



Board of County Commissioners

113 Market Street
Louisburg, NC 27549

Phone: 919.496.5994

Fax: 919.496.2683

www.franklincountync.us

RESOLUTION ADOPTING CODE OF ETHICS

PREAMBLE

WHEREAS, the stability and proper operation of democratic representative government depends upon the continuing consent of the governed, upon the public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people. Government decisions and policy must be made and implemented through proper channels and processes of the governmental structure. The purpose of this code is to establish guidelines for ethical standards of conduct for county commissioners. It should not be considered a substitute for the law of a county commissioner's best judgment.

WHEREAS, county commissioners must be able to act in a manner to maintain their integrity and independence, yet must be responsive to the interests and needs of those they represent. County commissioners serve in an important advocacy capacity in meeting the needs of their citizens and should recognize the legitimacy of this role as well as the intrinsic importance of this function to the proper functioning of representative government. At the same time, county commissioners must, at time, act in an adjudicatory or administrative capacity and must, when doing so, act in a fair and impartial manner. County Commissioners must know how to distinguish these roles and when each role is appropriate and they must act accordingly. County commissioners must be award of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each county commissioner must find within his or her own conscience the touchstone on which to determine the appropriate conduct.

NOW, THEREFORE, BE IT RESOLVED by the Franklin County Board of Commissioners: the following Code of Ethics be adopted:

CANON ONE

A COUNTY COMMISSIONER SHALL OBEY THE LAW

County Commissioners shall support the Constitution of the United States, the Constitution of North Carolina and obey the laws enacted by the Congress of the United States and the General Assembly pursuant thereto.

CANON TWO

A COUNTY COMMISSIONER SHALL UPHOLD THE INTEGRITY AND INDEPENDENCE OF HIS OFFICE

County Commissioners shall demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all their public activities in order to inspire public confidence and trust in county government. County commissioners shall participate in establishing, maintaining, and enforcing, and shall themselves observe high standards of conduct so that the integrity and independence of their office may be preserved. The provisions of this code should be construed and applied to further these objectives.

CANON THREE

A COUNTY COMMISSIONER SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL HIS OR HER ACTIVITIES

- A. It is essential that county government attract those citizens best qualified and willing to serve. County commissioners have legitimate interests – economic, professional and vocational – of a private nature. County Commissioners shall not be denied, and shall not deny to other county commissioners or citizens, the opportunity to acquire, retain and pursue private interests, economic or otherwise except when conflicts with their responsibility to the public cannot be avoided. County commissioners must exercise their best judgment to determine when this is the case.
- B. County commissioners shall respect and comply with the law and shall conduct themselves at all times in a manner that promotes public confidence in the integrity of the office of county commissioner and of county government.
- C. County commissioners shall not allow family, social, or other relationships to unduly influence their conduct or judgment in their role as a County Commissioner and shall not lend the prestige of the office of county commissioner to advance the private interests of others; nor shall they convey or permit others to convey the impression that they are in a special position to influence them.

CANON FOUR

A COUNTY COMMISSIONER SHALL PERFORM THE DUTIES OF THE OFFICE DILIGENTLY

County commissioners shall, while performing the duties of the office as prescribed by law, give precedence to these duties over other activities. In the performance of these duties, the following standards shall apply:

A. Legislative Responsibilities.

- 1. County commissioners shall actively pursue policy goals they believe to be in the best interests of their constituents within the parameters of orderly decision-making, rules of the Board of County Commissioners and open government.**
- 2. County commissioners shall respect the legitimacy of the goals and interests of other county commissioners and shall respect the rights of others to pursue goals and policies different from their own.**

B. Adjudicative Responsibilities.

- 1. County commissioners shall be faithful to the general and local laws pertaining to the office and strive for professional competence in them. They shall be unswayed by partisan interests, public clamor, or fear of criticism.**
- 2. County commissioners shall demand and contribute to the maintenance of order and decorum in proceedings before the board of county commissioners.**
- 3. County commissioners shall be honest, patient, dignified and courteous to those with whom they deal in their official capacity, and shall require similar conduct of their staff and others subject to their direction and control.**
- 4. County Commissioners shall accord to every person who is legally interested in a proceeding before the commission full right to be heard according to law.**
- 5. County commissioners shall dispose promptly of the business of the county for which they are responsible.**

