Ethics and the SWCD Supervisor

Model Ethics Policy Statement for the SWCD Board to Adopt and Post:

It is policy of the ________ Soil and Water Conservation District to carry out its mission in accordance with the strictest ethical guidelines and to ensure that Soil and Water Conservation District supervisors and employees conduct themselves in a manner that fosters public confidence in the integrity of the _________ Soil and Water Conservation District, its processes, and its accomplishments.

A Snapshot of Ethics References in Minnesota Law:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE. Soil and Water Conservation District supervisors are considered public officials for purposes of Campaign Finance and Public Disclosure Laws, Minnesota Statutes Chapter 10A. As public officials, SWCD supervisors must:

- file and maintain accurate statements of economic interest with the Campaign Finance and Public Disclosure Board;
- disclose and take appropriate required action with regard to conflicts of interest when presented with an action or decision that would substantially affect the official's financial interests or those of an associated business, unless the effect on the official is no greater than on other members of the official's business classification, profession, or occupation; and
- refrain from accepting gifts from lobbyists, with certain exceptions.

COMPATIBLE OFFICES. Under Minnesota Statutes 103C.315, subdivision 6, Compatible offices, SWCD Supervisors may hold another elected office if it is considered compatible.

- The office of soil and water conservation district supervisor and the offices of mayor, clerk, clerk-treasurer, or council member in a statutory or home rule charter city of not more than 2,500 population contained in whole or in part in the soil and water conservation district are compatible offices and one person may hold both offices.
- The office of soil and water conservation district supervisor and the office of town clerk or town supervisor in a town of not more than 2,500 population contained in whole or in part in the soil and water conservation district are compatible offices and one person may hold both offices.

A person holding both offices shall refrain from voting or taking any other formal action on any matter coming before the soil and water conservation district board or the city council or town board that has a substantial effect on both the soil and water conservation district and the city or town. This subdivision does not apply to an office located in whole or in part in Anoka, Hennepin, Ramsey, or Washington County.

REMOVAL FROM OFFICE. An SWCD supervisor may be removed from office due to malfeasance or nonfeasance, in accordance with the procedures established in Minnesota Statutes sections 351.14 to 351.23.

- "Malfeasance" means the willful commission of an unlawful or wrongful act in the performance of a public official's duties which is outside the scope of the authority of the public official and which infringes on the rights of any person or entity.
- "Nonfeasance" means the willful failure to perform a specific act which is a required part of the duties of the public official.