

CONFLICT OF INTEREST IN CONTRACT PROCUREMENT AND ADMINISTRATION OF CONTRACTS

It is the policy of Vermilion County, Illinois, that all expenditures of public money be based upon the best interests of the taxpayer and that they be free from any conflict of interest or impropriety. To achieve this goal, the following rules are adopted:

1. The Illinois Statutes, including but not limited to Competitive Bidding, 55 ILCS 5/5-1022, the Public Officer Prohibited Activities Act, 55 ILCS 105/1, and following,(including 50 ILCS 103/3 regarding board member voting on contracts in which they may have a financial interest) and any relevant ordinances of the County of Vermilion are to be followed in the management of public money.
2. No employee, officer, or agent of the County, may participate 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 conflict of interest arises when an officer, employee, elected official , or agent of the same, or any member of his or her immediate family or his or her spouse or partner, or any organization which employees or is about to employ any of the parties indicated herein, has a financial or other interest in or tangible personal benefit from a firm or entity being considered for a contract from the County. The officers, employees, elected officials, or agent of the same, may not accept or solicit, gratuities, favors, or anything of monetary value from contractors or subcontractors seeking or currently engaged in providing contractual services for the County, provided however, that an unsolicited item, as described in the Gift Ban Act, 5 ILCS 430-10-15, and not in violation of the Gift Ban Act, 5 ILCS 430/10-10, et. seq. and any County Ordinance relevant to that Act, will not be a violation of this policy.
3. Officers, employees, elected officials, and the agents of the same shall act in the best interests of the public. Unnecessary or duplicative purchases are to be avoided. An analysis of the most economic method of purchasing items should be made prior to any purchase. Shared goods and equipment, where feasible, should be employed rather than purchasing duplicate items, by use of intergovernmental or intra-entity or intra-entity agreements. The use of surplus equipment where feasible is encouraged. The rules regarding competitive bidding shall be followed and the Contractor's Addendum, as may be amended from time to time shall be used when contracting for public works, purchase of substantial goods or services.
4. Compliance with all required federal laws as may be appropriate in each case shall be required of any party contracting with the County.

Reporting Wrongdoing – Whistleblower Protection

Wrongdoing can occur in many types and forms. In many specific policies we discuss the importance of reporting wrongdoing. Wrongdoing is defined as a violation of State, County, Federal law or a violation of a specific policy of the County or County Department. It may be conduct against a person or class of persons, it may be violations of operational or procedural policy that hampers the County's ability to serve the public. Whatever form wrongdoing takes, it should not be part of Vermilion County's workplace. To prevent wrongdoing, Vermilion County must know about wrongdoing. Therefore, if you witness, hear of, or suspect wrongdoing has occurred in the workplace or at a workplace event, it is important that you report what you know immediately.

You are protected under the Illinois Whistleblower Act, 740 ILCS 174/1, from retaliation if you, the employee, have reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation.

Reporting Wrongdoing

If you are experiencing any type of wrongdoing, or if you know of, or suspect, wrongdoing by another employee or workplace participant, you must report it immediately to your manager or your supervisor, or the elected official or department head immediately over your position.

If you do not feel comfortable reporting as listed above or if you did report and are not satisfied with the response, then you should direct your report or dissatisfaction to the County Board Office, Human Resources Department, or Risk Manager.

Please note that you are not required to confront the person or persons who have given you reason to report. However, if you experience wrongdoing, you must make a reasonable effort to make the wrongdoing known as soon as you experience or discover it. Discussing or reporting acts of wrongdoing to any person not listed above does not constitute a report.

Retaliation Prohibited

If you believe you are being subjected to retaliation for reporting a violation of this policy, or participating in an investigation of this policy, you should report the retaliation immediately in the manner provided above. Please note that you do not have to confront the person who is the source of the retaliation before reporting it, but to help prevent retaliation from continuing, you must report it.

Any employee or workplace participant who retaliates against another employee or workplace participant for making a good faith complaint of a violation of this policy, or for assisting in an investigation of a complaint of a violation of this policy, is subject to discipline or termination. Retaliation can include, but is not limited to harassment, discrimination, or any other unfair treatment or abuse of power.

Workplace Investigations

A report of retaliation for reporting a violation of this policy or a report of a violation of this policy, that is made to those listed above, will result in an appropriate investigation of the allegations made in the report. Vermilion County may use third parties to investigate allegations. All employees and workplace participants have a responsibility to cooperate fully with any investigation. The interviews, allegations, statements, and identities will be kept confidential, on a need-to-know basis, consistent with the law and the investigation process and goals. Unreasonable refusal to participate in an investigation may lead to discipline, including termination.

Those found to have violated this policy, discriminated, or retaliated against another in violation of this policy are subject to discipline including, but not limited to, termination, consistent with the law, the results of the investigation, the severity of the conduct, and the policy violator's employment history, including any similar reports of prior violations, discrimination and/or retaliation.

Knowingly False Reports Prohibited

Any employee or workplace participant who makes a knowingly false report of a violation of this policy will be subject to discipline, including termination.

Questions About This Policy

If you have questions, suggestions or concerns about this policy, you should direct them to your manager or your supervisor.

