

CHAPTER VII CONFLICTS OF INTEREST

' 7100 CONFLICTS OF INTEREST PROHIBITED

' 7101 Disclosure

Each trustee who is an officer, director, agent, employee or the owner of any interest in any business entity that is subject to regulation by the District shall disclose any such position held and the precise nature and value of the trustee's interest. The disclosure shall be made (1) when the trustee first becomes a trustee; (2) whenever the trustee's position in the business entity changes significantly or the value of their interest in the entity is significantly increased; and (3) whenever the District is considering taking an action that would implicate or affect the entity in which the trustee has a position or interest.

' 7102 Prohibited Activities

Trustees shall not:

- (a) Accept employment or engage in business or professional activity which might reasonably expect them to improperly disclose confidential information which they have gained by reason of their official position;
- (b) Disclose confidential information acquired by reason of their official position, nor use such information for theirs or another's personal gain;
- (c) Use or attempt to use their official position to secure special privileges or exemptions for themselves or others;
- (d) accept other employment which they might expect would interfere with the ethical performance of their public duties;
- (e) accept, receive, take, seek or solicit directly or indirectly, any gift, compensation, or loan for themselves or another if:
 - (i) it tends to influence them in the discharge of their official duties; or
 - (ii) they have recently been, is, or in the near future may be involved in any governmental action directly affecting the donor or lender.

The following are not considered a gift, compensation, or loan:

- (i) an occasional non-pecuniary gift, having a value of not in excess of \$50;
- (ii) an award publicly presented in recognition of public services;

(iii) a bona fide loan made in the ordinary course of business by an institution engaged in making such loans;

(iv) a political campaign contribution;

(f) receive or agree to receive compensation for assisting any person or business entity in any transaction involving the District;

(g) participate in their official capacity or receive compensation in respect to any transaction between the District and any business entity in which the trustee is also an officer, director, or employee or owns a substantial interest;

(h) commingle District funds with the trustee's own money. If it appears that any officer is making a profit out of public money or is using the same for any purpose not authorized by law, the officer shall be suspended from office.

UCA ' 17A-1-441.

' 7200 NEPOTISM

' 7201 Definitions.

(a) "Relative" means: father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law.

' 7202 Policy.

Hiring the best-qualified applicant available for each opening is the District's primary policy.

' 7203 Prohibition.

Except as provided in Section 7205, hiring of relatives of present trustees is prohibited.

' 7204 Disclosure on Job Applications.

Any job applicant shall specify on the District's application form if he/she has a relative who is a present District trustee. Any answering "yes" will be questioned on the relationship and will not be hired. Any employee discovered to have falsified his/her application on this question will be terminated.

' 7205 Exceptions.

' 7205.01 Present Employees.

An employee at the time a trustee is appointed and who is a relative of the trustee will be allowed to continue employment.

' 7205.02 Temporary Positions.

A relative of a present trustee may be hired for temporary positions, but not given priority over other applicants, under three conditions:

- (a) the applicant must meet all qualifications and requirements of the position to be filled;
- (b) the employment relationship will be understood to be temporary; and
- (c) the relative will not be a manager/supervisor.

