

**State of Georgia**

**County of Walton**

**AN ORDINANCE TO AMEND THE CODE OF WALTON COUNTY GEORGIA TO INCLUDE A CODE OF ETHICS AND CONDUCT FOR ELECTED AND APPOINTED OFFICIALS; TO REPEAL CONFLICTING PROVISIONS; AND TO PROVIDE FOR RELATED MATTERS.**

WHEREAS, the Board of Commissioners of Walton County desires to enact an ordinance amending The Code of Walton County to include a Code of Ethics and Conduct for Elected and Appointed Officials, repealing conflicting provisions, and providing for related matters.

NOW WHEREFORE the Board of Commissioners of Walton County hereby ordains that:

1.

The Code of Walton County, Georgia, is hereby amended by adding a Section to be numbered 1-14, which section reads as follows:

**“ Sec. 1-14 Code of Ethics and Conduct for Elected and Appointed Officials**

**(a) Policy Purpose.** The Board of Commissioners of Walton County (hereinafter sometimes referred to as “County Commission,” “Commission,” or “Board”) adopts this Code of Ethics and Conduct to guarantee that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of the County’s government.

**(b) Ethics.** The citizens of Walton County are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:

- Uphold the Constitution of the United States and of the State of Georgia, and carry out all applicable laws according of the County, including the provisions of the Ordinances of the County in a fair and impartial basis;
- Conform his/her official acts to the highest standards of morality and discharge faithfully the duties of the office regardless of personal considerations, recognize that the public interest must be their primary concern;

- Be independent, impartial and responsible to the citizens, and not use the public office for personal gain;
- Conduct themselves in both official and private affairs above reproach;
- Represent loyalty to the interest of the citizens of the entire County. This accountability supersedes any conflicting loyalty, advocacy or special interest group, or any individual, or membership of (or affiliation with) any company or other private or public organization; and
- Conduct public deliberations and processes openly, except for specific exceptions as provided by the Open Meetings Act, in an atmosphere of respect and civility.

Therefore, members of the County Commission and all boards and commissions (hereinafter sometimes referred to as “members” or “Commissioners”) shall conduct themselves in accordance with the following ethical standards:

(1) Act in the Public Interest. Recognizing that stewardship of the community must be their primary concern, members will work for the common good of the citizens of Walton County and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.

(2) Comply with both the spirit and the letter of the Law and County Policy. Members shall comply with the laws of the nation, the State of Georgia and Walton County in the performance of their public duties. These laws include, but are not limited to the United States and Georgia Constitutions; State laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and County ordinances and policies.

(3) Conduct of Members. The professional and personal conduct of members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Commission, Boards and Commissions, the staff or public. Members shall also refrain from gross misconduct, including but not limited to, fighting, physical violence, threats of physical violence, or engaging in offensive conduct or language toward the public, supervisory personnel, or employees.

(4) Respect for Process. Members shall perform their duties in accordance with the processes and rules of order established by the County Commission.

(5) Conduct at Public Meetings. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the matters at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; attempting to monopolize the discussion; or otherwise interfering with the orderly conduct of meetings.

(6) Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. A member shall not participate in a vote on any matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to:

- A member having a fixed opinion prior to hearing the matter that is not susceptible to change;
- Undisclosed ex parte communications;
- A close familial, business or other associational relationship with an affected person; or
- A financial interest in the outcome of the matter.

(7) Communication. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the body, which they may have received from sources outside of the public decision-making process.

(8) Conflict of Interest. Members are prohibited from voting or participating on a matter involving a business entity or real property in which the official has a substantial interest if an action on the matter will result in a special economic effect on the business that is distinguishable from the effect on the public, or in the case of a substantial interest in real property, it is reasonably foreseeable that the action will have a special economic effect on the value of the property, distinguishable from its effect on the public. A member who has such interest is required to file, before a vote or decision on any matter involving the business entity or real property, an affidavit with the County Clerk, stating the nature and extent of the interest. In addition, a member is required to abstain from further participation in the matter. However, a public official that is required to file an affidavit is not required to abstain from participating in the matter if a majority of the members of the governing body have a substantial interest and are required to file and do file affidavits reflecting similar interests on the same official matter.

(9) Gifts and Favors. Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits, which might compromise their independence of judgment or action or give the appearance of being compromised.

