

CONFLICT OF INTEREST POLICY

Morgan County Library Board of Trustees and employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the library wishes to operate.

An actual or potential conflict of interest occurs when a trustee or employee is in a position to influence a decision that may result in a personal gain for that trustee, employee or for a relative as a result of library business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No “presumption of guilt” is created by the mere existence of a relationship with outside firms. However, if a trustee or employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the Board of Trustees or Director as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

As a matter of rule, the trustee or employee will disclose any potential conflicts at the first board meeting of the calendar year, and at any other time deemed as necessary. Disclosure will be made in the form of a written statement and signed by that trustee or employee.

Personal gain may result not only in cases where a trustee, employee or relative has a significant ownership in a firm with which the Library does business, but also when a trustee, employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the firm.

Approved by Library Board of Trustees on January 12, 2017 Reviewed January 14, 2021

CONFLICT OF INTEREST PROCEDURE POLICY

1. The trustee or Director is to notify the entire Board of Trustees of any potential conflict of interest during relevant discussion of the issue or decision and prior to any voting on such an issue or decision.
2. A trustee believing they have a conflict of interest should state the conflict of interest directly and withdraw from actions/decisions/or discussion of the issue or pending issue.
3. The President (or Vice-President if the conflict of interest issue directly involves the President) will resolve the issue of conflict of interest prior to any Board decision or actions pertaining to the matter over which a conflict or potential conflict exists.
4. The President or Vice-President may ask for a vote regarding the matter from the non-affected trustee members. This session may be held in private with the affected trustee asked to leave the room during discussion (following the opportunity for the Board to ask questions of the affected trustee in person). The vote would spell out one of the following courses of action:
 1. Conflict of interest present. Trustee resignation is requested.
 2. Conflict or potential conflict of interest present. Trustee asked to abstain from all discussion and voting on the relevant matter.
 3. No conflict of interest. Trustee able to participate fully in relevant discussion and voting.
 4. The Library Director, though having no voting privileges, is bound by this policy and personnel policies regarding conflict of interest. Any such potential conflict should be revealed to the Board of Trustees prior to discussion or action on Board agenda items

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