Town of Black Mountain
160 Midland Avenue
Black Mountain, NC 28711

RESOLUTION #R-__-__

RESOLUTION OF THE TOWN COUNCIL

UPDATING CODE OF ETHICS AND DECORUM POLICIES, INCLUDING PROVISIONS FOR CONDUCT OF MEETINGS AND ENFORCEMENT

WHEREAS, North Carolina General Statute §160A-12 provides that all powers, functions, rights, privileges, and immunities of the Town of Black Mountain, a municipal corporation, is exercised by the city council and that any power, function, right, privilege, or immunity that is conferred or imposed by charter or general law without directions or restrictions as to how it is to be exercised or performed may be conditioned or limited in its execution by ordinance or resolution of a board of aldermen or city council;

WHEREAS, North Carolina General Statute §160A-71(c) provides authority for a board of aldermen or city council to adopt rules of procedure regarding the conduct of regular or special meetings of such board or council;

WHEREAS, North Carolina General Statue §160A-86 mandates that a governing board of a municipality adopt a code of ethics, including addressing the need to uphold the integrity of public office, to avoid improprieties in the exercise of duties and the need to faithfully perform the duties of office;

WHEREAS, by Resolution #R-10-17, the Board of Aldermen or Town Council of the Town of Black Mountain adopted a Code of Ethics and Rules of Procedure for the governing body of the Town; and

WHEREAS, the Town Council of Black Mountain recognizes that robust debate and the right to self-expression, as protected by the First Amendment to the United State Constitution, are fundamental rights and essential components of democratic self-governance;

WHEREAS, the Town Council further recognizes that the public exchange of diverse ideas and viewpoints is necessary to the health of the community and the quality of governance in the Town; and

WHEREAS, the members of the Town Council, as elected representatives of the community and stewards of the public trust, recognize their special role in modeling open, free and vigorous debate while maintaining the highest standards of civility, honesty and mutual respect; and

WHEREAS, Town Council meetings are open to the public and thus how Town officials execute their legal duties is on public display; and

WHEREAS, civility by Town officials in the execution of their legislative duties and responsibilities fosters respect, kindness and thoughtfulness between Town officials, avoiding personal ill will which results in actions being directed to issues made in the best interests of residents; and

WHEREAS, civility between Town officials presents an opportunity to set a positive example of conduct and promotes thoughtful debate and discussion of legislative issues, resulting in better public policy and a more informed electorate while also encouraging civil behavior between residents; and

WHEREAS, civility between Town officials is possible if each member of the elected body remembers that they represent not only themselves, but the people of the Town of Black Mountain as a whole; and

WHEREAS, in order to publicly declare its continuing commitment to civil discourse and to express its concern for the common good and well-being of all of its residents, the Town Council has determined to adopt this resolution, which updates the Town's Code of Ethics consistent with the above statements, solidifies the Town's pledge to civility and decorum in the operations of Town business and provides additional enforcement authority for violations of the Code of Ethics and the policies reflected therein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Code of Ethics for the Town of Black Mountain is hereby amended and the version of the Code, dated December 8, 2025 (attached hereto), shall henceforth apply to all actions of the governing body of the Town, including the Mayor and Town Council , as well as all advisory boards, commissions, committees and task groups, which currently serve, or which will serve, at the pleasure of the Black Mountain Town Council .

ADOPTED this ___ day of December 2025.

_____
Mayor Mike Sobol

ATTEST:

_____
Wesley Barker, Town of Black Mountain Clerk

CODE OF ETHICS & RULES OF PROCEDURE FOR THE MAYOR AND TOWN COUNCIL, BLACK MOUNTAIN, NORTH CAROLINA

PREAMBLE

The purpose of this Code is to establish ethical guidelines and appropriate standards of conduct for the Mayor and Town Council of the Town of Black Mountain. It should not be considered a substitute for the law or for a Council member's best judgment. All references herein to Town Council, Council, or members shall be understood to include the Mayor.

The Town Council hereby directs members of all advisory boards, commissions, committees and task groups, which currently serve, or which will serve, the Black Mountain Town Council , to respect and to abide by these same General Principles and Code of Ethics in the performance of their lawful duties, insomuch as they may apply to the performance thereof.

GENERAL PRINCIPLES

- The stability and proper operation of democratic representative government depends upon the continuing consent of the governed, upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.

- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure. In this vein, the Town through its Charter follows a Council-Manager plan of government with all administrative responsibility and authority vested in the Town Manager and all legislative and policy making decisions vested in the Town Council. The powers and duties of the Town Manager are further prescribed in the Charter and North Carolina General Statutes §160A-148.

