



**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

FILED

MAY 10 2024

INDIANA STATE
ETHICS COMMISSION

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) Whitacre	Name (first) Nathaniel	Name (middle)	
Name of office or agency Indiana Department of Transportation		Job title Area Engineer	
Address of office (number and street) 5333 Hatfield Road		City Fort Wayne	ZIP code 46808
Office telephone number (260) 224-1998	Office e-mail address (required) nwhitacre@indot.in.gov		

Describe the conflict of interest:

Nathaniel Whitacre is an Area Engineer for the Indiana Department of Transportation - Fort Wayne District.

Nathaniel Whitacre has been recently discussing employment opportunities with Wells County.

Wells County has a business relationship with INDOT, including active contracts with the Department.

Nathaniel Whitacre's employment discussions with Wells County therefore creates a potential decision and voting conflict of interest under IC 4-2-6-9. This disclosure is therefore being filed in anticipation of conflict.

Nathaniel Whitacre is not subject to the mandatory cooling off period (IC 4-2-6-11(b)) with regard to Wells County.

Nathaniel Whitacre is subject to the particular matter restriction and will not assist future employers, including Wells County, with any matter he personally and substantially participated in on behalf of INDOT. This disclosure was provided to Mr. Whitacre's appointing authority, Commissioner Michael J. Smith, on April 5, 2024. Evidence of said disclosure to Commissioner Smith is filed herewith pursuant to IC 4-2-6-9(2)(D). Pursuant to IC 4-2-6-9(b)(2), this disclosure was executed and filed with the SEC within seven (7) days 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.)*

Area with horizontal dashed lines for describing the screen.

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

Nataniel Whitacre

Date signed (month, day, year)

04/11/2024

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

Nataniel Whitacre

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

Michele D. Steele

Date signed (month, day, year)

05/10/24

Printed full name of ethics officer

Michele D. Steele

CONFLICT OF INTEREST SCREEN FOR NATHANIEL WHITACRE

April 5, 2024

I. RECITALS

WHEREAS, Nathaniel Whitacre is an Area Engineer for the Indiana Department of Transportation-Fort Wayne District ("INDOT" or "Department"); and

WHEREAS, Nathaniel Whitacre has recently been in discussion regarding employment with Wells County; and

WHEREAS, Wells County has a business relationship with INDOT, including active contracts; and

WHEREAS, as an Area Engineer for INDOT Fort Wayne District, it is possible that Nathaniel Whitacre could be assigned to participate in matters in which Wells County has an interest as part of his regular duties; and

WHEREAS, Nathaniel Whitacre's employment negotiations with Wells County created a potential decision and voting conflict of interest under IC 4-2-6-9 requiring disclosure and a formal screen; and

WHEREAS, Nathaniel Whitacre is subject to the particular matter restriction (IC 4-2-6-11(a)) and cannot assist future employers, including Wells County, with any matter he personally and substantially participated in for INDOT; and

WHEREAS, Nathaniel Whitacre may have obtained confidential information in the course of his 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 himself or future employers.¹

NOW THEREFORE, Nathaniel Whitacre, Area Engineer for INDOT, for his remaining tenure with INDOT, or until he discontinues employment negotiations with Wells County, agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. Nathaniel Whitacre must adhere to terms three (3) and four (4) regarding the particular matter restriction and confidential information in perpetuity.

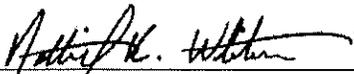
II. CONFLICT OF INTEREST SCREEN

1. Nathaniel Whitacre shall not participate in any decision or vote, or any matter related to such decision or vote, in which Wells County has a financial interest.
2. Nathaniel Whitacre is screened from participating in any present or future contract or other matter involving Wells County.
3. Nathaniel Whitacre shall not assist any future employers, including Wells County, with any matter he personally and substantially participated in while employed by INDOT. This restriction applies in perpetuity, for the life of the particular matter.
4. Pursuant to his duty under Ind. Code §5-14-3-10, Nathaniel Whitacre 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 Wells County 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 Wells County, 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 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 11th day of April 2024, by:



Nathaniel Whitacre, Area Engineer
Indiana Department of Transportation- Greenfield District

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

From: Steele, Michele
Sent: Friday, May 17, 2024 12:26 PM
To: Smith, Michael J
Subject: Conflict of Interest Disclosure - Nathaniel Whitacre
Attachments: Ethics Disclosre Statement - COI- N. Whitacre.pdf; COI Screen- N. Whitacre.pdf

Commissioner Smith,
This email is to notify you that a conflict of interest screen and ethics disclosure statement will be filed for Nathaniel Whitacre, an INDOT employee, with the State Ethics Commission.

Thank you,

Michele Steele, J.D., LLM
Director of Compliance and Ethics Officer
Indiana Department of Transportation
100 N. Senate Avenue – Room N758-PQ
Indianapolis, IN 46204
Office: (317) 719-6624
Email: msteele@indot.in.gov
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