(10) Confidential Information. Members must maintain the confidentiality of all written materials and verbal information provided to members, which is confidential or privileged. Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

(11) Use of Public Resources. Members shall not use public resources, which are not available to the public in general (e.g., County staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.

(12) Representation of Private Interests. In keeping with their role as stewards of the public interest, members of Commission shall not appear on behalf of the private interests of third parties before the Commission or any Board, Commission or proceeding of the County, nor shall members of Boards and Commissions appear before their own bodies or before the Commission on behalf of the private interests of third parties on matters related to the areas of service of their bodies, nor voluntarily participate on behalf of others in any litigation to which the County is, or might be, an adverse party.

(13) Advocacy. Members shall represent the official policies or positions of the County Commission, Board or Commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the County, nor will they allow the inference that they do.

(14) Policy Role of Members. Members shall respect and adhere to the Commission-Manager structure of County government as outlined in the Walton County Local Laws. In this structure, the County Commission determines the policies of the County with the advice, information and analysis provided by County staff, Boards and Commissions, and the public. Except as provided by the Walton County Local Laws and Code of Ordinances, Members shall not interfere with the administrative functions of the County or the professional duties of County staff; nor shall they impair the ability of staff to implement Commission policy decisions.

(15) Independence of Boards and Commissions. Because of the value of the independent advice of boards and commissions to the public decision-making process, Members of Commission shall refrain from using their position to unduly influence the deliberations or outcomes of the proceedings of such boards and commissions.

(16) Positive Workplace Environment. Members shall support the maintenance of a positive and constructive workplace environment for County employees and for citizens and businesses dealing with the County. Members shall recognize their special role in dealings with County employees to in no way create the perception of inappropriate direction to staff.

**(c) Sanctions for Elected and Appointed Officials Violation of the Code of Ethics.**

The Code of Ethics expresses standards of ethical conduct expected for members of the County Commission and boards and commissions, members themselves have the primary responsibility

to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Chairman and Commission have the additional responsibility to intervene when actions of members that appear to be in violation of this Code of Ethics and Conduct are brought to their attention.

Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Commission, be removed from committee assignments (both within the County or with inter - governmental agencies) by the Commission.

Members should point out to the offending member infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be placed on a Commission agenda in closed session, to the extent permissible under the Georgia Open Meetings law..

The affected member may request that the complaint be considered in a public meeting. The affected member shall be provided with a copy of the complaint in writing. At the County Commission meeting, the nature of the complaint and the possible violations of this Code of Ethics and Conduct shall be presented in detail.

The affected member shall have the right to a full and complete hearing before the County Commission with the opportunity to call witnesses and present evidence in such person's behalf.

The County Commission may reject the complaint and take no action or take action to formally reprimand or censure the offending member.

## **Sec. 1-14-1 Overview of Commission Member Roles and Responsibilities**

### **Chairman**

- Acts as the official head of the County for all ceremonial purposes.
- Chairs Board meetings.
- Leads the Board into an effective, cohesive working team.
- Signs documents on behalf of the County.
- Other duties as set forth by law or the County Ordinance.

### **Vice-Chairman**

- Performs the duties of the Chairman if the Chairman is absent or disabled.
- Chairs Commission meetings at the request of the Chairman.
- Signs documents on behalf of the County, in absence of the Chairman.

- All duties as assigned by the Chairman.

### **All Commission Members**

All members of the County Board of Commissioners, including those serving as Chairman and Vice Chairman, have equal votes. No Board member has more power than any other Board member, and all should be treated with equal respect. Therefore, no ranking or pecking order shall be established for predetermining the order of roll call votes or public introductions, except that the Chairman and Vice Chairman shall be introduced first at public meetings and events. All Board members should:

- Fully participate in County Board meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
- Prepare in advance of Commission meetings and be familiar with issues on the agenda.
- Represent the County at ceremonial functions at the request of the Chairman.
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in the County's government.
- Provide contact information to the County Manager in case an emergency or urgent situation arises while the Board member(s) are out of town.
- Demonstrate honesty and integrity in every action and statement.
- Participate in scheduled activities to increase team effectiveness and review Board procedures, such as this Code of Conduct.

### **Meeting Chair**

The Chairman will chair official meetings of the County Commission, unless the Vice Chairman or another Board member is designated as chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers.
- Keeps discussion and questions focused on the specific agenda item under consideration.
- Makes parliamentary rulings with advice, if requested, from the County Clerk who acts as advisory parliamentarian, and in his absence, the County Attorney shall act as advisory parliamentarian.

