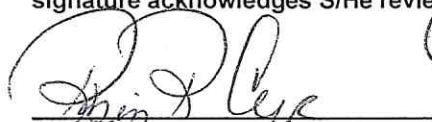


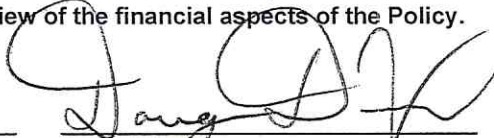
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# Town of Benton Conflict of Interest Policy #10

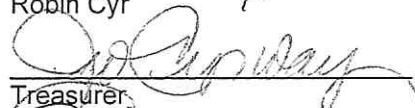
Town of Benton Policy #10 - Adopted by Town Select Board, August 25, 2020


Policy is only valid if approved by 2/3 of the Select Board, as reflected below with signatures. Treasurer signature acknowledges S/He review of the financial aspects of the Policy.

  
\_\_\_\_\_  
Robin Cyr

  
\_\_\_\_\_  
Doug Dixon

\_\_\_\_\_  
Brandy Sloan

  
\_\_\_\_\_  
Treasurer

  
\_\_\_\_\_  
Town Clerk (attested official copy)

**TRUE COPY  
ATTEST**

\_\_\_\_\_

\_\_\_\_\_

# Town of Benton

## Conflict of Interest

### Policy #10

#### PURPOSE

This policy is designed to set the requirements for all Town of Benton elected and appointed officials with regard to conflict of interest.

#### DEFINITIONS

Elected Official and Appointed Official, are collectively referred to in the policy as 'Town Official'.

#### POLICY

- A. **Deliberation and vote prohibited**. No town official shall, in such capacity, participate in the deliberation or vote, or otherwise take part in the decision-making process, on any agenda item before his or her collective body in which he or she or a member of his or her immediate family has a financial or special interest, other than an interest held by the public generally.
- B. **Disclosure of conflict**. Any town official who believes that he or she or a member of his or her immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her collective body shall disclose the nature and extent of such interest, and the Town Clerk or his or her designee shall make a record of such disclosure. Such disclosure shall be made no later than the date of the first meeting at which the agenda item concerned is to be taken up for consideration, recommendation, discussion or vote and at which the town official is present. Additionally, any person who believes that any town official, or a member of such town official's immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her collective body shall disclose the nature and extent of such interest, and the Clerk or his or her designee shall make a record of such disclosure.
- C. **Determination of conflict**. Once the issue of conflict has been raised relative to any town official and disclosure has been made as provided above, such individual's fellow board members or commission members shall review the facts as disclosed to them and shall vote on whether or not such individual has a financial or special interest with respect to the agenda item concerned. All conflict of interest questions relating to a particular agenda item shall be resolved prior to any consideration of the item concerned, and each town official or commission member present shall be entitled to vote on all conflict of interest questions, except those questions pertaining to that individual town official's alleged conflict of interest.
  - (1) All votes of conflict of interest questions shall be recorded. A majority vote shall determine the question.
  - (2) Upon determination that a conflict of interest in fact exists, the town official shall be excused from participating in discussion, deliberation or vote on the relevant agenda item.
  - (3) In the event that a majority of the board or commission concerned shall require disclosure of further information not immediately available or shall require confirmation of the information disclosed, consideration of the relevant agenda item shall be postponed to an appropriate time.

**Town of Benton**  
**Conflict of Interest**  
**Policy #10**

- D. **Avoidance of appearance of conflict.** To avoid the appearance of a violation of this section, once any individual town official is determined to have a conflict of interest in respect to any agenda item and once all conflict of interest questions relating to the agenda item concerned have been determined as provided in Subsection C above, said individual shall immediately remove himself or herself from the meeting room. He or she shall not return to his or her regular seat as a member of the body until deliberation and action on the item is completed. If the item has not been finally resolved when the conflict of interest is first determined, said individual shall not be present for any subsequent action on the agenda item. Nothing herein shall require an town official to remove himself or herself for any item contained on a consent agenda on which there is no deliberation, the individual's conflict has been determined by the other members, and the right to abstain from voting on the item has been granted.
- E. **Personal interest.** Nothing herein shall be construed to prohibit any town official from representing his or her own personal interest by appearing before his or her collective body on any such agenda item.
- F. **Abstention;** exercising the right to abstain. Any town official who believes that he or she or a member of his or her immediate family has a special or financial interest, other than an interest held by the public generally, in any agenda item before his or her collective body may, after disclosure of the nature and extent of such interest, publicly state his or her intent to abstain from participation in the deliberation or vote, or otherwise taking part in the decision-making process on the agenda item. However, the collective board may by motion and vote determine that there is no conflict and that the town official shall not be permitted to abstain from participating and voting on the agenda item.

# Town of Benton

## Conflict of Interest

### Policy #10

### REVISION HISTORY

Date	Authorized By	Section	Change Description
August 25, 2020	Select Board		Original Adoption Date