

St. Francois COUNTY, MISSOURI

Conflict of Interest Policy

Article I - Purpose

The purpose of this Conflict of Interest Policy is to establish conflict of interest guidelines that meet or exceed the requirements under state law and local policy when procuring goods, services, and construction or repair projects paid in part or whole by federal funds as required under 2 C.F.R. §200.318 and the American Rescue Plan Act of 2021 (“ARPA”). “Conflict of Interest” includes, but is not limited to, a conflict, or appearance of a conflict, between the private interests and official responsibilities of any of these persons. This policy is intended to supplement but not replace any applicable state and federal laws governing conflicts of interest.

Article II - Definitions

1. Interested Person

Any member of the governing body or a member of a committee appointed by the governing body, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through employment, business, investment, or family:

- a. An ownership or investment interest in any entity that has received or intends to apply for ARPA Coronavirus State and Local Fiscal Recovery Funds (“Funds”) from the County;
- b. A compensation arrangement with any entity or individual that has received or intends to apply for ARPA Funds from the County; or
- c. A potential employment, ownership or investment interest in, or compensation arrangement with, any entity with decision making authority that has received or intends to apply for ARPA Funds from the County.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing body or committee decides that a conflict of interest exists.

Article III - Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of any known financial interest and be given the opportunity to disclose all material facts to the governing body and members of committees appointed by the governing body considering distribution of ARPA Funds. The governing body and any subrecipient of ARPA Funds must disclose in writing to Treasury or the pass-through agency, any potential conflict of interest affecting the ARPA Funds awarded, pursuant to 2 C.F.R. §200.112.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing body or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining members of the governing body or committee members shall decide if a conflict of interest exists.

3. Violations of the Conflicts of interest Policy

a. If the governing body or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing body or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate action.

4. Gifts

No interested person may accept or solicit gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties who have received or intends to apply for ARPA Funds from the County.

Article IV - Records of Proceedings

The minutes of the governing body and all committees appointed by the governing body shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing body's or committee's decision as to whether a conflict of interest in fact existed.

- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Article V - Interpretation of This Statement of Policy

The areas of conflicts of interest listed, and the relations in those areas which may give rise to conflict, are not exhaustive. Conflicts may arise in other areas or through other relations.

The fact that an interest exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances it is necessarily adverse to the interests of County.

However, the existence of any of the interests described shall be disclosed before any transaction is consummated. It shall be the continuing responsibility of the members to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.

Article VI – Statement of Affirmation and Acceptance

I have received, read and understand the Conflict of Interest Policy. I agree to comply with the terms and conditions of said policy.

I currently do not have any financial interest as the term is defined in the Conflict of Interest Policy that has not been disclosed. If I develop a financial interest, I will immediately disclose it to the governing body as provided in the Conflict of Interest Policy.

Any discussion and recommendations of the members of the governing body on such matters shall be out of the presence and participation of the specific member involved. Any member so involved shall absent himself/herself during the discussion.

NAME:	
SIGNATURE:	
DATE:	

St. Francois COUNTY, MISSOURI

Whistleblower Policy Relating to American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds

In accordance with 41 U.S.C. §4712, County may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of ARPA Funds, a gross waste of ARPA Funds, an abuse of authority relating to ARPA Funds, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to ARPA Funds.

The list of persons and entities referenced in the paragraph above includes the following:

- i. A member of Congress or a representative of a committee of Congress;
- ii. An Inspector General;
- iii. The Government Accountability Office;
- iv. A Treasury employee responsible for contract or grant oversight or management;
- v. An authorized official of the Department of Justice or other law enforcement agency;
- vi. A court or grand jury; or
- vii. A management official or other employee of County, contractor, or subcontractor of County who has the responsibility to investigate, discover, or address misconduct.

This policy shall be posted in a prominent and accessible place where it can easily be seen by employees of the County.

St. Francois COUNTY, MISSOURI

Vehicle Use Policy

I. Purpose: The purpose of this Vehicle Use Policy is to establish guidelines for the use of county-owned vehicles and personal vehicles operated by county employees while conducting county business. Violations of this Policy may result in disciplinary action, up to and including termination of employment. If any employee has questions relating to this Policy, they should contact _____ at _____.

II. Driver Guidelines:

- a. County vehicles are to be driven by authorized employees only, except in case of repair testing by a mechanic.
- b. Any employee who has a driver's license revoked or suspended shall immediately notify their supervisor and immediately discontinue operation of the company vehicle. Failure to do so may result in disciplinary action, including termination of employment.
- c. Accidents. All accidents in County vehicles, regardless of the severity, must be reported to the police and the employee's supervisor. Accidents are to be reported immediately, or as soon as practicable if immediate or same day reporting is not possible. Accidents in personal vehicles while on county business must follow these same procedures. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, up to and including termination of employment.

III. Driver Criteria:

- a. Authorized Drivers' and Passengers. Employees must have a valid and current Drivers' License to operate a county vehicle, or a personal vehicle with current automotive insurance while on company business. No unauthorized personnel are allowed to ride in company vehicles.
- b. Employees are expected to drive in a safe and responsible manner and to maintain a good driving record.

IV. Safety Requirements

- a. Drug and Alcohol Prohibition. Employees may not drive a county vehicle or a personal vehicle while conducting county business under the influence of intoxicants and other drugs which could impair driving ability, including but

not limited to alcohol and marijuana. Driving under the influence is sufficient cause for discipline, up to and including termination of employment.

- b. Cell Phone Use. Cell phone use while driving should be kept to a minimum. While driving, attention to the road and safety should always take precedence over conducting business over the phone.
- c. Text Messaging. Employees may not conduct text messaging while driving county vehicles or while driving personal vehicles while conducting county business. The term "text messaging" shall include both sending text messages and reading text messages while operating a motor vehicle or machinery. Violation of this prohibition on text messaging while driving is sufficient cause for discipline, up to and including termination of employment.
- d. Impairment. No driver shall operate a county vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
- e. Seat Belt Usage Required. All drivers and passengers in county vehicles or personal vehicles while conducting county business must wear seat belts, even if air bags are available.
- f. Traffic Laws. All State and Local traffic laws must be obeyed when operating a county vehicle or personal vehicle while conducting county business. Any employee who receives a traffic citation while operating a county vehicle or personal vehicle while conducting county business must report the citation to his/her supervisor.