

## **Policies Concerning Ethics and Conflicts of Interest**

### **A. General Policies and Expectations**

By the terms of the Intergovernmental Agreement creating the Jackson County Land Bank Authority, Authority Board Members are considered public servants, subject to the applicable state laws on ethics and conflicts of interest. As such, the Jackson County Land Bank adopts the following Code of Ethics.

The ethical Land Bank member will:

- Properly administer the affairs of the Land Bank Authority
- Promote decisions which only benefit the public interest
- Actively promote public confidence in the Land Bank Authority
- Keep safe all funds and other properties in the Land Bank
- Conduct and perform the duties of the office diligently and promptly dispose of the business of the Land Bank
- Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality fiscal responsibility
- Include the prestige of the office into everyday dealings with the public, employees and associates
- Effectively and efficiently work with governmental agencies, political subdivisions and other organizations in order to further the interest of the Land Bank
- Faithfully comply with all laws, regulations and policies applicable to the Land Bank Authority and impartially apply them to everyone.

An ethical Land Bank member will not:

- Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties
- Improperly influence or attempt to influence others to act in his or her own benefit
- Solicit or accept anything of value from any source which is offered to influence his or actions as a public official
- Seek or accept personal gain or profit, directly or indirectly, which would influence or appear to influence, the conduct of his or her official duties
- Engage in a business transaction in which the he or she may profit from his or her official position, or benefit financially from confidential information obtained because of his or her official position
- Use public property or resources for personal or political gain

### **B. Policies on Conflicts of Interest**

Land Bank Authority members will actively avoid the appearance or the fact of conflicting interests.

#### **1. Disclosure of potential conflicts**

Before a Board member, staff or paid consultant begins his or her service with the Land Bank Authority, he or she shall file with the Chairperson of the Land Bank, a list of his or her principal business activities, as well as involvement with other charitable and business organizations, or with any other associations that might produce a conflict of interest.

In addition to the disclosure required by the previous disclosure, each member, staff or consultant, is under an obligation to the Land Bank Authority, and to the community served, to inform the Land Bank Authority of any position he or she holds or of any activity that may result in a possible conflict of interest or bias for or against an action or policy, at the time such action or policy is under consideration by the Land Bank. Any possible conflict of interest shall be disclosed to the Chairperson of the Land Bank and made a matter of record as soon as the issue in question is raised and a possible conflict is known.

When the Authority, committee or staff to decide an issue about which the member has an unavoidable conflict, that member shall physically absent herself or himself without comment from not only the vote, but also from the deliberation, unless directly requested by the Chairperson to provide factual information or answer factual questions that may assist the Authority or Committee in making a wise decision. In no case shall the member vote on such a matter or attempt to exert personal influence on the vote.

## **2. Conflicts of interest in contracting.**

The Land Bank Authority will follow the state law prohibition, in general, that a public servant will not be a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an officer or employee. MCL 15.322. the general prohibition does not apply to a public servant who is paid for working an average of 25 hours per week or less for the Land Bank Authority.

The exceptions to this general prohibition, for negotiating or approving public contracts, found in MCL 15.323 will be allowed for Land Bank members, staff or paid consultants.

If there is a potential conflict of interest in soliciting, negotiating or approving a contract, that must be disclosed following the state law requirements.

- Disclosure will be in writing to the Chairperson of the Land Bank Authority at least 7 days prior to the meeting at which a vote on the action takes place.
- Disclosure will be made in public
- Disclosure will include the value and nature of the direct benefit to the public servant
- If it is not possible to disclose the potential conflict in writing 7 days prior to the vote, the vote must be approved by 2/3 or more of the Authority membership, without the vote of the public servant making the disclosure.
- Minutes of the meeting will contain the name of each party to the contract, the terms of the contract and the nature of the pecuniary interest in question.
- The limited exception to these disclosure requirements for some emergency repair circumstances, allowed by state law (MCL 15.323(2)(a), are also permitted.