If you feel uncomfortable discussing your questions, suggestions or concerns about this policy with those listed above, you can direct them to the Human Resources Department or Risk Manager.

LEP POLICY

As a recipient of Federal financial assistance, Vermilion County, Illinois, is required to take reasonable steps to ensure meaningful access to its programs and activities by limited English proficiency (LEP) persons. The purpose of this plan is to make reasonable efforts to eliminate or reduce limited English proficiency as a barrier to accessing County programs or activities. This plan is intended only to improve the internal management of the County and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the County.

Four-Factor Analysis:

In order to assess meaningful access to its programs and activities by LEP persons, a four-factor analysis is set out in guidance issued with Executive Order 13166. The four-factor analysis considers (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program; (2) The frequency with which LEP individuals come in contact with the program; (3) The nature and importance of the program, activity, or service provided by the program to people's lives; and (4) The Resources available to the grantee/recipient and costs.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program:

The County's statutory responsibilities concern a variety of services from tax collection to police services and court proceedings. The vast majority of the population for which the County serves is proficient in English. As such, LEP services are not normally required.

Factor 2: The frequency with which LEP individuals come in contact with the program.

Generally, all contact with the County is made through its various Departments, all located in Vermilion County, Illinois. The contact is typically from citizens coming to one of our public buildings to interact with one of the governmental departments. Our police services will encounter the public while on patrol. Our Highway Department will have little public interaction due to the nature of their job, but the public will contact that Department with questions or concerns from time to time. Delivery of services at the County level typically does not raise LEP concerns, except for court and law enforcement services. At the court level where language might be a more frequent issue, LEP individuals are served by the utilization of the Criminal Proceeding Interpreter Act (725 ILCS 140/1).

Factor 3: The nature and importance of the program, activity, or service provided by the program to people's lives.

The primary objective of the County is to deliver basic governmental services to all citizens. The County does affect the life of every resident in some fashion or another. In the vast majority of cases, the contact is slight, typically involving property taxes, infrastructure and road

maintenance. In other cases, involving a smaller percentage of the population, it can be fairly intense, involving police, court, health related services or food inspections.

Factor 4: The resources available to the grantee/recipient and costs.

Albeit the services provided are of great importance, the County is small in nature. The County, as a whole, typically employs 400 people during any given fiscal year. Due to the County's budget, an increasingly tough State economic situation, and wherein the LEP population is extremely small and contact is infrequent, the County's has adopted a policy of utilizing interpreters on an as-needed basis. The most prevalent use is likely to be in the court system where the availability of interpreters is advertised. Providing such services in areas where the need is more likely to be an issue and the issues of great importance to the individuals involved serves the philosophy behind the Executive Order.

Scope and Compliance

Due to the relatively small number of LEP persons encountered over time, the overall size of the County, and the County's strict budget, County personnel are instructed to notify their supervisor, who is the elected official over their department, if an LEP person is encountered, or services are requested by an LEP person who wishes to access the County's programs and activities. The County will provide meaningful access to LEP individuals whereby language assistance will result in accurate, timely, and effective communication which is not restricted, or inferior, as compared to the programs and activities provided to English proficient persons. In the event interpretation services are needed in order to translate other languages for time-sensitive and critical life issues (for criminal court matters for instance), the County will obtain quality interpreter and translator services for those languages. Interpretation services may include but are not limited to oral interpretation conducted in-person or via telephone or other means or written translation by qualified translators. The Criminal Proceeding Interpreter Act (725 ILCS 140/1) will be particularly useful at the court level. That Act assists those accused of a crime, and further provides the right to a qualified court-appointed sign language interpreter to be afforded to persons with disabilities who are victims of, or are called as witnesses in court proceedings.

RESOLUTION

RE: Internal Policies

WHEREAS, the County is required by various accounting, State, and Federal mandates to maintain certain policies; and,

WHEREAS, the County has now updated and added certain policies to remain current as suggested by outside auditors and grant auditor; and

WHEREAS, the County desires to formally adopt these policies and publish them to guide all members of County government and various entities that do business with the County, as well as the public.

NOW, THEREFORE, BE IT RESOLVED by the Vermilion County Board that the attached policies, marked as group Exhibit "A" and now incorporated herein by reference, are adopted as policies of the County of Vermilion.

PRESENTED, APPROVED, and RESOLVED by the County Board of Vermilion County, Illinois, at their October 8, 2019, session.

DATED, this 8th day of October, 2019, A.D.

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Chairman, Vermilion County Board

ATTEST:


Clerk of the County Board

RESOLUTION: 19-1005

APPROVED BY EXECUTIVE COMMITTEE:

Larry Baughn, Jr. <i>Committee Chairperson</i>	<input checked="" type="radio"/>	N	A
Craig Golden	<input checked="" type="radio"/>	N	A
Steven Fourez	Y	N	<input checked="" type="radio"/>
Kevin Green	<input checked="" type="radio"/>	N	A
Becky Stark	<input checked="" type="radio"/>	N	A
Greg Thatcher	<input checked="" type="radio"/>	N	A
Crisi Walls	<input checked="" type="radio"/>	N	A