

A Code of Ethics For the Chatham County Planning Board

For the purposes of providing fair and objective recommendations and decisions, the Planning Board hereby declares the following as ethics for conducting its business.

WHEREAS, planning is a function established by the Chatham County Board of Commissioners;

WHEREAS, such planning is enhanced by the reception and investigation of a diversity of alternative suggestions for the future and of alternative solutions to each proposal calling for change;

WHEREAS, such diversity is encouraged by affirmatively seeking considered alternative proposals;

WHEREAS, the Chatham County Board of Commissioners in accordance with G.S. 153A has established the Chatham County Planning Board and appoints, by set schedule, and from time to time, persons of divergent and broad experience and perspective to said Board:

WHEREAS, serving as a Planning Board member is a public trust requiring objective decision-making and unbiased recommendations to the Board of County Commissioners;

WHEREAS, the integrity of the Planning Board before the general citizenry and protecting its democratic decision-making processes is essential to Chatham County;

WHEREAS, there is potential for conflict of interest if;

- A Planning Board Member may stand to gain from a particular decision of the Planning Board or Board of County Commissioners;
- A Planning Board decision might benefit someone with whom the Board Member has a personal, social, or legal relationship;
- A Planning Board Member might influence a decision leading to the restriction of the activities of others but to the benefit of himself or herself; and
- Long-range planning decisions of the Board might provide direct benefit to a member.

NOW THEREFORE, BE IT RESOLVED, that the following ethical imperatives be established and recognized as guidelines for the operation of the Chatham County Planning Board:

It is not considered to be a conflict of interest if a Planning Board member:

- Holds membership in, serves as an officer of, or serves as a member of the board of directors of:
 - Professional, fraternal, civic, or public service organizations;
 - Neighborhood associations;
 - Community organizations;
 - Nonprofit Corporations,except when business relating to these entities are brought before the Board.
- Holds personal accounts, commercial accounts, or lines of credit in financial institutions.

It is considered to be a conflict of interest:

- When business is brought before the Planning Board by individuals with a relationship to a Planning Board member such as:
 - Related by blood or affinity
 - Legal guardian
 - A trustee, agent broker, or administrator of an estate
 - Appointed or retained by the member, whether or not service was provided
 - An employer /employee
 - Mortgagor/mortgagee
 - A consultant relationship

It is further considered a conflict of interest when business is brought before the Planning Board by individuals or businesses with a relationship to a Planning Board member such as:

- Holds an option to purchase, has entered into a preliminary sales agreement for, or has entered into a sales agreement for real property
- Has contracted for goods and services
- Any of the aforementioned legal or contractual relationships associated with these third parties: family members; members of partnerships, whether general or limited; officers or members of board of directors of corporations in which a Planning Board member holds an interest
- Has the following relationships to real property:
 - Any interest in real property enjoyed by Planning Board members or any of the aforementioned third parties, lying near or in any way affected by the decisions of the Planning Board;
 - Any interest in such real property enjoyed by a corporation of which a Planning Board member is an officer or member of the board of directors.

In the case of a conflict of interest, the Planning Board member shall state at the outset of the discussion that a conflict exists. The Planning Board member shall recuse himself or herself from Board discussion and not vote on the issue.

BE IT FURTHER RESOLVED that the decisions of the Planning Board shall be reached through democratic vote, as prescribed by the bylaws of the Planning Board and by Robert's Rules of Order, and through open debate, weighing both majority and minority views, and considering the best interest of the health, safety, and welfare of Chatham County. The members of the Chatham County Planning Board in service as duly appointed public citizens agree to honor its decisions by sustaining its duly taken actions, and to represent its recommendations before the Board of County Commissioners solely through the Planning Board Chairperson and/or Planning Director, or by the Chairperson's designee.

This Declaration of Ethics was duly adopted by the Chatham County Planning Board on the 11th day of October, 1983.

Amended December 4, 2007

AMENDMENTS

Amendment December 4, 2007

Preamble

~~Because the issues generated by and presented to the Chatham County Planning Board are all meant to be in the interest of the Citizens of the County, and because it is the charge of the Board to objectively meet its decision-making responsibilities for the common good of the County, it is incumbent upon the Board to abide by basic ethical imperatives to assure that the health, safety, and public welfare is guarded and enhanced.~~ For the purposes of providing fair and objective recommendations and decisions, the Planning Board hereby declares the following as ~~its~~ ethics for conducting its business.

Declaration

WHEREAS, ~~planning~~ is a functional ~~and condoned~~ established ~~by~~ the Chatham County Board of ~~e~~Commissioners;

WHEREAS, ~~such~~ planning is enhanced by the reception and investigation of ~~an array~~ ~~and~~ diversity of alternative suggestions for the future and of alternative solutions to each proposal calling for change;

WHEREAS, ~~such~~ diversity is ~~most nearly assured~~ encouraged by affirmatively seeking considered alternative proposals;

WHEREAS, ~~the~~ Chatham County Board of eCommissioners ~~have established~~ in accordance with G.S. 153A has established the Chatham County Planning Board and appoints, by set schedule, and from time to time, persons of divergent and broad experience and perspective to said Board:

WHEREAS, ~~serving as a Planning Board member of the Planning Board~~ is a public trust requiring objective decision-making and ~~rendering~~ unbiased recommendations ~~as a public citizen to the County Commissioners, and others as appropriate, for the protection of the health, safety, and public welfare and with an eye for seeking the common good for the benefit of all citizens of the County to the Board of County Commissioners;~~

WHEREAS, the integrity of the Planning Board before the general citizenry and protecting its democratic decision-making processes is essential to Chatham County;

WHEREAS, there is potential for conflict of interest if;

~~§~~ A Planning Board Member may stand to gain from a particular decision of the Planning Board or Board of County Commissioners;

~~§~~ A Planning Board decision might benefit someone with whom the Board Member has a personal, social, or legal relationship;

~~§~~ A Planning Board Member ~~may be able to~~ might influence a decision leading to the restriction of the activities of others but to the benefit of himself or herself; and

~~§~~ Long--range planning decisions of the Board ~~might~~ could provide direct benefit to a member.