- The Town Council only lawfully acts as a whole body, typically through majority vote at a duly called meeting with a quorum present. Neither the individual members of Town Council, nor the Mayor, has any power or responsibility to direct the administration of Town affairs or conduct Town business and each official must refrain from acting outside their sphere of authority.

- Town Council members must be able to act in a manner that maintains their integrity and independence yet is responsive to the interests and needs of those they represent.

- Town Council members serve in different capacities and roles, all with intrinsic and legitimate importance to the proper functioning of representative government:

    - As advocates who strive to advance the legitimate needs of their citizens
    - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
    - As decision-makers, charged with arriving at fair and impartial determinations of an administrative or adjudicatory nature when the context legally allows such determinations.

Town Council members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.

- Town Council members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each Council member must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

- Town Council members must practice civility within the governing body and as representatives of the Town at all times, striving to ensure mutual respect to achieve municipal goals, recognizing that patience, tolerance and civility are imperative to success and demonstrates the Town's commitment to respecting different opinions, by inviting and considering different perspectives, allowing space for ideas to be expressed, debated, opposed, and clarified in a constructive manner and with proper decorum.

CODE OF ETHICS

Section C-1. A Council Member Shall Obey the Law

A. Town Council members shall support the Constitution of the United States of America and the Constitution of the State of North Carolina, and shall obey all laws, codes, regulations and ordinances enacted by the Congress of the United States and the North Carolina General Assembly pursuant thereto. In addition, Council members shall support the Charter of the Town of Black Mountain and obey the Code of Ordinances of the Town of Black Mountain, adhering to all provisions of the Code without favor or exception.

B. Town Council members shall be guided by the spirit as well as the letter of the law in whatever they do. At the same time, Council members should feel free to assert policy positions and opinions without fear of reprisal from

fellow Council members or citizens. To assert that a Council member is behaving unethically because one disagrees with that Council member on a question of policy is itself unfair, dishonest, irresponsible, and unethical.

C. Town Council members shall endeavor to keep themselves fully informed and current, through the Town Attorney, Town Manager, and other widely recognized and reliable professional resources, of the most pertinent constitutional, statutory, and legal requirements with which they must be familiar to meet their legal responsibilities. A list of applicable laws and regulations, which may be regularly updated, accompanies this Code as Appendix "A".

Section C-2. A Council Member Shall Uphold the Integrity and Independence of His or Her Office

Town Council members shall demonstrate the highest standards of personal integrity, truthfulness, honesty, forthrightness and fortitude in all their public activities in order to inspire public confidence and trust in Town government. Council members shall participate in establishing, maintaining and enforcing, and should themselves observe, high standards of conduct so that the integrity and independence of their office may be preserved. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly and consistently to sound values and the above General Principles
- Exhibiting trustworthiness
- Behaving at all times as if on duty as elected officials, in both public life and private life or avoiding extreme public behavior that embarrasses the Town
- Using one's best independent judgment, while at the same time being able to consider the opinions and ideas of others
- Pursuing the common good rather than individual interests in all discussion and decision-making
- Presenting one's opinions in a reasonable, forthright, consistent manner regardless of the audience
- Remaining incorruptible and unaffected by improper influence
- Advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of the Town
- Communicating openly, honestly and transparently
- Remaining unswayed by partisan interests, public clamor or fear of criticism
- Disclosing contacts and information about issues received outside of public meetings, and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves
- Treating other Council members, employees and the public with patience, respect, courtesy and honesty, whether in-person, online or in written

communications, and honoring the opinions of others even when the Council member disagrees with those opinions
- Being careful not to reach conclusions on issues until all sides have been heard
- Recognizing that individual Council members may not speak or act on behalf of the Town board as a whole, unless the Council takes official action as a body to so authorize it
- Refraining from interrupting employee work or chain of command
- Avoiding likely criminal conduct

Section C-3. A Council Member Shall Avoid Impropriety and the Appearance of Impropriety in All His or Her Activities

A. It is essential that Town government attract those citizens best qualified and willing to serve in elective and appointed offices. Members shall avoid impropriety in the exercise of their official duties, and official actions of the Council must be beyond reproach. The Town Council will consider impropriety in terms of whether a reasonable person who is aware of all the relevant facts and circumstances surrounding a Council member's action would conclude that the action was inappropriate.

B. Town Council members shall not allow family, social, civic, partisan or other relationships to unduly influence their conduct or judgment, and shall not lend the prestige of the office of Mayor or Council to advance the private interests of others; nor should members convey, or permit others to convey, the impression that they are in a special position of influence or benefit. Council members shall not grant, nor seek, any special consideration, treatment or advantage beyond that which is available to every other citizen.

