

## Lake County Stormwater Management Commission (SMC)

### Conflict of Interest Policy For SMC Staff Regulatory and Professional Services

April 16, 2019

Policy Purpose - This document establishes the internal policy concerning potential conflicts of interest for regulatory and professional services at the Lake County Stormwater Management Commission (SMC). The purpose of the policy is to avoid any real or perceived conflict of interest by SMC employees while conducting SMC business, both internally and with external entities. This policy is intended to be in addition to the conflict of interest provisions and code of ethics requirements SMC professionals are required to follow either by rules related to their professional organization, or by statute<sup>1</sup>. If there is determined to be a conflict, then the statutory requirements shall govern.

Policy Statement - To avoid a conflict of interest, a SMC staff member, in their capacity as providing professional services to other agencies and entities, or on a SMC-sponsored project, is prohibited from acting in the role of regulatory administration for the specific development in which they provided professional services. **This is pertinent to all SMC staff on each level of a project. This is inclusive of SMC staff performing wetland, engineering, inspection, and design services.**

#### Methods to avoid conflicts of interest

1. Disclosure - SMC staff members providing professional services shall forthrightly disclose their role to SMC regulatory staff in all communication regarding that specific development. Disclosure communications shall, at a minimum, contain the description of the specific development, dates of service and the scope and extent of professional service(s) rendered.
2. Recusal – For a specific development, in the event that a SMC staff member that provided professional services is also requested to provide regulatory administrative services, the staff member shall recuse themselves (i.e., abstain) from that role.
3. Policy Enforcement – Administration and any interpretation necessary of this policy shall be under the authority of the SMC Chief Engineer and as needed, the Executive Director.
4. **Outside Employment - No permanent full-time or part-time employee shall engage in outside employment which is not compatible with the full and proper discharge of duties and responsibilities of his/her position or which tends to impair the capacity to perform his/her duties and responsibilities in an acceptable manner (reference to full policy below)<sup>2</sup>.**
5. **Financial Reimbursements – Employees will comply with Illinois Conflict of Interest Statutes regarding both financial and contractual requirements, for example, if an employee is involved with civic or volunteer based associations<sup>3</sup>.**

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<sup>1</sup> (TITLE 68: PROFESSIONS AND OCCUPATIONS, CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS PART 1380 THE PROFESSIONAL ENGINEERING PRACTICE ACT OF 1989 SECTION 1380.300 STANDARDS OF PROFESSIONAL CONDUCT)

<sup>2</sup> (LAKE COUNTY EMPLOYEE POLICIES AND PROCEDURES, SECTION 10.2: OUTSIDE EMPLOYMENT)

<sup>3</sup> (ILLINOIS COMPILED STATUTES, SECTION 420/3A-35: CONFLICTS OF INTERESTS; 50 ILLINOIS COMPILED STATUTES, SECTION 105/3: PROHIBITED INTEREST IN CONTRACTS)