NOW THEREFORE, BE IT RESOLVED, ~~by the Chatham County Planning Board,~~ that the following ethical imperatives be established and recognized as guidelines for ~~its the~~ operation of the Chatham County Planning Board:

No Conflict of Interest

It is not considered to be a conflict of interest if a Planning Board member:

~~§~~ Holding Holds membership in, ~~servng~~ serves as an officer of, or ~~servng~~ serves as a member of the board of directors of:

- o Professional, fraternal, civic, or public service organizations;
- o Neighborhood associations; ~~or~~
- o Community organizations;
- o Nonprofit Corporations.

except when business relating to these entities are brought before the Board.-

~~▪ Holding appointment as an officer or serving as a member of the board of directors of a nonprofit corporation.~~

~~§~~ Holding Holds personal accounts, commercial accounts, or lines of credit in financial institutions.

~~▪ Appointment to other public commissioners.~~

~~▪ Election to other public offices.~~

~~—~~ Conflict of Interest

~~—~~ Relationship to other people, including:

~~any relationship of kinship, whether by blood or affinity;
appointment as legal guardian, trustee, agent broker, or administrator of an estate;
appointment or retainer, whether or not service was provided;
an employer / employee, mortgagor / mortgagee or consultant relationship;
any option to purchase, preliminary sales agreement, or sales agreement for real property;
any contract for goods or services.~~

~~—~~ Any of the aforementioned legal or contractual relationship associated with these third parties:

~~family members;
members of partnerships, whether general or limited; officers or members of board of directors of corporations in which commissioner holds an interest~~

~~–Relationships to real property, including:~~

~~any interest in real property enjoyed by commission members or any of the aforementioned third parties, lying near or in any way affected by the decisions of the commission;~~

~~any interest in such real property enjoyed by a corporation of which a commission member is an officer or member of the board of directors.~~

~~In case of conflict of interest, it should be stated at the outset of discussion. The Board member should not vote, but may address the Board as a private citizen or in an individual capacity.~~

It is considered to be a conflict of interest:

- When business is brought before the Planning Board by individuals with a relationship to a Planning Board member such as:
 - Related by blood or affinity
 - Legal guardian
 - A trustee, agent broker, or administrator of an estate
 - Appointed or retained by the member, whether or not service was provided
 - An employer /employee
 - Mortgagor/mortgagee
 - A consultant relationship

It is further considered a conflict of interest when business is brought before the Planning Board by individuals or businesses with a relationship to a Planning Board member such as:

- Holds an option to purchase, has entered into a preliminary sales agreement for, or has entered into a sales agreement for real property
- Has contracted for goods and services
- Any of the aforementioned legal or contractual relationships associated with these third parties: family members; members of partnerships, whether general or limited; officers or members of board of directors of corporations in which a Planning Board member holds an interest
- Has the following relationships to real property:
 - Any interest in real property enjoyed by Planning Board members or any of the aforementioned third parties, lying near or in any way affected by the decisions of the Planning Board;
 - Any interest in such real property enjoyed by a corporation of which a Planning Board member is an officer or member of the board of directors.

In the case of a conflict of interest, the Planning Board member shall state at the outset of the discussion that a conflict exists. The Planning Board member shall recuse himself or herself from Board discussion and not vote on the issue.

For Clarification

~~For clarity in presentations made to the Planning Board for zoning changes, subdivision approvals, land use planning, community facilities and utilities planning, thoroughfare planning, plan modification, and conditional use approval, the Planning Director shall provide information to the Board, in his agendas and reports distributed before meetings of the Board, the names of officers and members of the corporate boards of directors, the names of all partnerships and names of proprietors of all businesses, both for the information of the Board and to assist in determining whether there is a potential for conflict of interest.~~

~~AND WHEREAS, the decisions of the Planning Board are arrived at through democratic vote and as prescribed by the Bylaws of the Board and Robert's Rules of Order;~~

~~WHEREAS, open debate in the corporate decision-making process of the Board, weighting both majority and minority views, is encouraged and considered to be in the best interest of the health, safety, and welfare of Chatham County;~~

~~WHEREAS, TO PRESERVE THE INTEGRITY OF THE Board before the general citizenry, guarding not to undermine its democratic decision-making processes after lengthy debate and eventual voting;~~

~~NOW THEREFORE, BE IT ALSO RESOLVED THAT, in abiding by its decisions, corporately and democratically reaching in accordance with its Bylaws and Robert's Rules of Order, the members of the Chatham County Planning Board in service as duly appointed public citizens, agree to honor its decisions, by sustaining its duly taken actions, in representing its recommendations before the County Commissioners, solely through the Planning Board Chairperson and/or Planning Director, or by the Chairperson's designee. Where a minority report of the Planning Board is called for, a representative may provide such report as prepared by the faction voting in the minority on said decision.~~

BE IT FURTHER RESOLVED that the decisions of the Planning Board shall be reached through democratic vote, as prescribed by the bylaws of the Planning Board and by Robert's Rules of Order, and through open debate, weighing both majority and minority views, and considering the best interest of the health, safety, and welfare of Chatham County. The members of the Chatham County Planning Board in service as duly appointed public citizens agree to honor its decisions by sustaining its duly taken actions, and to represent its recommendations before the Board of County Commissioners solely through the Planning Board Chairperson and/or Planning Director, or by the Chairperson's designee.