

OS-2017

RESOLUTION NO. \_\_\_\_\_

**AMENDED RESOLUTION DECLARING A CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES OF CHEROKEE COUNTY, KANSAS**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, THAT THE FOLLOWING AMENDED RESOLUTION BE ADOPTED, REPLACING RESOLUTION NO.18-2016:**

**SECTION 1. GENERAL AUTHORITY.** K.S.A. 19-101, *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners of Cherokee County, Kansas, to transact all County business and perform all powers of local legislation deemed appropriate, and to make all contracts and do all other acts in relation to the property and concerns of the County necessary to the exercise of its corporate or administrative powers.

**SECTION 2. LEGISLATIVE ACTION.** Public officials and government employees shall perform duties dedicated to obtaining stated objectives and shall conduct themselves with integrity, according to the highest ethical standards, while employed by the government and serving the best interests of Cherokee County, Kansas, as outlined below:

**A. Declaration of Policy**

The proper operation of our government requires that public officials and employees be independent, impartial, and responsible to the people, that the government decisions and policy be made in the proper channels and that the public have confidence in the integrity of its government. In recognition of those goals, there is hereby established a code of ethics for all officials and employees, whether elected or appointed, paid or unpaid. The purpose of this code is to establish ethical standards by setting forth those acts or actions that are incompatible with the best interests of the County.

**B. Responsibilities of Public Office**

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and to carry out impartially the laws of the nation, state, and County and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the long-term public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach.

### C. Dedicated Service

All officials and employees of the County should be responsive to the political objectives expressed by the electorate and the programs developed to attain those objectives.

Appointive officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

### D. Fair and Equal Treatment

1. Interest in Appointments. Canvassing of members of the County commission, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to the municipal service shall disqualify the candidate for appointment except with reference to positions filled by appointment by the County commission.
2. Use of Public Property. No official or employee shall request or permit the use of County-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such service are available to the public generally or are provided as County policy for the use of such official or employee in the conduct of official business.
3. Obligations to Citizens. No official or employee shall grant any special considerations, treatment, or advantage to any citizen beyond that which is available to every other citizen.

### E. Conflict of Interest.

No elected or appointive County official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or hers duties in the public interest or would tend to impair his or her independence of judgment or action in the performance of his or her official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business or political association.

Specific conflicts of interest are enumerated below for the guidance of officials and employees:

1. Incompatible Employment. No elected official or appointive County official or employee shall engage in or accept private employment or render services for

private interests when such employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties.

2. Disclosure of Confidential Information. No elected official or appointive County official or employee, shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the County. Nor shall he or she sue such information to advance the financial or other private interest of himself, herself, or others.
3. Gift and Favors. No elected or appointive County official or County employee shall accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to his or her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the County; nor shall any such official or employee (a) accept any gift, favor, or thing of value that may tend to influence him or her in the discharge of his or her or (b) grant in the discharge of his or her duties any improper favor, service, or thing of value. The prohibition against gifts or favor shall not apply to (a) an occasional nonpecuniary gift of only nominal value or (b) an award publicly present in recognition of public service or (c) any gift which would have been offered or given to him or her if not an official or employee.
4. Representing Private Interest Before County Agencies. No elected or appointive County official or employee whose salary is paid in whole or in part by the County shall appear in behalf of private interest before any agency of this County. He or she shall not represent private interests in any action or proceedings against the interest of the County in any litigation to which the County is a party.
5. No County officer or employee shall be signatory upon, discuss in an official capacity, vote on any issue concerning or otherwise participate in his or her capacity as a public official or employee in making of any contract with any person or business:
  - a. In which the officer or employee owns a legal or equitable interest exceeding \$5,000 or five percent, whichever is less, individually or collectively with his or her spouse; or
  - b. From which the officer or employee receives, in the current or immediately preceding or succeeding calendar year, any salary, gratuity, other compensation, or a contract for or promise or expectation of any such salary gratuity , or other compensation or remuneration having a dollar value of \$1,000 or more; or

c. In which he or she shall hold the position of officer or director, irrespective of the amount of compensation received from or ownership held in the business.

F. Violations.

1. Contractor. Any violation of the noted Code of Ethics policy by a contractor may be considered as a reason to exclude a contractor from all current and future transactions and agreements with the County.
2. Officer, Employee or Agent of the County. Any violation of the noted Code of Ethics policy by an officer, employee or agent of the County will result in termination of the employment or termination of any agreement between an agent and the County. Further penalties may be imposed as prescribed by State law appropriate for violations committed.

**SECTION 3. PUBLICATION.** The County Clerk shall cause this resolution to be published in the official County Newspaper.

**SECTION 4. CONFLICT.** All resolutions, County policies or parts thereof, in conflict herewith are hereby expressly repealed insofar and they conflict herewith.

**SECTION 5. EFFECTIVE DATE.** This resolution shall be effective upon passage.

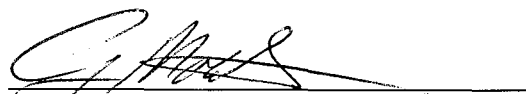
**PASSED AND APPROVED** this 27 day of February, 2017, by the Board of County Commissioners of Cherokee County, Kansas.



Patrick Collins, Chairman  
Cherokee County Commissioner

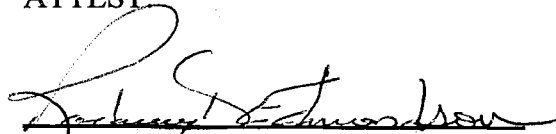


Neal Anderson  
Cherokee County Commissioner



Cory Moates  
Cherokee County Commissioner

ATTEST:



Rodney D. Edmondson, County Clerk

(SEAL)