

MADISON COUNTY POLICY AND PROCEDURES

Subject: **Compliance Policy: Conflict of Interest**

Approved: April 11, 2023 (Resolution No. 23-101)

Effective Date: March 28, 2023

Revised: August 26, 2014
August 16, 2016
September 30, 2020
May 25, 2021
March 29, 2022
April 11, 2023
March 12, 2024

Assigned to: Government Operations Committee

Next Review: February 2026

Purpose: All Affected Individuals of Madison County (as defined in the Corporate Compliance Plan and further described in Attachment 1 thereto) have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The purpose of this policy is to ensure that services and business activities are conducted in an objective manner and are not motivated by desire for personal or financial gain.

Definitions: **Conflict of Interest** is any situation in which financial or other personal considerations may compromise or appear to compromise (1) an Affected Individual's business judgment; (2) delivery of services; or (3) ability for an Affected Individual to do his or her job. An actual or potential conflict of interest occurs when an Affected Individual is in a position to influence a decision that may result in a personal gain for that Affected Individual for a relative as a result of business dealings.

Relative shall be defined as spouse, child, parent, grandparent, grandchild, sister or brother, including step and in-law relations.

Outside Interests refers (1) To holding, directly or indirectly, a position or a financial interest in any outside concern from which the individual has reason to believe the County secures goods or services (including the services of buying or selling stocks, bonds, or other securities), or that provides services competitive with the system; (2) To competing, directly or indirectly with the County in the purchase or sale of property or property rights, interests, or services.

Outside Activities refers to rendering directive, managerial, or consultative services to any outside concern that does business with, or competes with the services of the County, or to render other services in competition with the County.

Unusual gain refers to gifts, bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the Affected Individual, that would reasonably be determined to influence the Affected Individual.

Inside Information refers to disclosure or use information relating to the County's business for the personal profit or advantage of the individual or his/her immediate family.

Gifts, Gratuities, and Entertainment refers to accepting gifts, excessive entertainment, or other favors from any outside concern that does, or is seeking to do, business with, or is a competitor of, the County – under circumstances from which it might be inferred that such action was intended to influence or possibly would influence the individual in the performance of his/her duties.

MADISON COUNTY POLICY AND PROCEDURES

Policy:

- A. All Affected Individuals have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest.
- B. Affected Individuals are required to disclose any actual or potential conflict of interest and seek guidance on how to handle the situation.
- C. Business Courtesies for Referrals: Affected Individuals are not allowed to give or accept gifts of any kind for referrals.
- D. Business dealings with outside entities should not result in Unusual Gain (see “Definitions” herein) for those entities, Madison County or its Affected Individuals.
- E. The materials, products, designs, plans, ideas, and data are the property of the County and should never be given to an outside firm or individual except through normal channels with appropriate prior authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an Affected Individual has personally gained by such action, is prohibited.
- F. Affected Individuals must disclose any potential conflicts of interest upon hire or prior to entering into a contract with the County and when a potential conflict arises.
- G. Outside employment may not interfere with an employee who meets the definition of an Affected Individual’s ability to perform his or her job with the County. In addition, County employees may not compete against Madison County, work for its competitors, or have any ownership interest in a competitor.
- H. The Corporate Compliance Officer will investigate any violations of this policy.

Procedures: A. **Procedures relating to questions concerning potential or actual conflicts of Interest**

1. An Affected Individual with questions or concerns about potential conflicts of interest will promptly address the issue with the Corporate Compliance Officer, or any member of the Corporate Compliance Committee, or their supervisor who can seek guidance from the Corporate Compliance Officer.
2. Actual or potential conflicts of interest must be disclosed to appropriate management personnel, or the Corporate Compliance Officer.
3. Management staff will consult with the Corporate Compliance Officer before responding to a concern or question about a potential conflict of interest.
4. Affected Individuals must seek guidance and approval from appropriate management personnel prior to pursuing any business or personal activity that may constitute a conflict of interest.

B. Conflict of Interest Disclosure Statement

1. Upon appointment, employment or entering into a contractual agreement, all Affected Individuals will complete the attached ***Conflict of Interest Disclosure Statement***, whether paper or electronic, to report any potential conflict of interest.

Violations: Refer to the ***Enforcement of Compliance Standards Policy***.

Attachments: Conflict of Interest Disclosure Statement – Employees/Board Members
Conflict of Interest Disclosure Statement – Class A Contractors

Madison County
Conflict of Interest Disclosure Statement
(Employees/Board Members)

Name: _____

Title: _____

Please answer the following questions.

a. Outside Interests and Investments.

1. Do you or your immediate family member(s) have a financial interest¹ in an organization, business or self-employment with which Madison County does business or expects to do business, or with a business or organization receiving payments from Madison County for property, goods or services?

No. Yes, please describe:

2. With respect to yourself and your immediate family, do you have any investments² that might be within the category of "financial interest" as described in our policy?

No. Yes, please describe:

3. Do you engage in any outside employment that may pose a conflict of interest with your role at Madison County?

No. Yes, please provide details, including the nature of the employment and any potential conflicts:

b. Family Affiliations. Do you have any immediate family members or relatives³ currently employed by Madison County or serving as a member its Board of Supervisors?