C. Administrative Responsibilities.

- 1. County commissioners shall clearly distinguish legislative, adjudicatory and administrative responsibilities and shall refrain from inappropriate interference in the impartial administration of county affairs by county employees. Commissioners shall diligently discharge those administrative responsibilities that are appropriate, shall maintain professional competence in the administration of these duties and shall facilitate the diligent discharge of the administrative responsibilities of fellow commissioners and other county officials.**
- 2. County commissioners shall conserve the resources of the county in their charge. They shall employ county equipment, property, funds and personnel only in legally permissible pursuits and in a manner that exemplifies excellent stewardship.**

3. County commissioners shall require county employees subject to their direction and control to observe the standards of fidelity and diligence that apply to commissioners as well as those appropriate for employees.
4. County commissioners shall take or initiate appropriate disciplinary measures against a county employee for improper conduct of which the commissioner may become aware.
5. County commissioners shall not employ or recommend the appointment of unnecessary employees and shall exercise the power of employment only on the basis of merit, avoid favoritism and refrain from illegal discrimination and nepotism. They shall not approve compensation of employees beyond the fair value of services rendered.

CANON FIVE

A COUNTY COMMISSIONER SHALL CONDUCT THE AFFAIRS OF THE BOARD IN AN OPEN AND PUBLIC MANNER

County commissioners must be aware of the letter and intent of the State's Open Meetings Law, and conduct the affairs of the Board of County Commissioners consistent with the letter and spirit of that law and consistent with the need to inspire and maintain public confidence in the integrity and fairness of county government and the office of county commissioners. Consistent with this goal of preserving public trust, county commissioners shall be aware of the need for discretion in deliberations when the lack of discretion would pose a threat to the resources of the county, to the reputation of current or potential county employees, to orderly and responsible decision making, to the integrity of other governmental processes or to other legitimate interests of the county.

CANON SIX

A COUNTY COMMISSIONER SHALL REGULATE HIS OR HER EXTRA-GOVERNMENTAL ACTIVITIES TO MINIMIZE THE RISK OF CONFLICT WITH HIS OR HER OFFICIAL DUTIES

- A. County commissioners shall inform themselves concerning campaign finance, conflict of interest and other appropriate state and federal laws and shall scrupulously comply with the provisions of such laws.
- B. County commissioners shall refrain from financial and business dealings that tend to reflect adversely on the Board or on county government or to interfere with the proper performance of official duties.
- C. County commissioners shall manage their personal financial interests to minimize the number of cases in which they must ask to be excused from voting on matters coming before the board.

- D. Information acquired by county commissioners in their official capacity shall not be used or disclosed in financial dealings or for any other purpose no relate to official duties.

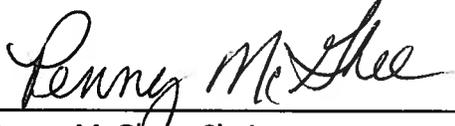
CANON SEVEN

A COUNTY COMMISSIONER SHALL REFRAIN FROM POLITICAL ACTIVITY INAPPROPRIATE TO HIS OR HER OFFICE

- A. County commissioners have a civic responsibility to support good government by every available means, to continue to inform and educate the citizenry about the affairs and processes of county government, and to make themselves available to citizens of the county so that they may ascertain and respond to the needs of the community. In doing so, county commissioners may and should join or affiliate with civic organizations whether partisan or non-partisan, may and should attend political meetings, may and should advocate and support the principles or policies of civic or political organizations consistent with the Constitution and laws of the United States and North Carolina.
- B. Candidates for the office of county commissioner, including incumbents:
1. Shall inform themselves concerning the laws of this state with regard to campaigns and relevant disclosure requirements and shall scrupulously comply with the provisions of such laws;
 2. Shall maintain the dignity appropriate to the office, and should encourage members of their families to adhere to the same standards of political conduct that apply to commissioners;
 3. Shall not make pledges or promises of conduct in office that they will not or cannot perform or would be illegal if it were performed;
 4. Shall not misrepresent their identity, qualifications, present position, or other fact; and
 5. Shall avoid pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office.

ADOPTED this the 15th day of November, 2010.

FRANKLIN COUNTY BOARD OF COMMISSIONERS



Penny McGhee, Chair

ATTEST:

Kristen G. King

Kristen G. King, Clerk