## **OPERATIONAL PROTOCOLS FOR COUNTY BOARD OF COMMISSIONERS AND COMMISSION APPOINTEES**

It is the overriding objective of the Board of Commissioners and its appointees that the interests of the County be served faithfully and effectively at all times. To that end, the Board of Commissioners, individual Board members, and the Board's appointees will work together to foster a working environment that is characterized by mutual respect and professional courtesy, free of harassment and unnecessary interpersonal conflict, compliant with all applicable laws and consistently focused on a commitment to service. This protocol governs interactions among the Board members and its appointees and establishes the standards of behavior that all have agreed are best suited to achieving the appropriate working environment. These rules of engagement are not intended to take the place of any ethical guidelines, or other policies but, rather, supplement those guidelines, directives, and policies by facilitating the type of productive day-to-day interactions that are necessary for accomplishing the duties and responsibilities assigned to each individual or group.

Boards, Commissions and Authority's first duties are to:

- 1) create a strategic plan with concise goals;
- 2) implement a system to measure goal achievement on a regular basis;
- 3) speak with one voice once a majority decision has been rendered;
- 4) view responsibilities to the entire County as stakeholders and not to certain sections of the community.

The Board of Commissioners and individual Board Members shall at all times:

- Operate within the scope of authority provided in accordance with all applicable laws.
- Observe the requirements regarding properly noticed open meetings and refrain from meeting in numbers less than a quorum with the intent of avoiding open meetings requirements.
- Appoint a duly authorized delegate or subcommittee to attend to matters within the Commission's scope of authority that the Commission does not pursue as a body, requiring that delegate or subcommittee to report to the Commission to allow for an informed decision by the Commission as a whole.
- Designate the Chairman as spokesperson on policy decisions collectively reached at properly noticed meetings, and, once decisions are made, avoid the appearance that the Commission does not agree with regard to the direction taken.
- Follow the rules of debate as set forth in the Commission's recognized parliamentary authority during Commission meetings.

- Respect the delegation of authority and responsibility to appointees as provided for in the Charter.
- Avoid at all times inappropriately providing direction on administrative matters or other matters not within the scope of their authority.
- Direct all requests for information from County personnel to the appropriate appointee or County Manager direct report employee in order to avoid the appearance of any impropriety or undermining of the appointee's position and authority; and, when at all possible, contact the appointee, County Manager or a direct report of the Manger with questions about upcoming Board agenda items in order to provide the County Manager the opportunity to gather needed information and have appropriate staff present at the meeting to adequately address the questions.
- Seek clarification from the County Attorney, as necessary, regarding the scope of the Board's authority or responsibility, proper process, or other legal issues. Treat citizens, appointees and County employees in a courteous and fair manner at all times and avoid placing appointees in a position that could reasonably be perceived to create undue influence by any individual Board members.

Situations involving a Board member who is not following the Board's operational protocols shall be addressed through the following incremental steps: 1) the concerned Board member shall have a one-on-one conversation with the non-complying Board member; 2) the Chairman shall discuss the situation with said Board member; and 3) the Chairman shall appoint an ad hoc committee of the Board of Commissioners to address the situation.

Commission appointees shall:

- Report to and take direction from the Board of Commissioners as a whole and not from individual Board members, keeping the entire Commission informed of all matters that are appropriately within the Commission's scope of authority and ensuring that individual Board members are equally informed.
- Remain free from influence by individual Board members and third parties, ensuring objectivity in their actions and decision-making.
- Respond to requests for information from individual Board members as appropriate, but, when responding, provide the entire Commission and the other appointees both the requested information and a brief statement of the request, when made, and by whom.
- Keep other Commission appointees informed on a timely basis regarding issues within that other Commission appointee's area of responsibilities and avoid the appearance that one Commission appointee has ambushed or undermined another.

