

RESOLUTION

A RESOLUTION TO ADOPT A CODE OF ETHICS FOR THE MEMBERS OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS AND FOR THE MEMBERS OF ALL BOARDS, COMMITTEES AND COMMISSIONS APPOINTED BY THE BOARD OF SUPERVISORS

WHEREAS, the citizens and businesses of Fauquier County are entitled to have fair, ethical and accountable local government which has earned the public's full confidence; and

WHEREAS, in keeping with Fauquier County's commitment to excellence, all public officials, both elected and appointed, must comply with both the letter and spirit of the laws and policies affecting the operation of government; and

WHEREAS, all public officials, both elected and appointed, are required to be impartial and fair in their judgment and actions and ensure that public office is used for the public good; and

WHEREAS, the Fauquier County Board of Supervisors has determined that the adoption of a Code of Ethics for its members and the members of all Board-appointed boards, committees and commissions will assist in achieving these ends; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 5th day of January 2004, That the following Code of Ethics is hereby adopted:



FAUQUIER COUNTY BOARD OF SUPERVISORS

CODE OF ETHICS

Preamble

The citizens and businesses of Fauquier County, Virginia, are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. In keeping with the County of Fauquier's Commitment to Excellence, the effective functioning of democratic government therefore requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Fauquier County Board of Supervisors has adopted this Code of Ethics for members of the Board and of the County's boards, commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Fauquier County and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the Fauquier County Board of Supervisors, boards, commissions, and committees.

2. Comply with the Law

Members shall comply with the laws of the nation, the Commonwealth of Virginia and the County of Fauquier in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Code of the County of Fauquier; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and County ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Board of Supervisors, boards, commissions, and committees, the staff or public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the Board of Supervisors and boards, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board of Supervisors by County staff.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Board of Supervisors or boards, committees and commissions, which they may have received from sources outside of the public decision-making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship that may give the appearance of a conflict of interest.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts may exist.

9. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, which are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or affairs of the County. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as County staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of the Board shall not appear on behalf of the private interests of third parties before the Board of Supervisors or any board, committee, commission or proceeding of the County, nor shall members of boards, committees or commissions appear before their own bodies or before the Board of Supervisors on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the Board of Supervisors, boards, commissions or committees to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or Fauquier County, nor will they allow the inference that they do.

14. Policy Role of Members

The Board of Supervisors determines the policies of the County with the advice, information and analysis provided by the public, boards, commissions, and committees, and County staff. The Board of Supervisors delegates authority for the administration of the County to the County Administrator.

Members therefore shall not interfere with the administrative functions of the County or the professional duties of County staff; nor shall they impair the ability of staff to implement Board policy decisions.

15. Independence of Board and Commissions

Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, members of the Board of Supervisors shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee or commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place environment for County employees and for citizens and businesses dealing with the County. Members shall recognize their special role in dealings with County employees and in no way create the perception of inappropriate direction to staff.

17. Implementation

As an expression of the standards of conduct for members expected by the County, the Fauquier County Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for the Board of Supervisors, applicants to boards, committees and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the Fauquier County Code of Ethics. In addition, the Board of Supervisors, boards, committees and commissions, shall annually review the Code of Ethics and the Board of Supervisors shall consider recommendations from boards, committees and commissions to update it as necessary.

18. Compliance and Enforcement

The Fauquier County Code of Ethics expresses standards of ethical conduct expected of members of the Fauquier County Board of Supervisors, boards, committees and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, committees and commissions and the Chairman of the Board of Supervisors have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics are brought to their attention.

The Board of Supervisors may impose sanctions on members whose conduct does not comply with the County's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Where allowed by law, the Board of Supervisors also may remove members of Board-appointed boards, committees and commissions from office.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Board of Supervisors, board, committee or commission decision.

Model of Excellence Fauquier County Board of Supervisors, Boards, Committees and Commissions MEMBER STATEMENT

As a member of the Fauquier County Board of Supervisors, or of a Fauquier County board, committee or commission, I agree to uphold the Code of Ethics for elected and appointed officials adopted by the County and conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where individual members, County staff and the public are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity and privacy of individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;

- Avoid and discourage conduct which is divisive or harmful to the best interests of Fauquier County;
- Treat all people with whom I interact in the manner I wish to be treated;

I affirm that I have read and understand the Fauquier County Code of Ethics.

Signature: _____

Date: _____

Name (printed): _____

Office: _____