MARIPOSA COUNTY RESOLUTION 78-148
RELATING TO CONFLICT OF INTEREST

RESOLVED, by the Board of Supervisors of the County of
Mariposa, State of California, that:

WHEREAS, in the County offices and departments,
particularly but not limited to the Road Department, Planning
Department, Surveyor's Office, Building Department, and Health
Department, a County officer or employee may be disqualified from
performing his usual duties of passing on, reviewing, or making
recommendations with respect to a pending project, proposal, or
procedure by reason of the fact that he, his superior, or his
subordinate has a financial interest in the project, proposal, or
procedure within the meaning of Government Code Section 87100,
the conflict of interest code of his office or department, or
such conflict as is hereinafter referred to; and

WHEREAS, this Board is of the opinion that, notwithstanding such conflict of interest and disqualification, a policy
and procedure should be adopted that will comply with law and
will permit the project, proposal, or procedure to be duly pro-
cessed.

NOW, THEREFORE, this Board determines and orders as
follows:

1. This Board hereby declares that it is the firm
policy of the Board that no County officer or employee of the
County of Mariposa shall make, participate in the making, or in
any way attempt to use his official position to influence the
decision of any County officer, department, or commission of the
County of Mariposa as to any matter in which he knows or has
reason to know he has a financial interest as defined in Section 87102 of the Government Code or hereinafter in this resolution.

2. The above restriction shall include any review, passing upon, or recommendation with respect to the project, proposal, or procedure in which the officer or employee, his superior, or subordinate in the County office or department has a prohibited financial interest.

3. Any project, proposal, or procedure which the officer or employee has in any way acted in a private capacity as consultant, adviser, engineer, or similar capacity for a private person or firm for compensation shall be deemed to constitute a financial interest in the project, proposal, or procedure.

4. In the event the County officer or employee is disqualified from performing his normal duties by reason of a conflict of interest as hereinabove described, he shall report such conflict to his department head if he be not the department head, and the department head shall either: (1) designate some qualified officer or employee of the County of Mariposa in another department or office of the County to perform the function if such qualified person exists; or (2) if no such qualified person exists or if the disqualified person is the department head himself, he shall report the facts to the Board of Supervisors who shall employ a qualified disinterested person to act in the place of the disqualified person, in which event the applicant or proponent shall be charged with the costs thereof.

5. Nothing herein contained is intended to be in conflict with Section 87101 of the Government Code so as to prevent
any public official of the County from making a decision to the
extent his participation is legally required for the action or
decision to be made.

6. Willful violation of this policy shall be grounds
for dismissal from County service.

PASSED AND ADOPTED by the Board of Supervisors, County
of Mariposa, this 15th day of August, 1978, by the following
vote:

AYES:                Clark, Long, Owings, Weber, Dalton

NOES:                 None

NOT VOTING:           None

ABSENT:               None

CARROLL N. CLARK, CHAIRMAN
BOARD OF SUPERVISORS

ATTEST:

ELLEN BRONSON, COUNTY CLERK &
EX OFFICIO CLERK OF THE BOARD