



# Board of County Commissioners Agenda Request

**5A**

Agenda Item #

**Requested Meeting Date:** 1/06/2015

**Title of Item:** Reaffirm Annual Code of Ethics Policy

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b> <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <small>*provide copy of hearing notice that was published</small>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
<b>Submitted by:</b> <i>Bobbie Danielson</i> Bobbie Danielson		<b>Department:</b> Human Resources Dept.
<b>Presenter (Name and Title):</b> Bobbie Danielson, HR Director		<b>Estimated Time Needed:</b> n/a, consent agenda
<b>Summary of Issue:</b>  <p>The Aitkin County Code of Ethics policy is attached for your review. Department Heads are required by policy to sign an annual confirmation that they have received, read and understood the policy and that they are not aware of any violations of such policy. Commissioners are also requested to reaffirm the Code of Ethics policy and sign an annual confirmation.</p>		
<b>Alternatives, Options, Effects on Others/Comments:</b> <p>N/A - ensures all parties are aware of the Code of Ethics and requires them to state if they are aware of any violations of the policy.</p>		
<b>Recommended Action/Motion:</b> <p>Motion to reaffirm the Aitkin County Code of Ethics policy and authorize all Commissioners to sign indicating they have received, read, understand, and agree to abide by the policy. (Sue Bingham has the original copy for your signature.)</p>		
<b>Financial Impact:</b> <p>Is there a cost associated with this request?      <input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>What is the total cost, with tax and shipping? \$ n/a</p> <p>Is this budgeted?      <input type="checkbox"/> Yes      <input type="checkbox"/> No      <i>Please Explain:</i></p> <p>n/a (File note for staff: The original signed copy will go to the HR department and a copy will be enclosed in the board packet and given to the Auditor's office.)</p>		

Legally binding agreements must have County Attorney approval prior to submission.

# ARTICLE 8 ORGANIZATION STANDARDS AND RULES

## SUBJECT: 8.1 CODE OF ETHICS

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Effective: 11/28/00 Board reaffirmed 1/07/2014

**PURPOSE:** To define conflict of interest to Aitkin County employees.

### CODE OF ETHICS FOR AITKIN COUNTY EMPLOYEES

(Conflict of Interest)

#### A. **DEFINITIONS:**

For the purpose of this policy the following definitions shall apply:

Business means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity that engages either in nonprofit or profit making activities.

Confidential information means any information obtained under government authority which has not become part of the body of public information and which, if released prematurely or in non-summary form, may provide unfair economic advantage or adversely affect the competitive position of any individual or a business.

Private interest means any interest, including but not limited to a financial interest, which has not become part of the body of public information and which, if released prematurely or in non-summary form, may provide unfair economic advantage or adversely affect the competitive position of any individual or a business.

Immediate family means spouse, child, parent, grandparent and spouse of such persons.

Employee shall include elected officials and all County employees, including department heads.

#### B. **ACCEPTANCE OF GIFTS OR FAVORS:**

Employees of the County of Aitkin in the course of or in relation to their official duties, shall not directly or indirectly receive or agree to receive any payment of expense, compensation, gift, reward, gratuity, favor, service or promise of future employment or other future benefit from any source, except the County, for any activity related to the duties of the employee unless otherwise provided by law. The provisions of Minn.Stat. §471.87 and the exceptions set forth in Minn. Stat. . §471.88 shall apply. The acceptance of any of the following shall not be in violation of this section:

- Plaques or similar mementos recognizing individual services in a field of specialty or to a charitable cause;
- Honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time for which they are not compensated by the County of Aitkin.

**C. USE OF CONFIDENTIAL INFORMATION:**

An employee of the County of Aitkin shall not use confidential information to further the employee's private interest, and shall not accept outside employment or involvement in a business or activity that will require the employee to disclose or use confidential information.

**D. USE OF PROPERTY:**

An employee shall not use or allow the use of County time, supplies, or County owned or leased property and equipment for the employee's private interest or any other use not in the interest of the County, except as provided by law and/or the County's Information Systems' Policy.

