

Board of Ethics: 2002

1. The Chief of Police asked if a police officer could contract with the City for the City's use of his dog for explosive detection.

Opinion: The Board decided that a City contract with a police officer for explosive dog services in consideration of City payment of normal and customary veterinary bills and food would not violate the City's conflict of interest ordinance. The payment would have an insignificant or conjectural effect upon the officer's employment and would not constitute a prohibited contractual financial interest.

2. The information technology supervisor asked if City employees would violate the conflicts of interest ordinance by accepting offers of discounts from computer manufacturers.

Opinion: The Board decided that although discounts being offered by computer manufacturers to City employees could be described as a gift, in the opinion of the Board, it could not be reasonably inferred that the gift was intended to influence employees in the performance of their official duties nor is it intended as a reward for official action.

3. Confidential Opinion

4. Mayor Munson asked if acceptance of a social membership at the Westward Ho Country Club would violate the City's conflicts of interest ordinance.

Opinion: The Board decided that acceptance of such a membership would violate the City's conflicts of interest ordinance. It is a gift of more than nominal value and could be interpreted as an attempt to influence or as a reward for past actions.

5. Mayor Munson asked if acceptance of a uniform jersey (estimated value \$50) and season tickets (estimated value \$840) to Sioux Falls Skyforce basketball games would violate the City's conflicts of interest ordinance.

Opinion: The Board determined that acceptance of the basketball jersey was a gift to the City which was a mere advertising tool being used by the Skyforce. However, the Board did advise that acceptance of the season tickets would violate the City's conflicts of interest ordinance.

6. Mayor Munson asked if it would be a violation of the City's conflicts of interest ordinance for him to act as the honorary chair for a Kiwanis Club art auction fund raiser to benefit the club's local charitable activities.

Opinion: It was the opinion of the Board that the activity described in the Mayor's request was not covered by the City's conflicts of interest ordinance. Any decision by

the Mayor to participate in such an activity would be a personal matter for him to determine.

7. The Mayor asked if acceptance of a dinner ticket to the National Jaycee Convention in Sioux Falls would violate the City's conflicts of interest ordinance.

Opinion: The acceptance would not violate the ordinance. The Mayor would be performing an official ceremonial function and acceptance of the meal would be a necessary part of performing that function.

8. Council Member Beninga asked if he could participate in City Council activities involving a subsidy to the Center for Active Generations, of which he is the chief executive officer.

Opinion: The Board determined that Beninga's involvement in Council discussion and voting on subsidies would violate the conflicts of interest ordinance. It was the Board's opinion that he could participate in and vote on the final consideration of the City's Capital Improvements Program and City budget. The Board recommended that Beninga formally notify the City Council of his involvement with the Center. It also recommended that in the future, the City Council consider items constituting a conflict for members as separate elements in their voting process.

9. Mayor Munson asked if it would be a violation of the City's conflicts of interest ordinance for several City officials to receive free bibles from the First Assembly of God Church.

Opinion: In the opinion of the Board, acceptance of the bibles would not violate the City's conflicts of interest ordinance. The gift was a part of a 9-11 memorial service in recognition of City emergency departments and was not intended to influence the Mayor or department directors. The gift was an unsolicited item of nominal intrinsic value.

10. The Fire Chief asked if Sioux Falls firefighters and police officers could accept \$10 gift certificates from Naps Alabama Barbecue.

Opinion: The Board determined that the acceptance of the gifts would not violate the City's conflicts of interest ordinance. The certificates were made a part of recognition of the firefighters' and police officers' role and were not intended to influence them.

11. A Parks and Recreation employee asked if acceptance of travel to and food and lodging in Tomahawk, WI for training on a tractor recently purchased by the City would violate the conflicts of interest ordinance.

Opinion: Acceptance of the transportation, food and lodging would not violate the ordinance. Attendance at the training facility is a City business activity. It is not intended to influence or reward an employee.