

**TOWN OF MONTREAT
CONFLICT OF INTEREST POLICY**

Adopted: June 14, 2007

Purpose: To establish conduct guidelines for all Town officials and employees in accordance with the following principles:

1. The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people;
2. Governmental decisions and policies shall be made through the proper channels of governmental structure;
3. Public office or employment shall not be used for personal gain; and,
4. The public shall have confidence in the integrity of its government.

It is the responsibility of everyone covered by this policy to act in the best interests of the Town at all times and to make certain that s/he refrains from placing himself or herself in positions that may produce conflicts of interest.

Definitions: For the purposes of this policy, the following definitions shall apply:

Business Entity means any business, proprietorship, firm, partnership, person in representation or fiduciary capacity, association, venture, trust or corporation which is organized for financial gain or profit.

Immediate Family Member means a spouse, mother, father, legal guardian, child, sister, brother, grandparent, grandchild and the various combinations of half, step, in-law and adopted relationships regardless of marital status.

Interest means any direct or indirect pecuniary or material benefit accruing as a result of a contract or transaction which is or may be the subject of an official act or action by or with the Town of Montreat.

Official Act or Action means any legislative, administrative, appointive or discretionary act of any appointed Board or Commission member or elected official, or any action passed by a majority vote of the Montreat Board of Commissioners.

Town Official means the Mayor, members of the Montreat Board of Commissioners, appointees to any Town Boards, Commissions or Committees, individuals appointed to represent or serve on behalf of the Town of Montreat on a board, commission or committee

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founded by an outside entity, and any full-time, part-time, regular, probationary, temporary, trainee or volunteer employee as defined under Article I, Section 7 of the Town of Montreat Personnel Policy.

Standards of Conduct:

- A. Scope. This policy shall apply to all Town Officials and may be amended from time to time by official action of the Montreat Board of Commissioners.
- B. Interest in Contract or Agreement. No Town Official shall have or thereafter acquire an interest in any contract or agreement with the Town if s/he will privately benefit or profit from the contracting or undertaking.
- C. Use of Official Position. No Town Official shall use his or her official position or the Town's facilities for private or political gain. In addition, no Town Official shall misuse their status in such a way as to require, expect or accept favors from subordinate employees.
- D. Disclosure of Information. No Town Official shall use or disclose confidential information gained in the course of or by reason of his or her official position for the purposes of advancing:
1. His or her financial or personal interest;
 2. A Business Entity of which s/he is an owner(in part or in whole), an officer or a director; or
 3. The financial or personal interest of an Immediate Family Member or that of any other person.
- E. Incompatible Service. No Town Official shall engage in, or accept private employment or render service for private interest, when such employment or service is incompatible with the proper discharge of the Official's public duties or would tend to impair independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law and unless disclosure is made and provided in this Policy. Before accepting private employment, the Town Official should consider whether such employment would negatively impact the Town.

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- F. Gifts. No Town Official shall solicit, accept or receive any gift having a value exceeding \$50.00, pursuant to Article V, Section 7 of the Town of Montreat Personnel Policy.
- G. Special Treatment. No Town Official shall grant any special consideration, treatment or advantage to any citizen or public or private entity beyond that which is available to every other citizen or entity.

Disclosure of Interest in Legislative Action: The Mayor or any member of the Montreat Board of Commissioners who has an interest in an official act or action shall publicly disclose the nature of their interest and shall withdraw from voting upon that matter if excused by a majority vote of the Montreat Board of Commissioners pursuant to N.C.G.S. §160A-75.