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Advisory Opinion of January 26, 2009
Clarifying Opinion 09-01

The Commission received a request for clarification of advisory opinion 09-01 regarding a potential conflict of interest between the Recreation Manager and a vendor for the Department that would be under her supervision. The Commission reviewed the request at their meeting on January 26, 2009 and makes the following addition to their prior opinion:

The Commission determined that under the same reasoning for the actual violation and the perception of the violation in Opinion 09-01, the Program Coordinator should not sign the timesheet of the vendor himself, but that the Director should do so.

The Commission further determined that the Program Coordinator may sign the timesheets of the vendor's employees upon submission for payment, when the timesheets have been authenticated by the building manager that the services were actually performed. The Program Coordinator may also contact the vendor directly under circumstances in which a person did not show for their appointed service, and someone else would need to come in to cover that program. The Commission, as it previously determined, again concludes that there would not be a violation of the ethics code for the Program Coordinator to perform purely ministerial acts to administer the contract.

Advisory Opinion 09-01A