

DUBUQUE COUNTY GOVERNMENT CODE OF ETHICS POLICY

Adopted August 15, 1994, revised on March 9, 1998, February 26, 2001, September 10, 2007, November 5, 2007, August 16, 2010

A. PURPOSE AND SCOPE

1. Dubuque County elected officials, employees and county appointed board or commission members are committed to the highest standards of conduct by and among county officials, employees and county appointed board or commission members in the performance in their duties.
2. The following ethical principles provide valuable guidance in reaching decisions by elected official, employees and county appointed board or commission members. The ethical county elected official, employee and county appointed board or commission member should:
 - a. Properly administer the affairs of the County.
 - b. Promote decisions which only benefit the public interest.
 - c. Actively promote public confidence in county government.
 - d. Keep safe all funds and other properties of the County.
 - e. Conduct and perform the duties of the office diligently and promptly dispose of the business of the County.
 - f. Maintain a positive image to pass constant public scrutiny.
 - g. Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality and fiscal responsibility.
 - h. Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the County.
 - i. Faithfully comply with all laws, policies and regulations applicable to the County and impartially apply them to everyone.

The ethical county elected official, employee and county appointed board or commission member should not:

- a. Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.
- b. Accept anything of value from any source which is offered to influence his or her action as an elected official, employee or county appointed board or commission member.
- c. Disclose information that is confidential as defined in state and federal law.
- d. Conduct any business transactions with Dubuque County or be aware of any business transactions of family members to the second degree of

consanguinity plus Aunts and Uncles by blood or affinity, with the exception of a public bid as a result of a Request for Proposal.

SPECIFIC POLICIES OF DUBUQUE COUNTY
APPLICABLE TO ALL ELECTED OFFICIALS, EMPLOYEES AND COUNTY APPOINTED BOARD
OR COMMISSION MEMBERS

B. GIFTS AND GRATUITIES

1. Elected officials, employees and county appointed board or commission members of Dubuque County shall not accept any gift, gratuity, favor or advantage from any vendor, in accordance with chapter 68B of the Code of Iowa.

C. CONFIDENTIALITY OF RECORDS

2. Most records of the county are public, as defined in Chapter 22 of the Code of Iowa. For most of the county's records, elected officials, employees and county board appointed board or commission members should follow procedures within their departments for dissemination of information to the public. However, some records are designated confidential by state and federal law. Examples of those records are listed elsewhere in this policy.
3. Elected officials, employees and county appointed board or commission members may disclose confidential information only to persons designated by law, and then only upon the person requesting access furnishing proof of identity and authority to secure access to the record.
4. Elected officials, employees and county appointed board or commission members having access to confidential information should seek the advice of the appropriate department head or elected official or the County Attorney prior to disclosure of any confidential information.

D. EXAMPLES OF RECORDS WHICH ARE DESIGNATED CONFIDENTIAL BY LAW

<u>DESCRIPTION OF RECORD</u>	<u>LEGAL AUTHORITY FOR CONFIDENTIALITY</u>
1. Records of Executive Sessions of Board of Supervisors	Iowa Code 21.5(4)
2. State Supplementary Assistance records of individual clients	Iowa Code 217.30
3. Medicaid - Records of	Iowa Code 217.30

Individual clients	42 U.S.C. 1396a (7) 42 CFR 431.300 to 307 as amended 10-1-87
4. Substance Abuse - Records of individual clients	Iowa Code 125.37 and 125.93 U.S.C. 29dd.3 and ee3;442 CFR 2, as amended 10-1-87 38 U.S.C. 4132
5. State institution resident records	Iowa Code 218.22, Iowa Code 229.24 and 229.2
6. Mental health information	Iowa Code 228.2(1)
7. Hospital records, medical records and professional counselor records	Iowa Code 22.7(2)
8. Information received by a licensed Social worker	Iowa Code 154C.5
9. Juvenile Court records	Iowa Code 232.48, 232.97, 232.147 and 232.151
10. Library circulation records	Iowa Code 22.7(13) and (14)
11. Privileged communication and work products of attorneys representing the county	Iowa Code of Professional Responsibility for Lawyers, Canon 4
12. General Relief recipient records	Iowa Code 252.25
13. Veterans= Relief recipient records	Iowa Code 35B.10
14. Personnel records	Iowa Code 22.7(11)
15. Client records that contain information from restricted sources such as Federal tax returns, Employment Services, Department of Public Safety, Income and Eligibility systems of the Department of Human Services	

E. CONFLICT OF INTEREST

1. Dubuque County elected officials, employees and county appointed board or

commission members may not perform work or provide goods or services with Dubuque County outside of their employment and shall not be involved directly or indirectly in any contract to furnish anything of value to Dubuque County or have a personal financial interest in any transaction with Dubuque County.

