of Trustees of the Village of Alvo shall be compensated for their services to the Village of Alvo, Nebraska, upon the following basis:

Attendance at each regular monthly meeting:

Board Members ..... \$25.00

Chairperson ..... \$50.00

Together with all costs and expenses incurred on behalf of the Village including, but not limited to, travel expenses, photocopy charges, and long-distance telephone charges.

**§1-904 COMPENSATION: SALARIES OF EMPLOYEES.** Effective March 5, 2024, the employees of the Village of Alvo shall be compensated for their services to the Village of Alvo, Nebraska, upon the following basis:

Together with all costs and expenses incurred on behalf of the Village including, but not limited to, travel expenses, photocopy charges, and long-distance telephone charges.

That the following employees shall be compensated as follows:

On a monthly flat-rate basis after taxes:

Municipal Clerk.....\$500.00

Municipal Treasurer ..... \$500.00

Municipal Utilities Superintendent.... \$350.00

The base rate for the Municipal Clerk/Treasurer includes the following:

The Clerk/Treasurer shall be entitled to receive \$15.00 per hour for attending mandated training and conferences related to their role, as approved by the Governing Body. The Clerk/Treasurer shall maintain accurate timesheets, documenting all hours worked, including regular duties, mandated training, and conferences. Timesheets shall be filled out on a designated spreadsheet provided by the Governing Body. Monthly, the Clerk/Treasurer shall submit a completed timesheet to the Chairperson and/or Vice Chairperson for review and approval. The Chairperson and/or Vice Chairperson shall sign the timesheet at the following open meeting held by the Governing Body, acknowledging the accuracy. Approved timesheets shall be maintained within the records of the Municipality.

The base rate for the Municipal Utilities Superintendent includes the following:

Checking water pumps, recording readings, preparing water samples and delivery to state lab, connects or disconnects of water and sewer systems as directed; preparation of forms and necessary reports on both systems; flushing fire hydrants two time annually; reading meters; sending out water and sewer statements; overflow water tower two times annually; supervising installation of water systems.

\$6.00 per hour to those conducting maintenance to any Village property and mowing service.

Mileage reimbursement shall be at the rate of \$.26 per mile for all persons conducting Village business.