C. If the Mayor or Council member has an interest in any official act or decision before the Town Council, he or she shall publicly disclose on the record of the Council the nature and extent of such interest and shall withdraw from consideration of the matter, if excused by the Town Council pursuant to N.C.G.S. §160A-75.

D. If a Council member believes that. his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the Town Attorney, and should consider publicly disclosing the facts of the situation and the steps taken to resolve any real or perceived impropriety or conflict of interest.

Section C-4. A Council Member Shall Perform the Duties of the Office Diligently

A. Town Council members should bear their fair share of Council work, regularly attending and preparing for meetings, carefully analyzing all credible information properly submitted, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters, and demanding full accountability from those over whom the Council has authority.

B. Town Council members should actively pursue policy goals in a manner consistent with orderly decision-making, rules of procedure, open government, respecting the rights of other members to voice goals and policies different from their own. By way of example, Council members must enforce adopted rules pertaining to the conduct of meetings as authorized by North Carolina General Statutes §160A-81 and §160A-81.1.

C. Town Council members should demand and contribute to the maintenance of order and decorum, among themselves and the public, in all official and informal proceedings, and dispose promptly of Town business for which the Council is responsible.

D. Town Council members shall promote conservation and development of Town resources, employing equipment, property, funds and personnel only in legally permissible pursuits, and in a manner that maintains professional competence and exemplifies excellent stewardship.

E. Town Council members should act as especially responsible citizens whom others can trust and respect, keeping in mind that trust and respect must continually be earned. To the extent appropriate, Council members should be willing to put the board's interests ahead of their own, acknowledging the authority of the Council's majority, and refraining from attempts to undermine board policy or decisions, once action has been taken.

F. Council members shall recognize and respect the council-manager form of government, assuming legislative, adjudicatory, and policy-setting responsibilities, while refraining from inappropriate interference in the impartial administration of Town affairs by town employees.

G. Except for employees reporting directly to the Town Council, members shall refrain from attempting to exercise control, supervision or direction over town employees, and shall refrain from granting or seeking special consideration, treatment, advantage, or favor among employees.

H. Town Council members shall expect employees to observe the same high standards of fidelity, diligence that apply to Council members, in addition to standards of conduct that apply specifically to employees. Council members who become aware of improper conduct or substandard performance by a town employee shall promptly inform the Town Manager.

I. Town Council members shall encourage and support recognized best practices in municipal administration and refrain from implementing policies or actions that may result in waste, fraud, favoritism, discrimination, nepotism, inequitable compensation or other administrative or employment practice detrimental to Town interests.

Section C-5. A Council Member Should Conduct the Affairs of the Board in an Open and Public Manner in Order to Inspire and Maintain Public Confidence and Trust

A. Town Council members shall conduct the affairs of the Council in an open and public manner, maintaining candor and transparency, and prompt response to public records requests, in accordance with both the letter and spirit of the state's Open Meetings and Public Records Laws. Council members shall accord to every person who is legally interested in a proceeding his or her full right to be heard according to law.

B. Town Council members shall demand, and contribute to ensuring, that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

C. Consistent with the goal of preserving the public trust, Council members shall respect the need for discretion and shall preserve confidentiality in deliberations among members, to the extent allowed by law, when the lack of discretion would pose a threat to legitimate Town interests.

Section C-6. A Council Member Should Regulate His or Her Extra Governmental Activities to Minimize the Risk of Conflict with His or Her Official Duties

A. It is acknowledged that Council members have legitimate economic, professional, vocational and personal interests of a private nature. Council members should not be denied, and should not deny to other Council members, the opportunity to pursue private interests, except when one's private interests conflict with applicable laws or his/her official responsibility to the public. Information acquired by Council members in their official capacity may not be used or disclosed in personal financial dealings or for any other purpose not related to his or her official public duties.

B. Council members shall inform themselves of all applicable campaign finance and conflict of interest laws, adhere scrupulously to the provisions therein, refrain from :financial and business dealings that may reflect adversely on the board or Town government or interfere with proper performance of official duties, and manage their personal financial interests to minimize the number of instances in which they must abstain from voting on matters coming before the Town Council.