2. An annual disclosure of all potential related parties of the elected official, employee or county appointed board or commission member's family member to the second degree of consanguinity plus aunts and uncles by blood or affinity will be required.
3. Goods and services shall not be purchased from family members to the second degree of consanguinity plus aunts and uncles by blood or affinity, except through open, public and competitive bidding, through a Request for Proposal and a pre-approved Related Party Transaction Report. The pre-approved Related Party Transaction Report must be forwarded for final approval by the Board of Supervisors after departmental authority has approved the initial request. All related party transactions will be forwarded to the Board of Supervisors for final approval and kept on file. Any questions of potential conflict of interest must be referred to the County Attorney.

F. GUIDE TO ACTUAL AND POTENTIAL CONFLICTS OF INTEREST

Although it is impossible to list every circumstance giving rise to a possible conflict of interest, this section of the policy will serve as a guide to actual conflicts of interest that must be avoided, conflicts that must be reported, and potential conflicts that must be disclosed.

Example of Actual Conflicts of Interest:

1. When an elected official, employee or county appointed board or commission member performs work or provide goods or services with Dubuque County outside of their employment,
2. An elected official, employee or county appointed board or commission member shall not be involved directly or indirectly in any contract to furnish anything of value to the County or have a personal financial interest in any transaction of the County.
3. When an elected official, employee or county appointed board or commission member's family member to the second degree of consanguinity plus aunts and uncles by blood or affinity conducts personal business other than public bid through a Request for Proposal for gain on the County's work time and/or utilizes the County's equipment or supplies for personal business for gain.
4. When an elected official, employee or county appointed board or commission

member's family member to the second degree of consanguinity plus aunts and uncles by blood or affinity accepts gifts, bribes, payoffs, kickbacks or related forms of gain in connection with Dubuque County business.

Potential Conflicts of Interest:

1. When an elected official, employee or county appointed board or commission member's family member to the second degree of consanguinity plus aunts and uncles by blood or affinity holds a position or a material financial interest in any outside concern from which the individual has reason to believe Dubuque County secures goods or services.
2. If an elected official, employee or county appointed board or commission member's family member to the second degree of consanguinity plus aunts and uncles by blood or affinity either buys or sells goods or services or engages in other financial transactions with Dubuque County, a Related Party Transaction Report must be completed and approved by appropriate elected official or department head or Board after a public bid through a Request for Proposal. Final approval of the Related Party Transaction is by the Board of Supervisors.
3. When an elected official, employee or county appointed board or commission members family member to the second degree of consanguinity plus aunts and uncles by blood or affinity has extended interests as a board member, stockholder or consultant in a business that either provides services or seeks to provide services to Dubuque County.
4. When an elected official, employee or county appointed board or commission member's family member to the second degree of consanguinity plus aunts and uncles by blood or affinity receives services of monetary value from Dubuque County who may not otherwise be eligible to receive those services.
5. When an elected official, employee or county appointed board or commission member utilizes information which would not be available to a member of the general public to influence a decision within Dubuque County government which would financially benefit him/her or a family member.

G. RELATED PARTY TRANSACTIONS

1. A related party transaction is a transfer of resources or obligations between related parties after a public bid is received through a Request for Proposal. Relationships for related party transactions shall be those within the second degree of consanguinity plus aunts and uncles by blood or affinity.

2. All related party transactions will be reported to the appropriate Elected Official or Department Head prior at the time that they occur after public bid through a Request for Proposal for initial approval. Elected Officials or Department Heads will submit a Related Party Transaction Report form to the authority under which that Department operates, i.e., to the Elected Official in the offices of the Auditor, Treasurer, County Attorney, Sheriff and Recorder; to the Conservation Board for the Conservation Department, to the Board of Health for the Health Department; to the Library Board of Trustees for the Library; to the Veterans' Affairs Commission for the Veterans' Affairs Department; or other Board appointed department heads.
3. All initially approved departmental Related Party Transactions Report forms will be forwarded to the Dubuque County Board of Supervisors prior to the transaction for final approval. Upon final approval a copy will be forwarded back to the appropriate department.
4. Upon final approval all departments will attach a copy of the final related party transaction form to the county claim for payment to the Auditor.
5. Records of most Related Party Transaction forms will be available for public inspection in the Office of the Board of Supervisors. Records of related party transactions that are designated as Confidential under Iowa Code Chapter 22.7 or any other chapter of the Code of Iowa requiring confidentiality, will be kept in a sealed file in the Board of Supervisors' Office, after having been on the Board of Supervisors' Agenda as an Executive Session.

H. POLICY VIOLATIONS

1. Violation of this policy may result in disciplinary action, up to and including termination. Disciplinary action is subject to the appropriate collective bargaining unit agreement or Dubuque County General Employment Policy.