WCC Conflict of Interest Policy

Everyone who is involved with the Windom Community Council (WCC) must be sensitive to conflicts of interest and related issues. This policy applies to all transactions, contracts, and programs funded wholly or in part by the WCC and its City funding through the CPP (herein referred to as the WCC).

Definition:

A conflict of interest occurs when the interest of a participant, a member of the participant's household or a participant's organization conflict, or appear to conflict, with the interests of the WCC. A conflict of interest also can occur when a participant, a member of the participant's household or a participant's organization has a substantial and financial interest in an action to be taken by the WCC. A participant includes any officer, board member, committee chair, or employee of the WCC.

Situations which create a conflict of interest:

1. Participants may not directly or indirectly give, offer, request, or accept gifts or gratuities from any person in connection with a program or other action pending before the WCC
2. Participants and members of their households may not use their position with the WCC for personal or organizational advantage over members of the public
3. Participants and members of their households may not participate in programs which are funded, in whole or part, by WCC funds unless:
	1. The participant discloses to the WCC that his or her application may represent a conflict of interest and such conflict is waived under this policy
	2. The participant meets all applicable eligibility requirements established by the WCC for the specific program they are applying
	3. The application is reviewed and acted upon in accordance with the same guidelines which apply to all applicants
	4. The organization responsible for the review and action on the participant’s application maintains in its program records certification that the participant and WCC has complied with the requirements of this section, and that the WCC has taken official action to waive the potential conflict pursuant to this section
4. Participants and members of their households have a conflict if they serve on the board of directors of or act as an employee or independent contractor to any of the following:
	1. Any entity which receives or seeks to receive City funds administered by the WCC
	2. Any entity which conducts any activities, or seeks to conduct any activities which are or may be paid for, in whole or in part, by City funds administered by the WCC
	3. Any entity which governs, regulates, implements, or monitors activities funded by the City

Relief requirements:

Conflicts of interest may be waived after full and complete disclosure if the organization makes the findings and records in the minutes that granting a waiver is in the best interest of the WCC. After disclosure, the participant may ask or be asked to recuse him or herself from discussion and/or voting on the subject matter of the disclosure. The President of the WCC shall rule on whether relief is warranted and what form that relief shall take (e.g recusal). The President’s decision may be overruled only by a 2/3 vote of those WCC Board Members present and eligible to vote. Meeting records must include the persons present at the meeting, the name of the person making the disclosure, the details of the disclosure, a summary of the discussion on the disclosure, the relief requested, the ruling of the President, and the relief granted or denied, and the vote taken.

Written disclosure documents shall be retained by the WCC's secretary as part of the WCC's records.

The WCC must conduct an annual review of this policy at one of its general membership meetings. The policy must be distributed to residents who wish to serve in any of the positions subject to this policy prior to any election or appointment that places them in office. The participants shall sign the document and this document shall be retained by the organization.

Sanctions:

The WCC will address violations by participants of the Conflict of Interest Policy. The sanction applied should be based on the seriousness of the breach of conduct. Available sanctions include, but are not limited to:

* Admonishment
* Censure
* Cancellation of existing WCC contracts with the individual or organization
* Repayment of WCC funds previously disbursed to the individual or organization
* Recover of reasonable attorney fees and costs for collection of disbursed funds
* Barring the individual or organization from future participation in WCC activities or contracts

Examples where there is a conflict:

* A transaction between the organization and a board member: Organization purchases a building owned by a board member
* A transaction between the organization and a board member of an organizational subsidiary: Organization gives a loan or grant to a director of its subsidiary corporation
* A transaction between the organization and another organization with which a board member has a consulting contract: Organization borrows money from a bank where a member of the board has a consulting contract
* A transaction between the organization and another organization in which a board member has a substantial interest (financial or other)
* A transaction between the organization and a member of the household or blood relative a board member: Organization purchases consulting services from the spouse of a board member

Examples where there is not a conflict:

* A transaction which generally benefits the neighborhood in which the board members live: Organization uses funds to improve a commercial corridor streetscape on which no director has a business or owns property
* A transaction between an organization and its wholly owned subsidiary: The organization and is subsidiary enter into a lease for space to be used by the subsidiary when the lease cost is consistent with the costs of similar quality space in the geographic area for the office location
* A person serves as a director on several neighborhood boards: A person is on the board of a church, neighborhood development corporation and a cooperative in the same neighborhood, but which have no transactions with each other. If transactions occur a conflict may be present
* The organization enters into a transaction with a person who is not related to a board member: The organization hires a neighborhood resident (other than a board member or their relative) as a youth program supervisor using a non-discriminatory and open hiring process

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\_\_\_\_\_I do not have any conflict of interest disclosures to make at this time

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