C. Town Council members shall, at the first regular meeting following municipal elections after having taken the oath and assumed office, and at least annually thereafter, file with the Town Clerk, a written, signed disclosure statement:

i. Describing any interest the member, or his/her spouse or domestic partner, has in real property situated in whole or in part in the Town of Black Mountain, and the general description and location of that property; AND

ii. Describing any legal, equitable, beneficial or contractual interest the member, or his/her spouse or domestic partner has in any business, firm or corporation, which is currently conducting business within the Town of Black Mountain pursuant to contracts awarded by the Town of Black Mountain, or is attempting, or has attempted within the past calendar year, to secure the award of a bid from the Town of Black Mountain.

Section C-7. A Council Member Should Refrain from Political Activity Inappropriate to His or Her Office

A. Members of the Town Council have a civic responsibility to support good government by every available means, to inform and educate the citizenry about Town government, and to engage citizens so as to ascertain and respond to the needs of the community. To that end, Council members may affiliate with civic organizations and political parties, attend political meetings, and advocate for principles, policies and legislation consistent with federal, state and local election laws.

B. Candidates for the office of Town Council, including incumbents:

i. Should inform themselves of all applicable election laws and disclosure requirements, adhere scrupulously to the provisions therein, maintain dignity appropriate to the office, and encourage family, friends and associates to adhere to the same ethics and standards of conduct that apply to Council members;

ii. Should not make pledges or promises of conduct in office that they will not or cannot perform or that would be illegal if performed;

iii. Should not knowingly misrepresent their identity, qualifications, employment, policy positions, or other material fact, and should refrain from promising anything other than faithful and impartial performance of the duties of the office.

Section C-8. A Council Member Shall Participate in Ethics Education Training

A. Town Council members shall comply with N.C.G.S. §160A-87 by participating in a minimum of two clock hours of ethics education within 12 months of each appointment, election, re-appointment or re-election to office, using curriculum offered by a recognized qualified source, including the North Carolina League of Municipalities, the University of North Carolina School of Government, or other qualified source of the Council's choosing.

B. The Town Clerk shall maintain a record verifying completion of the ethics requirement by each member of the Town Council.

Section C-9. Disciplinary Action

A. A violation of any provision of this Code of Ethics or any provision of law may subject a mayor or Council member to disciplinary action, in the form of a resolution of censure, by majority vote of the Town Council. For reasonable and just cause, disciplinary action may also include removal of a mayor or Council member in an amotion proceeding, commenced by the adoption of a resolution of removal by amotion. No such resolution of censure or resolution of removal by amotion may be adopted until the accused official alleged to have committed the violation has been given notice of the alleged violation and been provided the opportunity to appear before the Town Council and be heard regarding the allegation. Procedures for adopting a resolution of censure or resolution of removal by amotion are included in the Town Council's rules of procedure.

B. Censure is a serious disciplinary measure, not to be undertaken lightly. Although a resolution of censure has no legal effect on the censured official, such action may adversely impact board and public trust in a way that is detrimental to Town interests. Depending on the severity of violation, Town Council members may determine to take a less formal approach to discipline by verbally articulating disapproval, either publicly or privately, directly to the accused member over the perceived violation. A amotion action is a more severe remedy that can lead to the removal of a Town

elected official where there is a clear need to preserve the integrity of the Town's governing body and to serve the public interest.

C. Any Council member who has a question as to the applicability of this code to a particular situation may apply, orally or in writing, to the Town Attorney for advisory guidance. In no event will the Town Attorney's advisory guidance excuse a mayor or Council member from complying with the Code of Ethics or other applicable law, nor in any way prejudice the Town Attorney in representing the Town Council in any later proceedings

Section C-10 Suspension and Replacement of Presiding Officer

By Town Charter and general law, the Mayor is tasked with being the presiding officer at official Town meetings and to initially enforce any rules of procedure, including provisions for the maintenance of order and decorum in the conduct of any hearing or public meeting, including the order and decorum of any Council member or a member of the public. Whenever a Council member believes that there is a violation of rules of procedure at a meeting, said member may make a verbal point of order, identify the discrepancy and request that the Mayor immediately correct the violation. If the Mayor refuses to do so, any Council member may move that the Board as a whole vote on whether there is a violation of a rule of procedure, which decision shall be made by majority vote. If the Mayor fails to act in accordance with the Board's decision or otherwise fails to properly perform the duties of the presiding officer in a meeting, the Town Council may by a duly adopted motion temporarily suspend the Mayor's role as the presiding officer and have him replaced for purposes of conducting the meeting with the Vice-Mayor (Mayor pro tem) performing said role or functions (or in the Vice-Mayor's absence, any other Council member). For any presiding officer, the above enforcement provisions are applicable.