- Except in extraordinary circumstances or where there is an affirmative duty to report to the Commission, escalate matters involving another Commission appointee or a matter within another Commission appointee's area of responsibility to the Commission only after discussing the matter fully with the other Commission appointee in question, only after making all reasonable efforts under the circumstances to resolve the matter without Commission involvement, and only as necessary to protect the County's interests.
- Respect the authority of and decisions made by other Commission appointees, and express disagreement in an appropriate fashion and forum.
- Exercise sound professional judgment untainted by personal animosity or hidden agendas.
- Be open, honest, and forthright in their dealings with one another, with the Commission, and with individual Board members.
- Treat one another, citizens, other County employees, the Commission, and individual Board members with courtesy and respect at all times.
- Commission appointees may accomplish their responsibilities in any manner that is not imprudent, unethical or in violation of applicable codes of professional ethics and conduct.
- Commission appointees shall support the Vision Statement, Mission Statement and Values as developed by the County.

The Commission will appoint an appropriate party, either a delegate or a subcommittee, to which conflicts between or personnel issues involving Commission appointees (other than those for which there is an affirmative duty to report to the full Commission) may be addressed. That delegate or subcommittee shall be responsible for informing the Commission of any good faith belief that there has been misconduct on the part of an appointee and for conducting any investigation directed by the Commission. Only the entire Commission may authorize such investigations, and no investigation shall be conducted except as authorized by the entire Commission. The Commission, observing all required processes, shall make a determination as to whether any action should be taken as a result of the findings or report.

The Commission considers this protocol critical to the success of the organization and, accordingly, failure to adhere to the rules of engagement set forth above will result in appropriate action, which, for appointees, may include removal from his or her position. Board members and appointees shall have an affirmative duty to report to the full Commission and to the other appointees any situation, which they believe, in good faith, constitutes a violation of this protocol, whether intentional or unintentional.

The Commission will revisit this protocol semi-annually to ensure that it is achieving the goals it

was intended to achieve and to determine if any amendment or other action is necessary to establish and maintain effective professional relationships among the Commission and its appointees.

## **1-14-2 General Policies and Protocol**

***Ceremonial Events.*** Requests for a County representative at ceremonial events will be handled by the County Manager. The Chairman will serve as the designated County representative. If the Chairman is unavailable, then County staff will determine if event organizers would like another representative from the Commission. Invitations received at County offices are presumed to be for official County representation. Invitations addressed to Board members shall be shared with the County Manager's Office in order to assure posting for compliance with the Georgia Open Meetings Act and the Georgia Open Records Act, as applicable.

***Travel expenses.*** The policies and procedures related to the reimbursement of travel expenses for official County business by Board members are outlined in the County's Travel Policy.

***Rules of Order for Meetings.*** Unless otherwise expressly provided, the general rules of parliamentary procedure will be observed. If a rule is not followed and there is no objection, the rule will be considered as waived.

***Non-agenda Items (Public Comments).*** During a designated period of the agenda, referred to as "public comments," citizens may bring forth issues or questions that are not on the meeting's agenda. Each citizen will be limited to three minutes. All remarks shall be addressed to the Commission as a body and not to individual members thereof.

State law does not require the County have an agenda item for "Public Comment." Citizen's comments may not be used as a forum to make personal attacks against individual citizens, County employees or Board members. Such remarks will result in the speaker being asked to step back from the podium and a forfeiture of the remaining time to speak.

***Public hearings.*** Board members (Commission meetings) and board/commission members (board/commission meetings) will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Officials are not appropriate until after the close of the public hearing. Officials should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

## **Sec. 1-14-3 Officials' Conduct with One Another**

Officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. All have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may "agree to disagree" about contentious issues.

**(a) In Public Meetings**

*Use formal titles.* Officials should refer to one another formally during public meetings, such as Chairman, Vice Chairman, Commissioner or Board member followed by the individual's last name.

*Practice civility and decorum in discussions and debate.* Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

*Honor the role of the Chair in maintaining order.* It is the responsibility of the Chair to keep the comments of Officials on track during public meetings. Officials should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following applicable parliamentary procedure.

*Avoid personal comments that could offend other Officials.* If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a point of personal privilege that challenges the other member to justify or apologize for the language used. The Chair will maintain control of this discussion.

*Demonstrate effective problem-solving approaches.* Officials have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Outside of official board or commission meetings, individual board and commission members are not authorized to represent the County or their board or commission unless specifically designated by the Commission or the board or commission to do so for a particular purpose. In public, however, all Officials shall represent the official policies or positions of their board or commission. Only the chair or his/her designee shall speak during a Commission public hearing on any item that has been addressed by the board or commission, and for which detailed minutes have been provided to the Commission. The chair shall represent the majority view of the board or commission, but shall report on any minority views as well. When an official board or commission position differs from staff's recommendation on a particular policy issue, then at the Chairman's discretion additional time may be provided to the chair of the board or commission (or his/her designee) to explain the position of the board/commission. If new information is brought to light during a public hearing that was not shared previously with the board or commission, the Chairman may allow the board or commission chair to respond. If the Commission deems the new

information sufficient to warrant additional study, then by majority vote Commission may refer the issue back to the board or commission for further study prior to taking other action itself.

