



ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST – DECISIONS AND VOTING
 State Form 55860 (R / 10-15)
 OFFICE OF THE INSPECTOR GENERAL
 IC 4-2-6-9

INDIANA
 STATE ETHICS COMMISSION

APR 5 2022

FILED

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Name (last) Kemp	Name (first) Susan	Name (middle)
Name of office or agency Indiana Department of Transportation- Crawfordsville District		Job title Local Program Director
Address of office (number and street) 41 West 300 North		City Crawfordsville
Office telephone number (765) 361-5228		ZIP code 47933
Office e-mail address (required) skemp@indot.in.gov		

Describe the conflict of interest:
 Susan Kemp is Local Program Director for the Indiana Department of Transportation (INDOT)- Crawfordsville District. Susan Kemp recently entered employment negotiations with Terre Haute Metropolitan Planning Organization ("Terre Haute MPO"). Metropolitan Planning Organizations are Congressionally established entities created to help manage federally funded public works projects on the local level. Terre Haute MPO facilitates local projects in the Terre Haute Metropolitan Planning Area. Terre Haute MPO receives federal dollars through INDOT for local road projects. The Department provides certain administrative support for federally funded MPO projects. As such, Susan Kemp's employment negotiations with Terre Haute MPO created a potential decisions and voting conflict under IC 4-2-6-9; this disclosure is being filed in anticipation of that apparent conflict. Susan Kemp is not subject to the mandatory cooling off period (IC 4-2-6-11(b)) as Local Program Director. Pending formal opinion of the State Ethics Commission, Susan Kemp may be subject to the particular matter restriction with regard to certain matters that might arise in her work flow as an employee of Terre Haute MPO. This disclosure was provided to Susan Kemp's appointing authority, Commissioner Michael J. Smith, on April 5, 2022. Evidence of said disclosure to Commissioner Smith is filed herewith pursuant to IC 4-2-6-9(b)(2)(D). Pursuant to IC 4-2-6-9(b)(2), this disclosure was executed and filed with the SEC within seven days (7) of the potential conflict being identified by the below signed ethics officer.

Describe the screen established by your ethics officer: *(Attach additional pages as needed.)*

A formal screen was executed with INDOT's ethics officer preventing Susan Kemp from working with Terre Haute MPO, or otherwise participating in any decision or vote, or matter related to such decision or vote, involving Terre Haute MPO, or in which Terre Haute MPO has an interest. Subject to the contrary opinion of the State Ethics Commission, Ms. Kemp is also screened from assisting Terre Haute MPO, and any other future employer, with any matter in which she personally and substantially participated while employed by INDOT. This provision will expire upon determination by the SEC that the particular matter restriction does not apply to Susan Kemp, or will otherwise persist in perpetuity. Decisions and voting provisions of the screen will apply until Susan Kemp leaves INDOT or ceases negotiations with Terre Haute MPO, whichever occurs first. The screen was executed on April 5, 2022, a copy of which was sent to Commissioner Michael J. Smith.

AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee

Susan Kemp

Date signed (month, day, year)

April 5, 2022

Printed full name of state officer, employee or special state appointee

Susan Kemp

FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer

/s/ Christopher Serak

Date signed (month, day, year)

April 5, 2022

Printed full name of ethics officer

Christopher B. Serak

CONFLICT OF INTEREST SCREEN FOR SUSAN KEMP

April 4, 2022

I. RECITALS

WHEREAS, Susan Kemp is a Local Program Director for the Indiana Department of Transportation (“INDOT” or “Department”); and

WHEREAS, Susan Kemp has entered employment negotiations with the Terre Haute Metropolitan Planning Organization (“Terre Haute MPO”); and

WHEREAS, Terre Haute MPO receives annual funding from INDOT for local projects; and

WHEREAS, as a Local Program Director for INDOT, Susan Kemp could be assigned to work with Terre Haute MPO or to participate in matters in which the company has an interest as part of her regular duties; and

WHEREAS, Susan Kemp’ employment negotiations with Terre Haute MPO created a potential decision and voting conflict of interest under IC 4-2-6-9 requiring disclosure and a formal screen; and

