

Resolution of the 911 Emergency Communications District

A **RESOLUTION** of the 911 Emergency Communications District (“the District”) to adopt a Policy of Ethics for the board of directors and employees.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT :

POLICY OF ETHICS

A. Applicability. This document is the Policy of ethics for personnel and board members of the District. It applies to all full-time and part-time employees, volunteers and/or reserves, and the board of directors of the District.

B. Definition of “personal interest.”

1. For purposes of this Policy of Ethics, “personal interest” means:

(a) Any financial, ownership, or employment interest in the subject of a vote by the board of directors not otherwise regulated by the state statutes on conflicts of interest; or

(b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(c) Any such financial, ownership, or employment interest of the official’s or employee’s spouse, parent(s) grandparent(s), siblings(s), child(ren) or step child(ren).

2. The words “employment interest” include a situation in which a board member or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

3. In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this Policy of Ethics.

C. Disclosure of personal interest by a board member. An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official’s vote on the measure. In addition, the official may abstain from voting on the measure.

D. Disclosure of personal interest in non-voting matters. A board member or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with

the secretary. In addition, the official or employee may, to the extent allowed by law, charter, Resolution, or policy, recuse himself or herself from the exercise of discretion in the matter.

E. Acceptance of gratuities, etc. A board member or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the District:

1. For the performance of an act, or refraining from performance of an act, that the board member or employee would be expected to perform, or refrain from performing, in the regular course of his or her duties; or
2. That might reasonably be interpreted as an attempt to influence any action in executing District business, or be a reward for past action.

F. Use of information.

1. An official or employee may not disclose any information obtained in an official capacity or position of employment that is made confidential under state or federal law except as authorized by law.
2. An official or employee may not use or disclose information obtained in an official capacity or position of employment with the intent to result in personal financial gain or to benefit any other person or entity.

G. Use of District time, facilities, etc.

1. A board member or employee may not use or authorize the use of in executing District business time, facilities, equipment, or supplies for private gain or advantage.
2. A board member or employee may not use or authorize the use of in executing District business time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the District Board of Directors to be in the best interests of the District.

H. Use of position or authority.

1. A board member or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the District.
2. A board member or employee may not use or attempt to use an official position to secure any personal privilege or exemption or to benefit others that is not authorized by the District policy or state law.

I. Outside employment. A full-time employee of the District may not accept any conflicting outside employment without written authorization from the Director.

J. Ethics complaints.

1. The Chairman of the District Board of Directors is designated as the ethics officer of the District, except in matters that affect the Chairman. In matters affecting the Chairman, the ethics officer shall be the District Legal Counsel. The ethics officer shall first determine whether the complaint has merit sufficient to warrant further investigation. The ethics officer may render an oral or written advisory ethics opinion based upon this Policy and other applicable law.

2. (a) Except as otherwise provided in this subsection, the ethics officer shall investigate any credible complaint against a board member or employee charging any violation of this chapter, or may undertake a personal investigation if the ethics officer acquires information indicating a possible violation, and make recommendations for action to end or seek resolution for any activity that, in the ethics officer's judgment, constitutes a violation of this Policy.

(b) The ethics officer may request the board of directors to engage the assistance of the District Legal Counsel. The board may consider retaining the services of another attorney, individual, or entity to act as ethics officer if the District Legal Counsel deems it a matter of potential personal conflict or to avoid the appearance of impropriety in a particular matter.

3. The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Policy.

K. Violations.

1. A non-board member serving as an appointed member of a District committee who violates, or is alleged to have violated, any provision of this chapter is subject to punishment at the discretion of the District board of directors, including censure or removal from such committee, or as provided by other applicable law.

2. A board member who violates any provision of this chapter is subject to disciplinary action in accordance with District Policy or applicable law.

3. When a violation of this Policy applies to an employee and also constitutes a violation of the Employee Handbook, the violation shall be dealt with only as a violation of the Employee Handbook.

THIS RESOLUTION SHALL TAKE EFFECT UPON BEING APPROVED BY THE BOARD OF DIRECTORS, THE PUBLIC WELFARE REQUIRING IT.

Approved:

Patrick W. Wilkerson

DISTRICT Chairman

4-15-08

Date

Kevin Martin

DISTRICT Secretary

4-15-08

Date