Board members and board and commission members may express individual opinions and positions regarding items that have not come before the body to which they belong. When presenting their individual opinions and positions, Board Members and board/committee/commission members shall explicitly state they do not represent their body or the County, nor will they allow the inference that they do.

Although a board or commission, or its members, may disagree with the final decision the Commission makes, the board or commission shall not act in any manner' contrary to the established policy adopted by the Commission.

**(b) In Private Encounters**

*Continue respectful behavior in private.* The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

*Be aware of the insecurity of written notes, voicemail messages, and E-mail.* Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message were played on a speakerphone in a full office? What would happen if this E-mail message were forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

*Even private conversations can have a public presence.* Elected and appointed officials are always on display - their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eaves-dropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted and may be subject to the Open Meetings Act.

**Sec. 1-14-4 Conduct with County Staff**

**(a)** Governance of a County relies on the cooperative efforts of elected officials, who set policy; appointed officials who advise the elected officials, and County staff, who implements and administers the Commission's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- (1) *Treat all staff as professionals.* Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior, use of abusive or threatening language towards staff is not acceptable and discredits the County.

- (2) ***Do not disrupt County Staff from their jobs.*** Elected and appointed officials should not disrupt County staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend County staff meetings unless requested by staff since even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.
- (3) ***Never publicly criticize an individual employee.*** Elected and appointed officials should never express concerns about the performance of a County employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the County Manager through private correspondence or conversation.
- (4) ***Do not get involved in administrative functions.*** Elected and appointed officials must not attempt to influence County staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, the payment of claims against the County or granting of County licenses and permits.
- (5) ***Check with County staff on correspondence before taking action.*** Before sending correspondence, Commission members should check with County staff to see if an official County response has already been sent or is in progress. Board and commission members shall not send correspondence except as authorized under applicable County policies.
- (6) ***Limit requests for staff support.*** Routine secretarial support will be provided to all Board members. The County Manager (or designee) opens mail addressed to Chairman and other Board members and forwards information as appropriate, unless a Board member requests other arrangements.
- (7) ***Requests for additional staff support.*** Even in high priority or emergencies, request should be made to the County Manager who is responsible for allocating County resources in order to maintain a professional, well-run County government.
- (8) ***Do not solicit political support from staff.*** Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from County staff. County staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace. The use of the County's email system for political purposes or communications is not allowed.

**(b) Member questions/inquiries to County staff.**

(1) **General.** Member communications with County staff should be limited to normal County business hours unless the circumstances warrant otherwise. Responses to Commission questions posed outside of normal business hours should be expected no earlier than the next business day.

(2) **Routine Requests for Information and Inquiries.** Officials may contact staff directly for information made readily available to the public on a regular basis (e.g., "What are the library's hours of operation?" Alternatively "How does one reserve a tee time at the golf course?"). Under these circumstances staff shall treat the member no differently than they would the general public, and the member shall not use their elected status to secure preferential treatment. The County Manager does not need to be advised of such contacts.

(3) **Non-Routine Requests for Readily Available Information.** Officials may also contact staff directly for easily retrievable information not routinely requested by the general public so long as it does not require staff to discuss the issue or express an opinion (e.g., "How many traffic lights are there in the County?" or "Under what circumstances does the County lower its flags to half-mast?")

(4) **Non-Routine Requests Requiring Special Effort.** Any member request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff to express an opinion (legal or otherwise) must be directed to the County Manager, or to the County Attorney, as appropriate (e.g., "How many Study Issues completed over the past five years have required 500 or more hours of staff time?", or "What is the logic behind the County's sign ordinances affecting businesses along ABC Street?"). The County Manager shall be responsible for distributing such requests to his/her staff for follow-up. Responses to such requests shall be copied to all Board members (if originating from a Board member), relevant board or commission members (if originating from a board or commission member), the County Manager, the County Attorney as appropriate and affected department directors.