WHEREAS, a formal opinion request regarding the application of the particular matter restriction to Susan Kemp’s work flow is currently pending before the Indiana State Ethics Commission, and Ms. Kemp may be determined to be subject to the particular matter restriction under IC 4-2-6-11(a) with regard to certain matters, including matters in which Terre Haute MPO may have direct participation; and

WHEREAS, Susan Kemp may have obtained confidential information in the course of her employment with INDOT and has an affirmative duty to protect such information from disclosure and to refrain from relying on such information for the benefit of herself or future employers.¹

NOW THEREFORE, Susan Kemp, Local Program Director for INDOT, for her remaining tenure with the Department, or until she discontinues employment negotiations with Terre Haute Metropolitan Planning Organization, agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. Susan Kemp must adhere to terms three (3) and four (4) in perpetuity, or until otherwise directed by the State Ethics Commission.

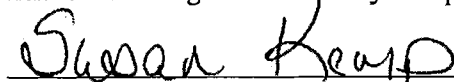
II. CONFLICT OF INTEREST SCREEN

1. Susan Kemp shall not participate in any decision or vote, or any matter related to such decision or vote, in which Terre Haute Metropolitan Planning Organization has a financial interest.
2. Susan Kemp is screened from participating in any present/future contract or other matter involving Terre Haute MPO during her tenure with INDOT or until she discontinues negotiations with the local entity.
3. Pending the formal opinion of the State Ethics Commission, Susan Kemp shall not assist any future employers, including Terre Haute MPO, with any matter she personally and substantially participated in while employed by INDOT. This restriction applies in perpetuity, or until otherwise directed by the State Ethics Commission.
4. Pursuant to her duty under Ind. Code §5-14-3-10, Susan Kemp shall not disclose or otherwise rely upon information classified as confidential under Ind. Code §5-14-3-4. This restriction applies in perpetuity, so long as the subject information is deemed confidential.

III. EMPLOYEE AFFIRMATION

I have read and understand the terms of the foregoing Conflict of Interest Screen, and will in all ways follow, adhere to, and satisfy the above stated restrictions on my participation in any decision or vote in which Terre Haute Metropolitan Planning Organization has a financial interest. I understand that the first two (2) terms of this screen terminate upon my leaving the Department or the discontinuation of negotiations with Terre Haute Metropolitan Planning Organization, whichever occurs first. I further understand that terms three (3) and four (4) regarding particular matters and confidential information respectively, apply in perpetuity, for the life of each subject matter and so long as the subject information is deemed confidential. I have shared and discussed this Conflict of Interest Screen and its requirements with my supervisor.

Executed and agreed this 4th day of April 2022, by:



Susan Kemp, Local Program Director
Indiana Department of Transportation

¹ State employees have an affirmative duty under Ind. Code §5-14-3-10 to protect from disclosure and to refrain from relying upon information defined as confidential under Ind. Code §5-14-3-4.

Baker, Nathaniel P

To: Serak, Chris (INDOT)
Subject: RE: Executed COI Disclosure and Screen (Susan Kemp)

From: Serak, Chris (INDOT)
Sent: Tuesday, April 5, 2022 8:50 AM
To: Smith, Michael J <Michael.Smith@indot.IN.gov>
Cc: Creighton, Chris (INDOT) <CCreighton@indot.IN.gov>; Kemp, Susan <SKEMP@indot.IN.gov>
Subject: Executed COI Disclosure and Screen (Susan Kemp)

Commissioner Smith-

Pursuant to the notice requirements of Ind. Code 4-2-6-9(b), please find the attached conflict disclosure and internal screen executed by Susan ("Susie") Kemp, Crawfordsville District Local Program Director. The disclosure will be filed with the Indiana Ethics Commission in satisfaction of the same.

Please note that Susie's eligibility to participate in certain matters she had contact with while an INDOT employee is pending formal review by the State Ethics Commission on April 14, 2022. Please let me know if you have any questions about this matter- I would be happy to provide additional background regarding the formal opinion.

Thank you.

Chris

Christopher B. Serak,
Director of Prequalification & Construction Compliance
Ethics Officer
Prequalification Committee (Chairman)
Selection Review Committee (Member)
Risk Advisory Board (Member)
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