No. Yes, please describe:

| Name | Relationship to You | Title |
|------|---------------------|-------|
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¹ For purposes of this Conflict of Interest Disclosure Statement, there are two types of significant financial interests: (1) To hold, directly or indirectly, a position or a financial interest in any outside concern from which the individual has reason to believe the County secures goods or services (including the services of buying or selling stocks, bonds, or other securities), or that provides services competitive with the system; and (2) To compete, directly or indirectly with the County in the purchase or sale of property or property rights, interests, or services.

² Examples of "investments" within the context of this policy include owning stocks or bonds in companies providing goods or services to Madison County, holding financial stakes in businesses competing with Madison County, and engaging in the buying or selling of securities linked to external entities doing business with the County.

³ For purposes of this Conflict of Interest Disclosure Statement, a relative is defined as spouse, child, parent, grandparent, grandchild, sister or brother, including relationships through marriage (step relations) and by law (in-law relations).

Madison County
Conflict of Interest Disclosure Statement
(Employees/Board Members)

c. **Outside Activities.** Do you or your immediate family render directive, managerial, or consultative services to any outside concern that does business with, or completes with the services of Madison County, or render other services in competition with the County?

No. Yes, please describe:

d. **Other Activities.** Are you or your immediate family engaged in any other activities that may be, or may be perceived to be, a potential conflict of interest?

No. Yes, please describe:

e. **Gifts, Gratuities, or Entertainment.** Have you or any member of your immediate family, accepted gifts, gratuities, or entertainment that might influence your judgement or actions concerning the business of the County?

No. Yes, please describe:

f. **Code of Conduct.** Are you or your immediate family aware of any circumstances that may possibly violate of the Madison County Code of Conduct?

No. Yes, please describe:

Certification:

I, the undersigned, hereby certify that the information set forth above is true and complete to the best of my knowledge. I have read, understand and agree to abide by Madison County's Conflict of Interest Policy. Furthermore, I commit to reporting any future situations that may result in a conflict of interest to Madison County management or the Corporate Compliance Officer.

Signature

Date

Compliance Review:

Reviewed by:

Title

Date

Madison County
Conflict of Interest Disclosure Statement
(Class A Contractor)

Contractor/Organization Name: _____

Name: _____ Title: _____

Please answer the following questions.

a. Outside Interests and Investments.

1. Does your organization or key personnel have a financial interest¹ in an organization, business or self-employment with which Madison County does business or expects to do business, or with a business or organization receiving payments from Madison County for property, goods or services?

No. Yes, please describe:

2. With respect to your organization and its key personnel, do you have any investments² that might be within the category of "financial interest" as described in our policy?

No. Yes, please describe:

b. Family Affiliations. Are any of your organization's key personnel or their immediate family members or relatives³ currently employed by Madison County or serving as a member of its Board of Supervisors?

No. Yes, please describe:

| Name | Relationship to Personnel | Title |
|------|---------------------------|-------|
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¹ For purposes of this Conflict of Interest Disclosure Statement, there are two types of significant financial interests: (1) To hold, directly or indirectly, a position or a financial interest in any outside concern from which the individual has reason to believe the County secures goods or services (including the services of buying or selling stocks, bonds, or other securities), or that provides services competitive with the system; and (2) To compete, directly or indirectly with the County in the purchase or sale of property or property rights, interests, or services.

² Examples of "investments" within the context of this policy include owning stocks or bonds in companies providing goods or services to Madison County, holding financial stakes in businesses competing with Madison County, and engaging in the buying or selling of securities linked to external entities doing business with the County.

³ For purposes of this Conflict of Interest Disclosure Statement, a relative is defined as spouse, child, parent, grandparent, grandchild, sister or brother, including relationships through marriage (step relations) and by law (in-law relations).

Madison County
Conflict of Interest Disclosure Statement
(Class A Contractor)

c. **Outside Activities.** Does your organization or its key personnel render directive, managerial, or consultative services to any outside concern that does business with, or completes with the services of Madison County, or render other services in competition with the County?

No. Yes, please describe:

d. **Other Activities.** Is your organization or its key personnel engaged in any other activities that may be, or may be perceived to be, a potential conflict of interest?

No. Yes, please describe:

e. **Gifts, Gratuities, or Entertainment.** Has your organization or any member of your organization's key personnel accepted gifts, gratuities, or entertainment that might influence their judgement or actions concerning the business of the County?

No. Yes, please describe:

f. **Code of Conduct.** Is your organization or its key personnel aware of any circumstances that may possibly violate of the Madison County Code of Conduct?

No. Yes, please describe:

Certification:

I, the undersigned authorized representative, hereby certify that the information set forth above is true and complete to the best of my knowledge. I have read, understand and agree that my organization will abide by Madison County's Conflict of Interest Policy. Furthermore, I commit to reporting any future situations that may result in a conflict of interest to Madison County management or the Corporate Compliance Officer.

Signature

Date

Compliance Review:

Reviewed by:

Title

Date