(5) **Meeting Requests.** Any member request for a meeting with staff must be directed to the County Manager.

**Sec. 1-14-5 Conduct with the Public**

**(a) In Public Meetings**

(1) Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual

Officials toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

(2) **Be welcoming to speakers and treat them with care and gentleness.**

(3) **Be fair and equitable in allocating public hearing time to individual speakers.** The Chairman or Chair will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed time as allocated by the Chairman. If many speakers are anticipated, the Chairman or Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. If there is a group, a person can be designated to speak on behalf of the group and that speaker can be provided additional time. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Chairman or Chair requests additional clarification later in the process.

(4) **Give the appearance of active listening.** It is disconcerting to speakers to have Officials not look at them when they are speaking. Be aware of facial expressions, especially those that could be interpreted as smirking, disbelief, anger or boredom.

(5) **Ask for clarification, but avoid debate and argument with the public.** Only the Chair- not individual Officials -can interrupt a speaker during a presentation. However, a member can ask the Chair for a point of order if the speaker is off topic or exhibiting behavior or language the member finds disturbing. If speakers become flustered or defensive by questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Officials to the public should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Officials' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is adjourned.

(6) ***No personal attacks of any kind, under any circumstance.*** Officials should be aware that their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

(7) ***Follow parliamentary procedure in conducting public meetings.*** Unless otherwise expressly provided, the general rules of parliamentary procedure will be observed. If a rule is not followed and there is no objection, the rule will be considered as waived. The County attorney may serve as the advisory parliamentarian for the Commission and County and is available to answer questions or interpret situations according to parliamentary procedures.

**(b) In Unofficial Settings**

- (1) ***Make no promises on behalf of the Commission, board/commission or County.*** Officials will frequently be asked to explain a Commission or board/commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of County policy and to refer to County staff for further information. It is inappropriate to overtly or implicitly promise Commission or board/commission action, or to promise County staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).
- (2) ***Make no personal comments about other Officials.*** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Officials, and their opinions and actions.
- (3) ***Remember that :*** The community is constantly observing Officials every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the County. Honesty and respect for the dignity of each individual should reflect in every word and action taken by Officials, twenty-four hours a day, seven days a week. It is a serious and continuous responsibility.

**Sec. 1-14-6 Commission Conduct with Other Public Agencies**

- (a) ***Be clear about representing the County or personal interests.*** When representing the County, the Board member must support and advocate the official County position on an issue, not a personal viewpoint. Outside of official board or commission meetings, board and commission members are not authorized to represent the County or their board or commission unless specifically designated by the Commission or the board or commission to do so for a particular purpose and with staff's knowledge.

When representing another organization whose position is different from the County, the Board member should withdraw from voting on the issue if it significantly impacts or is detrimental to the County's interest. Board members should be clear about which organizations they represent and inform the Chairman and Commission of their involvement.

- (b) ***Be equally clear in correspondence about representation.*** County letterhead may be used when the Board member is representing the County and the County's official position. A copy of official correspondence should be given to the County Manager to be filed in the Commission Office as part of the permanent public record. County letterhead should not be used for non-County business or for correspondence representing a dissenting point of view from an official Commission position.

## Sec. 1-14-7 Commission Conduct with Boards and Commissions

(a) The County has established several boards and commissions as a means of gathering more community input. Citizens who serve on boards and commissions become more involved in government and serve as advisors to the County Commission. They are a valuable resource to the County's leadership and should be treated with appreciation and respect.

(b) ***If attending a board or commission meeting, be careful about personal opinions.*** Board members may attend any board or commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation, especially if it is on behalf of an individual, business or developer, could be viewed as unfairly affecting the process. Any public comments by a Board member at a board or commission meeting should be clearly made as individual opinion and not as a representation of the feelings of the entire County Commission.

(c) ***Limit contact with board and commission members to questions of clarification.*** It is inappropriate for a Board member to contact a board or commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Board members to contact board or commission members in order to clarify a position taken by the board or commission.

(d) ***Remember that boards and commissions serve the community, not individual Board members.*** The County Commission appoints individuals to serve on boards and commissions, and it is the responsibility of boards and commissions to follow policy established by the Commission; but board and commission members do not report to individual Board members, nor should Board members feel they have the power or right to threaten board and commission members with removal if they disagree about an issue. Appointment and re-appointment to a board or commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A board or commission appointment should not be used as a political "reward."

