

POLICY NO. 21

(CODE OF ETHICAL CONDUCT FOR ALABAMA
COUNTY COMMISSIONERS)

The St. Clair County Commission does hereby adopt the attached Code of Ethical Conduct for Alabama County Commissioners as promulgated by the Association of County Commissions of Alabama in 1989, because the Commission recognizes that self-imposed high standards of behavior by elected officials are both appropriate and needed if such officials are to enjoy the trust and confidence of the electorate.

Affirmed by Resolution #98-50 this 10th day of November, 1998.

CODE OF ETHICAL CONDUCT FOR ALABAMA COUNTY COMMISSIONERS

PREAMBLE

The stability of democracy depends upon the continuing consent of the governed. This, in turn, depends upon the trust the populace holds for its government. County commissioners must be ever aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents.

The fundamental ethical principles, as developed in this Code should be considered as a guide and not a substitute for the law or a county commissioner's best judgement. Ultimately, each county commissioner must find within his own conscience, the touchstone on which to base his conduct.

Canon 1

A County Commissioner Should Uphold the Integrity and Independence of His Office

A county commissioner should demonstrate the highest standards of personal integrity, truthfulness, honesty and fortitude in all his public activities in order to inspire public confidence and trust in county government. A county commissioner should participate in establishing, maintaining, and enforcing, and should himself observe, high standards of conduct so that the integrity and independence of his office may be preserved. The provisions of this Code should be construed and applied to further these objectives.

Canon 2

A County Commissioner Should Avoid Impropriety and the Appearance of Impropriety in All His Activities

A. A county commissioner should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of his office.

B. A county commissioner should not allow his family, social, or other relationships to influence his conduct or judgment. He should not lend the prestige of his office to advance the private interests of others; nor should he convey or permit others to convey the impression that they are in a special position to influence him.

Canon 3

A County Commissioner Should Perform the Duties of His Office Impartially and Diligently

A county commissioner should, while in the performance of the duties of his office as prescribed by law, give precedence to such duties over all his other activities. In the

performance of those duties, the following standards should apply:

A. Deliberative and Adjudicative Responsibilities.

- (1) A county commissioner should be faithful to the general and local laws pertaining to his office and strive for professional competence in them. He should be unswayed by partisan interests, public clamor, or fear of criticism.
- (2) A county commissioner should demand and contribute to the maintenance of order and decorum in proceedings before the county commission.
- (3) A county commissioner should be honest, patient, dignified and courteous to those with whom he deals in his official capacity, and should require similar conduct of his staff and others subject to his direction and control.
- (4) A county commissioner should accord to every person who is legally interested in a proceeding before the commission full right to be heard according to law.
- (5) A county commissioner should dispose promptly of the business of the county for which he is responsible.

B. Administrative Responsibilities.

- (1) A county commissioner should diligently discharge his administrative responsibilities, maintain professional competence in the administration of his duties, and facilitate the diligent discharge of the administrative responsibilities of his fellow commissioners and other county officials.
- (2) A county commissioner should conserve the resources of the county in his charge. He should employ county equipment, property, funds and personnel only in legally permissible pursuits and in a manner that exemplifies excellent stewardship.
- (3) A county commissioner should require his staff and county employees subject to his direction and control to observe the standards of fidelity and diligence that apply to him.
- (4) A county commissioner should take or initiate appropriate disciplinary measures against a county employee for improper conduct of which the commissioner may become aware.
- (5) A county commissioner should not employ or recommend the appointment of unnecessary employees. He should exercise his power of employment only on the basis of merit, avoid favoritism and refrain from illegal discrimination and nepotism. He should not recommend or approve compensation of employees beyond the fair value of services rendered.

C. Abstention from voting.

(1) A county commissioner should abstain from voting on any matter coming before the commission when his impartiality might reasonably be questioned.

(2) To this end a county commissioner should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

Canon 4

A County Commissioner Should Regulate His Extra-Governmental Activities to Minimize the Risk of Conflict with His Official Duties

A. A county commissioner should inform himself concerning the ethics laws of this state and particularly those relating to proscribed gifts and loans and should scrupulously comply with the provisions of such laws.

B. A county commissioner should refrain from financial and business dealings that tend to reflect adversely on his impartiality, interfere with the proper performance of his official duties, or exploit his county position.

C. A county commissioner should manage his personal financial interests to minimize the number of cases in which he must abstain from voting on matters coming before the commission.

D. Information acquired by a county commissioner in his official capacity should not be used or disclosed by him in financial dealings or for any other purpose not related to his official duties.

Canon 5

A County Commissioner Should Refrain from Political Activity Inappropriate to His Office

A. A candidate for the office of county commissioner, including an incumbent:

(1) should inform himself concerning the laws of this state with regard to campaigns and relevant disclosure requirements and should scrupulously comply with the provisions of such laws;

(2) should maintain the dignity appropriate to the office, and should encourage members of his family to adhere to the same standards of political conduct that apply to him;

(3) should not make pledges or promises of conduct in office that he will not or cannot perform or would be illegal if it were performed;

(4) should not misrepresent his identity, qualifications, present position, or other fact; and

(5) should avoid pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office.

B. A candidate for the office of county commissioner, including an incumbent, that is filled by public election between competing candidates should not permit the use of campaign contributions for the private benefit of himself or members of his family.