**E. CONFLICTS OF INTEREST:**

**Subdivision 1.**

The following actions by an employee of the County of Aitkin shall be deemed a conflict of interest and subject to disciplinary action as appropriate:

1. Use or attempted use of the employee's official position to secure benefits, privileges, exceptions or advantages for the employee or the employee's immediate family or an organization with which the employee is associated, which are different from those available to the public; or
2. Acceptance of other employment, engagement in private business or in the conduct of a profession during the hours for which the employee is employed to work for the County, or outside such hours in a manner, that would affect the employee's usefulness as an employee of the County or affect the employee's independent judgement in exercise of the employee's official duties; or
3. Actions as an agent or attorney in any action or matter pending before the County of Aitkin, except in the proper discharge of official duties or on the employee's behalf, or as a member of a local labor bargaining unit.

**Subdivision 2.**

Determination of conflict of interest.

When an employee believes that the potential for a conflict of interest exists, it is the employee's duty to report the matter to his/her supervisor, or if there is not a supervisor, to the County Board. Such report shall be made within 7 days after the potential for a conflict becomes known. A conflict of interest shall be deemed to exist when a review of the occurrence by the employee or the employee's supervisor (or the County Board if there is no supervisor) determines that this code of ethics has not been complied with.

**Subdivision 3.**

Resolution of conflict of interest.

If either the employee or the employee's supervisor determine that a conflict of interest exists, the County Board shall handle resolution of the conflict. NOTE: In the case of conflict of interest involving a County Commissioner, the County Attorney shall handle the resolution.

**F. ACCEPTANCE OF ADVANTAGE BY COUNTY EMPLOYEE:**

No employee of the County in direct contact with suppliers or potential suppliers of the County, or who may directly or indirectly influence a purchased product or products, evaluation contracted services, or otherwise has official involvement in the purchasing or contracting process shall:

1. Have any financial interest or have any personal beneficial interest directly or indirectly on contracts or purchase orders for goods or services used by, or purchased for resale or furnished to the county; or
2. Accept directly from a person, firm or corporation to which a contract or purchase order has been or may be awarded, a rebate gift, money, or anything of value other than as defined in Section B. No such employee may further accept any promise, obligation or contract for future reward.

**G. COMPLAINTS:**

If a fellow employee or a non-employee makes a complaint about an employee's compliance with this Policy, the complaint should be initially brought to the attention of his/her department head in private. The department head will notify the subject of the complaint regarding the complaint within 7 days and before addressing the complaint at a public meeting as allowed by law.

**H. VIOLATIONS:**

Violation of the provisions of this policy shall be grounds for disciplinary action against an employee, up to and including termination of employment.

**I. ANNUAL CONFIRMATION:**

Department Heads will sign an annual confirmation that they have received, read and understood the Aitkin County Code of Ethics Policy and that they are not aware of any violations of such policy. Such confirmation will be filed with the Human Resources Manager.

DATE:

I have received, read, understand and agree to abide by the Aitkin County Code of Ethics Policy.

NAME

DEPARTMENT/TITLE

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Board of Commissioners/District 1

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Board of Commissioners/District 2

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Board of Commissioners/District 3

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Board of Commissioners/District 4

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Board of Commissioners/District 5

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County Administrator

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County Attorney

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County Treasurer

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County Recorder

DATE:

I have received, read, and understand the Aitkin County Code of Ethics Policy.

NAME

DEPARTMENT/TITLE

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County Auditor

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Human Resources Director

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County Engineer

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County Assessor

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Veterans Service Officer

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Environmental Services Director

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IT Director

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County Sheriff

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Land Commissioner

DATE:

I have received, read, and understand the Aitkin County Code of Ethics Policy.

NAME

DEPARTMENT/TITLE

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Long Lake Conservation Center Business and Marketing Manager

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Health & Human Services Director