(e) ***Be respectful of diverse opinions.*** A primary role of boards and commissions is to represent many points of view in the community and to provide the Commission with advice based on a full spectrum of concerns and perspectives. Board members may have a closer working relationship with some individuals serving on boards and commissions but must be fair and respectful of all citizens serving on boards and commissions.

(f) ***Keep political support away from public forums.*** Board and commission members may offer political support to a Board member, but not in a public forum while conducting official duties. Conversely, Board members may support board and commission members who are running for office but not in an official forum in their capacity as a Board member.

## **Sec. 1-14-8 Conduct with the Media**

- (a) Board and commission members are not authorized to represent the County outside of official board/commission meetings unless specifically authorized to do so. Board members are frequently contacted by the media for background and quotes.
- (b) ***The best advice for dealing with the media is to never go "off the record."*** Most members of the media represent the highest levels of journalistic integrity and ethics and can be trusted to keep their word. However, one bad experience can be catastrophic. Words that are not said cannot be quoted.
- (c) ***The Chairman is the official spokesperson for the County on County positions.*** The Chairman is the designated representative of the Commission to present and speak on the official County position. If the media contacts an individual Board member, the Board member should be clear about whether their comments represent the official County position or a personal viewpoint.
- (d) ***Choose words carefully and cautiously.*** Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

## **Sec. 1-14-19 SANCTIONS**

- (a) ***Public Disruption.*** Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further testimony at that meeting or removed from the Commission Chambers.
- (b) ***Inappropriate Staff Behavior.*** Board members should refer to the County Manager any County staff or to the Commission appointee any appointee's staff who do not follow proper conduct in their dealings with Board members, other County staff, or the public. These employees may be disciplined in accordance with standard County procedures for such action; if it is determined such action did occur. (Please refer to the section on Commission Conduct with County Staff for more details on interaction with Staff.)
- (c) ***Board members Behavior and Conduct.*** Compliance and Enforcement. This Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the County Commission, boards and commissions. Officials themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards and commissions and the Chairman and Commission have the additional responsibility to intervene when actions of Officials that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.

County Commission members and board and commission members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Commission, and be removed from committee assignments (both within the County and with inter-governmental agencies) by the Commission.

The other members of the Commission, board, or commission should point out to the offending member their infractions.

The affected member may request that the complaint be considered in a public meeting of the Board of Commissioners. A copy of the complaint in writing shall be provided to the affected Member. At such meeting, the County Attorney shall present in detail to the Board of Commissioners the nature of the complaint and the County Attorney's findings and conclusions as to a possible violation of this Code of Ethics and Conduct.

The affected member shall have the right to a full and complete hearing before the Board of Commissioners with the opportunity to call witnesses and present evidence in such person's behalf. The non-implicated County Commission members in attendance shall conduct a hearing in open session and review the complaint. The County Commission may reject the complaint and take no action or take action to formally reprimand or censure the offending member.

(d) ***Board and Commission Members Behavior and Conduct.*** Board and commission chairs (or their designee) may administer counseling and verbal reprimands to board and commission members failing to comply with County policy. These lower levels of sanctions shall be kept private to the degree allowed by law. The Chairman may administer verbal or written reprimands at the direction of the Commission. Copies of all written reprimands administered by the Chairman shall be distributed in memo format to the respective board or commission member, the board or commission chairperson, the County Clerk, the County Manager, and the County Commission. Written reprimands administered by the Chairman shall not be publicized except as required under the Georgia Open Records Law.

The County Commission may impose sanctions on board and commission members whose conduct does not comply with the County's policies, up to and including removal from office. Any form of discipline imposed by the County Commission shall be determined by a majority vote of at least a quorum of the Commission at a noticed public meeting and such action shall be preceded by a Report to Commission with supporting documentation. The Report to Commission shall be distributed in accordance with normal procedures. Any Report to Commission addressing alleged misconduct by a board or commission member shall be routed through the Office of the County Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests authorized under the Georgia Open Records Law.

When deemed warranted, the Commission may call for an investigation of board or commission

member conduct. Should the County Manager and/or the County Attorney, believe an investigation is warranted, they shall confer with the Commission. The Commission shall ask for an investigation of the allegation and a report of the findings.

