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TOWN OF WENDELL

NORTH CAROLINA

CODE OF ETHICS POLICY FOR ELECTED AND APPOINTED OFFICIALS

Adopted July 14, 2008

Effective August 1, 2008

Policy Purpose

The Wendell Board of Commissioners has adopted a Code of Ethics for members of the town's board of commissioners and the town's advisory boards / commissions to assure public confidence in the integrity of local government and its effective and fair operation.

POLICY STATEMENT

Preamble:

The citizens and business of Wendell are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the Town of Wendell's commitment to excellence, the effective functioning of democratic government therefore requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial and fair in their judgment and actions;
- Public office be used for the public good, not for personal; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Wendell Board of Commissioners has adopted a Code of Ethics for members of the Board of Commissioners and of the town's advisory boards / commissions to assure public confidence in the integrity of local government of respect and civility.

1. **Act in the Public Interest-** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Wendell and not for any private or personal interest, and they will assure fair and equal

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treatment of all persons, claims and transactions coming before the Town of Wendell Board of Commissioners, as well as various advisory boards *I* commissions.

2. **Comply with the Law-** Members shall comply with the laws of the nation, the State of North Carolina and the Town of Wendell in the performance of their public duties. These laws include, but are not limited to: the United States and North Carolina constitutions; the Wendell town charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and town ordinances and policies.
3. **Conduct of Members** -The professional and personal conduct of members 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 boards and commissions, the staff or public.
4. **Respect for Process** - Members shall perform their duties in accordance with the processes and rules of order established by the Wendell Board of Commissioners and advisory boards *I* commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the town board of commissioners by the town staff.
5. **Conduct of Public Meetings** - Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; 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.
7. **Communication** - Members shall publicly share substantive information that is relevant to a matter under consideration by the board or commission, which they may have received from sources outside of the public decision-making process.
8. **Conflict of Interest** - In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may create a conflict of interest or which give the appearance of a conflict of interest. As may be related to matters before them, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.
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

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- 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 shall respect the confidentiality of information concerning the property, personnel or affairs of the town. They 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 not available to the public in general, such as town staff time, equipment, supplies or facilities, for private gain or personal purposes.
 12. **Representation of Private Interests-** In keeping with their role as stewards of the public interest, members of any board or commission shall not appear on behalf of the private interests of third parties before the any board, commission or proceeding of the town, nor shall members of any boards and commissions appear before their own bodies or before the board of commissioners on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
 13. **Advocacy** - Members shall represent the official policies or positions of the appropriate 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 Town of Wendell, nor will they allow the inference that they do.
 14. **Policy Role of Members** - Members shall respect and adhere to the council manager structure of Wendell town government as outlined by the Wendell town charter. In this structure, the Town Board of Commissioners determines the policies of the town with the advice, information and analysis provided by the public, boards and commissions, and town staff. Except as provided by the town charter, members therefore shall not interfere with the administrative functions of the town or the professional duties of town staff; nor shall they impair the ability of staff to implement board of commissioners 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 the board of commissioners shall refrain from using their position to unduly influence the deliberations or outcomes of advisory board or commission proceedings.
 16. **Positive Work Place Environment-** Members shall support the maintenance of a positive and constructive work place environment for town employees and for citizens and businesses dealing with the town. Members shall recognize their special role in dealings with town employees to in no way create the perception of inappropriate direction to staff.

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17. **Implementation** - As an expression of the standards of conduct for members expected by the town, the Wendell Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, ethical standards shall be included in the regular orientations for candidates for the board of commissioners, applicants to advisory board *I* commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the Town of Wendell Code of Ethics. In addition, the Code of Ethics shall be annually reviewed by the board of commissioners and advisory boards *I* commissions, and the board of commissioners shall consider recommendations from the advisory boards *I* commissions and update it as necessary.
18. **Compliance and Enforcement** - The Town of Wendell Code of Ethics expresses standards of ethical conduct expected for members of the Wendell Board of Commissioners and advisory boards *I* 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.

Any citizen of Wendell has the right and responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention. The board of commissioners may impose sanctions on members of any board member when their conduct does not comply with the town's ethical standards. Sanctions may take the form of a reprimand, formal censure, loss of seniority or committee assignment, budget restriction, or removal from an advisory board. Except as provided by law, violation of this code of ethics shall not be considered a basis for challenging the validity of a board of commissioners or advisory board *I* commission decision.

Effective on the 1st day of August, 2008. Adopted, this the 14th day of July, 2008.