



Blount County Government
341 Court Street
Maryville, TN 37804

Code of Ethics

BLOUNT COUNTY GOVERNMENT CODE OF ETHICS

Section 1. Definitions.

- (1) "County" means Blount County, which includes all boards, committees, commissions, authorities, corporations, or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county school board, the county election commission, and the county health department.
- (2) "Officials and employees" mean and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the county.
- (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of personal interest in voting matters.

An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in non-voting matters.

An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion,

when possible, the interest on the attached disclosure form and file the disclosure form with the county clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value.

An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county:

- 1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or
- 2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of county government officials or by an umbrella or affiliate organization of such statewide association of county government officials. It shall not be considered a violation of this policy for an official or employee to receive an occasional meal or other items of nominal value.

Section 5. Ethics Complaints.

Questions and complaints regarding violations of this Code of Ethics should be directed to the Human Resources Department. Complaints shall be in writing and signed by the person making the complaint and shall set forth in reasonable detail the facts upon which the complaint is based.

All complaints will be first referred to an Attorney hired by the County for the sole purpose of reviewing the complaints and advising on the complaint. The attorney will then respond in writing to the Human Resources Department the course of action to be taken, if any, for each complaint. The Human Resources Department shall forward the findings to the Elected Official/Department Head overseeing the department whose employee is in question. In the case of an Elected Official, the findings shall be forwarded to the County Commission, if further action is warranted.

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

Section 6. Applicable State Laws.

In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties.

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Ethical Conduct

It is the policy of Blount County Government to uphold, promote, and demand the highest standards of ethics from all employees and officials, whether elected or appointed. Accordingly, all County employees should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties; avoid any improprieties in their roles as public servants; and never use their position or powers with the County for improper personal gain.

Employees are required to maintain the highest ethical standards in the conduct of duties. This also applies to non-work situations when you identify yourself as a County employee (i.e., wearing a County identification badge, distributing a County business card, wearing a County uniform, driving a County vehicle, using social media, etc.). To fulfill this requirement, the following will apply:

- Personal characteristics such as honesty, courtesy, dependability, and use of sound judgment are required for all employees in all classes of work in County government.
- There shall be no activity which conflicts with the interest of your official duties.
- You cannot use your position with the County for private interest.
- You must comply with the County's Code of Ethics Policy.

Any employee with knowledge of, or having witness to, any unethical behavior occurring within Blount County Government or any of its departments should report the behavior(s). Employees may report violations of the Ethical Conduct policy to the Human Resources Department without fear of retaliation.

Conflict of Interest

Employment with Blount County Government is a public trust. Employees must not have any financial interest in, or receive any financial benefit from, any acquisition or expenditure related to County activities that interferes or conflicts with the full discharge of duties. If the circumstances cause a reasonable person to believe that a conflict of interest exists, the conflict or potential conflict must be reported as required by the County's Code of Ethics Policy.

As required by **2 CFR 200.318 (c)(1)**, the following applies for all procurements funded in whole or in part with any federal funding source:

In addition to the prohibition against self-benefitting from a public contract under state law, no officer, employee, or agent of Blount County may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for award of a contract:

- a) The employee, officer, or agent involved in the selection, award, or administration of a contract;
- b) Any member of his or her immediate family;
- c) His or her partner; or

- d) An organization which employs or is about to employ any of these parties.

Reporting a Conflict of Interest

- a) Any officer, employee, or agent of Blount County with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor, or shall report to Human Resources if an Elected Official. A conflict-of-interest form must be completed and filed with the County Clerk's Office as required by the County's Code of Ethics Policy.
- b) If federally funded, any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

For additional information on Conflicts of Interest, please refer to the Purchasing Department's Policy and Procedure Manual available at <https://www.blounttn.org/165/Purchasing>.

Gifts and Contributions

Employees may not solicit or accept, either directly or indirectly, for yourself or for any member of your household, any gift, gratuity, service, favor, entertainment, lodging, transportation, loan, loan guarantee, or anything above a nominal monetary value from any person who:

- has, or is seeking to obtain, contractual or other business or financial relations with the department or agency of Blount County by which you are employed;
- conducts operations or activities that are regulated by the department of Blount County by which you are employed;
- has an interest that may be substantially affected by the performance or non-performance of your official duties.

In addition to the prohibition against accepting gifts and favors from vendors and contractors under state law, officers, employees, and agents of Blount County Government are prohibited from accepting or soliciting gifts, gratuities, favors or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items valued at less than \$50.00 per fiscal year, per vendor, and exceptions which fall into one of the following categories may be accepted:

- a) Promotional items;
- b) Honorariums for participation in meetings; or
- c) Meals furnished at conferences or banquets.

***Any officer, employee or agent who knowingly accepts an item over \$50 in value allowed under this policy shall report the item to his or her immediate supervisor, utilizing the form available at <https://www.blounttn.org/1976/Management-Portal>. The supervisor shall submit the completed form to the County Clerk.*

Violations of this policy will be subject to disciplinary action, up to and including immediate termination.

Fraud, Waste and Abuse

Blount County Government is committed to the responsible stewardship of its resources. Officials, agents, and employees are responsible for maintaining a work environment that promotes ethical and honest behavior. It is the responsibility of Blount County Government to establish and implement internal control systems and procedures to mitigate and detect irregularities, including fraud, waste and abuse. Employees at all levels should be aware of the risks and exposures inherent in their areas of responsibility, and shall establish and maintain proper internal controls to provide for the security and accountability of all resources entrusted to them. Pursuant **to TCA 39-16-402, 4-35-107, 8-4-501, 8-19-501, and 8-50-116**, Blount County Government has established procedures for reporting fraud, waste, and abuse as well as Internal Control systems to safeguard the County's resources. For more information regarding Blount County Government's internal control system, or to report fraud, waste or abuse, please visit <https://www.blounttn.org/954/Accounting-Budgeting>.

**Any official, agent or employee with knowledge of, or having witness to, any fraud, waste or abuse of any County resources shall report the instance. Instances of fraud, waste, or abuse can be reported without fear of retaliation. The County will protect the confidentiality of employees making complaints about suspected violations of this or any other County policy, to the extent possible consistent with our investigation and applicable law.*