

State of Nebraska

Accountability and Disclosure Commission

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Synopsis of Case 13-05 Action Taken September 13, 2013

Respondent: Richard Quick

The respondent, Richard Quick, is the Chairman of the Village Board of Crookston, Nebraska. An audit of the Village of Crookston was conducted by the Auditor of Public Accounts. The audit disclosed what appeared to be instances of Richard Quick having an interest in contracts with the Village without compliance with the provisions of §49-14,103.01 of the Nebraska Political Accountability and Disclosure Act. A preliminary investigation was commenced on April 11, 2013. The parties reached a settlement agreement. By the terms of the agreement the respondent agrees that the Commission may find that he had an interest in a contract with the Village in violation of §49-14,103.01. The agreement provides for a civil penalty not to exceed \$500.00 and future compliance. Future compliance pursuant to §49-14,103.01 requires that if the respondent has a future interest in a contract with the Village he will: a) publicly disclose the interest; b) abstain from voting on granting the contract; and c) abstain from participating or voting as to payment or any other matter under the contract. The Commission approved the settlement agreement with eight Commissioners concurring, none dissenting and none abstaining from participating and voting.

Violation: The Commission found that the respondent had an interest in a contract with the Village of Crookston in violation of §49-14,103.01 of the Nebraska Political Accountability and Disclosure Act.

Civil Penalty: \$100.00

Attorney for the Respondent: Andrew Johnson, Valentine, Nebraska

Attorney for the Commission: Neil Danberg

Synopsis Prepared by: Frank Daley
Executive Director
Nebraska Accountability & Disclosure Commission
11th Floor State Capitol, P.O. Box 95086
Lincoln, NE 68509
402-471-2522

BEFORE THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION

CASE No. 13-05

In the Matter of Richard Quick

SETTLEMENT AGREEMENT

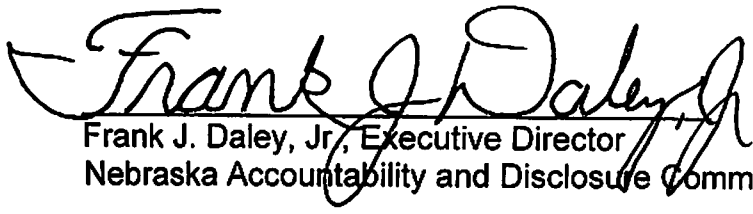
- 1) **Parties:** The parties to this Settlement Agreement (hereinafter "Agreement") are the Nebraska Accountability and Disclosure Commission, hereafter referred to as the "Commission" and Richard Quick, hereinafter referred to as the "Respondent."
- 2) **Jurisdiction:** The Respondent acknowledges the jurisdiction of the Commission pursuant to the Nebraska Political Accountability and Disclosure Act ("NPADA").
- 3) **Intention:** The parties enter into this Agreement with the understanding that this Agreement shall constitute a waiver of a formal hearing on the alleged violation as described in Paragraphs 4, 5 and 6 of this Agreement, thereby resolving the matter without further delay and expense to the parties.
- 4) **The Alleged Violation:** In its Notice of Preliminary Investigation, the Commission alleged that the Respondent violated the NPADA, Section 49-14,103.01, in that as a member of the Board of Trustees of Crookston, Nebraska, he entered into a series of contracts from on or about January 2011 through December 2012, in which he had an interest.
- 5) **Admissions and Statements of the Respondent:** The Respondent states and admits that in 2011 and 2012 he was a Trustee of the Village of Crookston, Nebraska and during that time he entered into a series of contracts with the Village of Crookston. At the time he entered into the contracts, he admits that: (a) he was an employee of Green Acres Auto Sales; (b) the said contracts directly benefitted himself, his spouse, and the business, Green Acre Auto Sales; (c) prior to the Crookston audit by the Auditor of Public Accounts, dated December 18, 2012 (hereinafter the "Audit"), he did not announce at the Village Trustees' meetings that he had a direct financial interest or describe the nature of that interest in the contracts; and (d) prior to the Audit, the contracts were not placed on the open agenda of the Village Trustees meeting.
- 6) **Violation of the NPADA:** With respect to the alleged violation, the Respondent states that as a Village Trustee of Crookston, Nebraska, he did enter into a series of contracts with the Village, but he was not aware that the contracts and his action or inaction with respect to them violated the NPADA. Nonetheless, the Respondent agrees and stipulates that if the alleged violation proceeded to a Hearing, there is sufficient evidence for the Commission to find that his conduct

with respect to the contracts in question did not comply with the requirements of the NPADA and that the Commission could therefore find a violation of the NPADA as described in the Alleged Violation in Paragraph 4, above, as well as Paragraph 5 and this Paragraph. He further states that he would not contest such a finding, and he agrees that the Commission may enter an order in accordance with such a finding.

- 7) Civil Penalty: In consideration of the prompt resolution of this matter through this Agreement, the parties have agreed that in the event the Commission imposes a civil penalty in this case, it will not exceed \$500.00.
- 8) Future Compliance: The Respondent agrees that in the future he will comply with all applicable provisions of the NPADA.
- 9) The NADC Must Approve this Agreement in Order for it to be Effective: The parties agree that in order for this Agreement to become effective, the Commission must approve it and shall, if it approves the Settlement, enter an Order in accordance with the terms of this Agreement.
- 10) Effective Date of Agreement: This Agreement shall not be binding upon the parties until approved by the Commission. The date upon which the Commission enters its Order approving this Agreement shall be deemed its effective date. If this Agreement is not approved in whole by the Commission, this Settlement Agreement shall be void and may not be used in this or any other proceeding. The parties acknowledge that this Settlement Agreement and any subsequent Order relating to it shall be announced at an open public meeting of the Commission and that the vote on such matters shall take place during the Closed Session portion of the meeting. The parties acknowledge that upon adoption, this Settlement Agreement, the Order and the Commission's file pertaining to this matter shall become open and public.
- 11) Right to Address the Commission. The Respondent has the right to address the Commission on the matters of the amount of the civil penalty and of the approval of this Settlement Agreement.


Richard Quick, Respondent

8-28-13
Date


Frank J. Daley, Jr., Executive Director
Nebraska Accountability and Disclosure Commission

8-30-13
Date