The results of any investigation conducted by the County Manager and/or the County Attorney shall be reported to the full Commission in a closed session, to the extent allowed under the Georgia Open Meetings law. It may be reported in a verbal or written report. Any written report to Commission addressing the investigation of board and commission members shall be routed through the Office of the County Attorney for review of whether any information is exempt from disclosure (subject to redaction) based on privacy interests or any other exemption to disclosure under the Georgia Open Records Law. The affected member may request that the complaint be considered in a public meeting. The member shall be provided a copy of the complaint in writing. At such meeting, the County Attorney shall present a report to the County Commission describing in detail the nature of the complaint and the County Attorney's findings and conclusions as to a possible violation of this Code of Conduct. The affected member shall have the right to a full and complete hearing before the County Commission with the opportunity to call witnesses and present evidence in such person's behalf. The non-implicated County Board members in attendance shall conduct a hearing and review the complaint. The County Commission may reject the complaint or take action.

It shall be the Commission's responsibility to determine the next appropriate action. Any such action taken by Commission (with the exception of "take no further action") shall be conducted at a noticed meeting. These actions include, but are not limited to discussing and counseling the individual on the violations; placing the matter on a future public hearing agenda to consider sanctions; forming a Commission ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Commission consideration.

A violation of this Code of Conduct, alone, shall not constitute a basis for challenging the validity of a Commission, board or commission decision.

## **Sec. 1-14-10 GLOSSARY OF TERMS**

Confidential information means any information to which an official has access in such person's official capacity, which may not be disclosed to the public except pursuant to state and/or federal law and which is not otherwise a matter of public record or public knowledge. Confidential information includes the following information, however transmitted: (i) any information from a meeting closed to the public pursuant to the Georgia Open Meetings Law or other law regardless of whether disclosure violates the Georgia Open Meetings Law or Georgia Open Records Law; (ii) any information protected by attorney client, attorney work product, or other applicable legal privilege; and (iii) any information deemed confidential by law.

Gift means anything of value, regardless of form, offered or given in the absence of adequate and lawful consideration. It does not include the receipt or acceptance of campaign contributions, which are regulated by federal, state, and/or local laws or ordinance.

Relative means any person related to an officer within the second degree by consanguinity or affinity. This relationship includes the spouse, parents, children, stepchildren, father and mother-in-law, or son and daughter-in-law, grandparents, grandchildren, sisters and brothers of the officer.

Substantial interest means (i) the ownership of ten (10) percent or more of the voting stock or shares of a business entity; (ii) the ownership of ten (10) percent or more, or fifteen thousand dollars (\$15,000.00) or more of the fair market value of a business entity; or (iii) funds received from the business entity exceed ten (10) percent of the personal gross income for the previous year, and action on the matter involving the business entity will have a special economic effect on the business entity that is distinguishable from the effect on the public. It is expressly provided herein that an investment or ownership in a publicly held company, in an amount less than fifteen thousand dollars (\$15,000.00) does not constitute a substantial interest. Substantial interest in real property means the person has an interest in the real property that is equitable or legal ownership with a fair market value of two thousand five hundred dollars (\$2,500.00) or more; and it is reasonably foreseeable that an action on a matter involving the real property will have a special economic effect on the value of the real property distinguishable from its effect on the public. (Ownership includes any partnership, joint or corporate ownership or any equitable or beneficial interest as a beneficiary of a trust.) A member is considered to have a substantial interest under this policy if a person related to the member in the second degree of consanguinity or affinity has a substantial interest under this Code of Conduct.

#### **Sec. 1-14-11 IMPLEMENTATION**

As an expression of the standards of conduct for Officials expected by the County, the Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when Officials are thoroughly familiar with it and embrace its provisions. For this reason, this document shall be included in the regular orientations for candidates for County Commission, applicants to board and commissions, and newly elected and appointed officials. Officials entering office shall sign a statement affirming they have read and understand the County of Code of Conduct. In addition, the County Commission, boards and commissions shall periodically review the Code of Conduct, and the County Commission shall consider recommendations from boards and commissions and update it as necessary.”

2.

This ordinance shall become effective immediately upon its approval by the Board of Commissioners of Walton County, Georgia.

3.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed or replaced, as applicable.

SO ORDAINED this \_\_\_\_\_ day of December, 2022.

WALTON COUNTY BOARD OF COMMISSIONERS

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David Thompson, Chair

[SEAL]

ATTEST \_\_\_\_\_  
Rhonda Hawk, County Clerk