



**RESOLUTION 2022-013 OF THE LEWISVILLE TOWN COUNCIL
APPROVING A CONFLICT OF INTEREST POLICY**

WHEREAS, the Town of Lewisville should prevent the personal interest of staff members, elected officials and board and committee members from interfering with the performance of their duties; and,

WHEREAS, the Town of Lewisville should prevent the personal interest of staff members and elected officials from resulting in personal financial, professional and/or political gain to such persons at the expense of the Town.

NOW, THEREFORE BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL adopts and enacts the attached Conflict of Interest Policy.

Adopted and enacted this the 10th day of February 2022 by the Lewisville Town Council.

ATTEST:



Mike Horn, Mayor



Dora K. Moore, Town Clerk



TOWN OF LEWISVILLE

CONFLICT OF INTEREST POLICY



DATE APPROVED BY

Town Council:

February 10, 2022

Town of Lewisville

Conflict of Interest Policy

The purpose of the following policy and procedures is to prevent the personal interest of staff members, members of Town Council, and members of Town Boards or Committees of the Town of Lewisville from interfering with the performance of their duties to the Town of Lewisville, or resulting in personal financial, professional, and/or political gain on the part of such persons at the expense of the Town of Lewisville.

Definitions: Conflict of Interest (also Conflict) means a conflict, or the appearance of a conflict between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include staff members, members of Town Council, and members of Town Boards or Committees of the Town of Lewisville. Governing Board (also board) means the Town Council. Council Member means an individual member of the Town Council. Staff member means a person who receives all or part of his/her income from the payroll of the Town of Lewisville. Board or Committee Member means a person who serves on a Town of Lewisville Board or Committee.

Policy:

1. Full disclosure, by notice in writing, shall be made by the interested parties to the full Town Council in all conflicts of interest, including but not limited to the following:
 - a) A Council Member is related to another Council Member.
 - b) A Council Member is related to a staff member.
 - c) A Council Member is related to a Board or Committee Member.
 - d) A Council Member is also a staff member.
 - e) A Board or Committee Member is also a staff member.
 - f) A staff member in a supervisory capacity is related to another staff member whom he/she supervises.
 - g) A Council Member or staff member or a Board or Committee Member receives payment from the Town of Lewisville for any contract, subcontract, goods, or services other than as part of his/her regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and board policy.
 - h) A Council Member or staff member or a Board or Committee Member is a member of the governing body of a contributor to the Town of Lewisville.
 - i) A Council Member or staff member or a Board or Committee Member may have personal, financial, professional, or political gain at the expense of the Town of Lewisville.
 - j) A Council Member or staff member or a Board or Committee Member engages in activities that may cause a loss of public credibility in the Town of Lewisville or create a public impression of impropriety.
2. Following full disclosure of a possible conflict of interest or any condition listed above, the Town Council shall determine whether a conflict of interest exists and, if so, the Town Council shall vote to authorize or reject the transaction and/or condition. Both votes shall be by a majority vote without counting the vote of any interested Council Member, even if the disinterested Council Members are less than a quorum, provided that at least one consenting Council Member is disinterested.
3. An interested Council Member or staff member or Board or Committee Member shall not participate in any discussion or debate of the Town Council, or of any committee thereof, in which the subject of discussion is a contract, transaction, or situation in which there may be a conflict of interest.
4. No Council Member or staff member or Board or Committee Member shall participate in the selection, award, or administration of a procurement transaction in which federal or state funds are used, where to

his/her knowledge, any of the following has a financial interest in that transaction: (1) the staff member or Council Member or Board or Committee Member; (2) any member of his/her immediate family; (3) his/her partner; (4) an organization in which any of the above is an officer, director, or employee; or (5) a person or organization with whom any of the above is negotiating or has any arrangement concerning prospective employment.

5. Existence of any of the above-listed conditions shall render a contract or a transaction voidable unless full disclosure of personal interest is made in writing to the Town Council and such transaction was approved by the Town Council in full knowledge of such interest.
6. The disinterested Council Members are authorized to impose by majority vote other reasonable sanctions as necessary to recover associated costs against a Council Member or staff member or Board or Committee Member for failure to disclose a conflict of interest as described in Paragraph 1 or for any appearance of a conflict.
7. Appeal from sanctions imposed pursuant to Paragraph 5 and 6 above shall be prescribed by law in those courts of the State of North Carolina with jurisdiction over both the parties and the subject matter of the appeal.
8. In the event that the Town of Lewisville has incurred costs or attorney fees as a result of legal action, litigation, or appeal brought by or on behalf of an interested Council Member or staff member or Board or Committee Member due to a conflict of interest and consequent sanctions and in the event that the Town of Lewisville prevails in such legal action, litigation, or appeal, the Town of Lewisville shall be entitled to recover all of its costs and attorney fees from the unsuccessful party.
9. A copy of this policy shall be given to all Council Members and staff members and Board or Committee Members upon commencement of such person's relationship with the Town of Lewisville. Each Council Member and staff member and Board or Committee Member shall sign and date the policy at the beginning of his or her term of service or employment and each year thereafter. Failure to sign does not nullify the policy.

Signed:

(signature)

(name printed)

(date)

To ensure the policy is being regularly enforced and monitored for compliance, the Finance Officer shall remind Town Council and staff members and Board or Committee Members of the policy annually by email and shall require Town Council and staff members to disclose annually any interests that may give rise to conflict.

Use the section below to disclose any interests that may give rise to conflict: