

City of Southport

Conflict of Interest Policy

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

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, officers, and aldermen of the City of Southport. Governing Board (also board) means the board of aldermen. Alderman means an individual member of the board of aldermen. Staff member means a person who receives all or part of his/her income from the payroll of the City of Southport.

Policy:

1. Full disclosure, by notice in writing, shall be made by the interested parties to the full Board of Aldermen in all conflicts of interest, including but not limited to the following:
 - a) An alderman is related to another alderman.
 - b) An alderman is related to a staff member.
 - c) An alderman is also a staff member.
 - d) A staff member in a supervisory capacity is related to another staff member whom he/she supervises.
 - e) An alderman or staff member receives payment from the City of Southport 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.
 - f) An alderman or staff member is a member of the governing body of a contributor to the City of Southport.
 - g) An alderman or staff member may have personal, financial, professional, or political gain at the expense of the City of Southport.
 - h) An alderman or staff member engages in activities that may cause a loss of public credibility in the City of Southport or create a public impression of impropriety.
2. Following full disclosure of a possible conflict of interest or any condition listed above, the board of aldermen shall determine whether a conflict of interest exists and, if so, the board 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 alderman, even if the disinterested aldermen are less than a quorum, provided that at least one consenting alderman is disinterested.
3. An interested alderman, officer, or staff member shall not participate in any discussion or debate of the board of aldermen, 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 alderman, officer, or staff 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, officer, or alderman; (2) any member of his/her immediate family; (3) his/her partner; (4) an organization in which any of the above is an officer, alderman, 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 board of aldermen and such transaction was approved by the board in full knowledge of such interest.
6. The disinterested aldermen are authorized to impose by majority vote other reasonable sanctions as necessary to recover associated costs against an alderman, officer, or staff 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 City of Southport has incurred costs or attorney fees as a result of legal action, litigation, or appeal brought by or on behalf of an interested aldermen or staff member due to a conflict of interest and consequent sanctions and in the event that the City of Southport prevails in such legal action, litigation, or appeal, the City of Southport 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 aldermen, officers, and staff members upon commencement of such person's relationship with the City of Southport. Each board member, officer, and staff 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 Mayor of Southport shall remind board and staff members of the policy annually by email and shall require board 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: