

Conflict of Interest Policy

Overview

Town officers individually commit themselves in their official capacity to ethical, businesslike, and lawful conduct, including appropriate use of their authority and decorum at all times. Officers must avoid even the appearance of impropriety to ensure and maintain public confidence in the Town. Officers owe a fiduciary duty to the Town and must not act in a manner that is contrary to that duty or to the interests of the Town. Officers must place the interests of the Town over their own personal interests with respect to the governance, policy, strategic direction and operations of the Town.

Policy

It is the intent of the Town Council to meet and exceed those protections against conflicts of interest contained in State law. Under this policy, a conflict of interest arises when an officer has a personal interest in a matter that is or may be in conflict with or contrary to the Town's interests and objectives to such an extent that the officer is or may not be able to exercise independent and objective judgment within the context of the best interest of the Town. For the purposes of this policy, an officer's "personal interest" includes those of his or her relatives, business associates or other persons or organizations with whom he or she is closely associated.

1. The following provisions shall serve as a guide to officers with respect to the affairs of the Town:
 - a. Town officers shall not receive, accept, take or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person or entity if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment, or be considered as part of a reward for action or inaction. Officers are required to submit a report to the Town Council and the Town's Internal Auditor of the actual or estimated value of any gifts or casual entertainment received as an officer that exceeds \$50.00.
 - b. The complete confidentiality of proprietary business information must be respected at all times. Officers are prohibited from knowingly disclosing such information, or in any way using such information for personal gain or advancement, or to the detriment of the Town, or to individually conduct negotiations or make contacts or inquiries on behalf of the Town unless officially designated by the Town Council.

- c. Officers are prohibited from acquiring or having a financial interest in any property that the Town acquires, or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which the Town does business. This does not prohibit the ownership of securities in any publicly owned company except where such ownership places the officer in a position to materially influence or affect the business relationship between the Town and such publicly owned company. Any other interest in or relationship with an outside organization or individual having business dealings with the Town is prohibited if this interest or relationship might tend to impair the ability of the officer(s) to be independent and objective in his or her service to the Town.
- d. If members of the immediate family of an officer have a financial interest as specified above, such interest shall be fully disclosed to the Town Council which shall decide if such interest should prevent the Town from entering into a particular transaction, purchase, or engagement of services. The term “immediate family” means officer’s spouse, parent, dependent children, and other dependent relatives.
- e. When a conflict of interest exists, the officer shall publicly declare the nature of the conflict and may recuse him or herself on any official action involving the conflict.
- f. Officers may not realize, seek, or acquire a personal interest in a business that does business with the Town.
- g. Officers shall complete a Conflict of Interest Disclosure Form annually by the end of January. This Form shall be signed and notarized. Completed Forms shall be submitted to the Town Recorder and made available to the public upon request.
- h. The Town Recorder shall provide copies of all completed Forms to the governing body] Chair at the end of January each year.
- i. The Town Council Chair shall review all completed forms and consider the disclosures. The Town Council Chair should make changes to assignments, duties, or contracts deemed appropriate to eliminate or mitigate conflicts of interest within the Town.