RULES OF PROCEDURE

The following rules of procedure are intended to guide the deliberations and actions of the Black Mountain Town Council, in support of the General Principles and standards of conduct outlined in the Code of Ethics above. The rules incorporate general principles of parliamentary procedure, applicable North Carolina laws, provisions of the Town's Charter, and specific procedural and behavioral standards to which members of the Town Council agree to abide. The rules have been developed based on the following guiding principles:

1) The Town Council must act as a body.
2) The Town Council should proceed in the most efficient manner possible.
3) The Town Council must act by at least a majority.
4) Every member must have an equal opportunity to participate in decision making.

5) The Town Council's rules of procedure must be followed consistently.
6) Action taken by the Town Council should be the result of a decision on the merits and not a manipulation of procedural rules.

Until such time that the Town Council determines to adopt additional rules of procedure, members should defer to the provisions contained in the following publication and its successive editions: *Suggested Rules of Procedure for Small Local Government Boards, 2nd Edition, by A. Fleming Bell, II (UNC School of Government, Chapel Hill, NC, 1998, 38pp)*, according to the sub-headings below.

Section R-1: Meetings
Section R-2: Communications & Notices
Section R-3: Agendas & Order of Business
Section R-4: Public Address to the Board
Section R-5: Presiding Officer
Section R-6: Motions
Section R-7: Quorum and Vote
Section R-8: Closed Sessions
Section R-9: Boards & Commissions/Appointments

Section R-10: Censure or Removal Procedures

If, by a majority vote of the Town Council, the Council has reasonable cause to believe that one or more of its members has violated a provision of this Code of Ethics or Rules of Procedure, or any provisions of law, it may at a regular or special meeting of the Town Council direct the Town Attorney to open an investigation into the matter. All information compiled, including the grounds for finding of probable cause, shall be shared with the accused member when it is received. All information pertaining to the case shall be subject to public inspection, reproduction and dissemination, pursuant to the North Carolina public records statutes. If upon investigation, the Town Council concludes that a violation of a criminal law may have also occurred, it shall refer the matter to the local district attorney. If upon receipt and consideration of information from any investigations, the Town Council believes a motion for censure or a motion for removal by amotion is warranted, the Board, by a majority, shall so move and adopt said motion at a duly called meeting of the Board, setting for the grounds for the requested action in the motion.

Should the Town Council determine to proceed further with censure proceedings, or in more extreme cases, an amotion proceeding, it shall, by a majority vote, call for a hearing to be held at a regular meeting or at a special called meeting convened for that purpose, said hearing date shall be at least 30 days after the accused is provided a copy of the appropriate motion either through personal delivery, email, first class mail or certified mail. Notice of the hearing stating its time, place and purpose shall be given once a week for two successive calendar weeks in a

newspaper having general circulation in the jurisdiction. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included. Alternatively, the hearing shall be advertised on the jurisdiction's website for the same period of time, up to and including the date of the hearing. The notice shall state that a detailed list of the allegations against the accused member is available for public inspection and copying in the office of the Town Clerk.

The hearing shall be convened at the time and place specified. The hearing and any deliberations shall be conducted in open session in accordance with the North Carolina open meetings statues.

The accused Council member shall have the right to have counsel present, to present and cross-examine expert and other witnesses, and to offer evidence, including evidence of the bias of any other Council member or the presiding officer. An audio or video and audio tape of the proceedings shall be prepared. Any and all votes during the hearing shall be taken and recorded in the Town Council's minutes.

Once the hearing is concluded, it shall be closed by vote of the Town Council. For a censure motion, the presiding officer shall entertain a motion to adopt a nonbinding resolution censuring the member based on specified violations of the code of ethics or provisions of law. Any motion made must be an affirmative one in favor of adopting a nonbinding resolution of censure. If the motion or resolution does not state particular grounds for censure under the code of ethics or provisions of law, the presiding officer shall rule it out of order.

If a motion to adopt or reject a nonbinding resolution of censure stating particular grounds under the code of ethics or provisions of law has been made, the Town Council shall debate the motion. The accused member shall be allowed to participate in the debate but shall not be allowed to vote on the motion to adopt or reject the resolution.

At the conclusion of the debate, the Town Council board shall vote on the resolution and motion related thereto. If the motion to adopt the nonbinding resolution of censure is approved by a majority vote of those present and voting, a quorum being present, the motion passes and the nonbinding resolution of censure is adopted. If the motion to reject is adopted, or the motion to adopt fails due to lack of assenting votes, then the resolution shall be deemed defeated. The text of the nonbinding resolution of censure shall be made a part of the minutes of the Town Council. Any recording of the Town Council's proceedings shall be approved by the Town Council as a permanent part of the minutes, and the proceedings shall then be considered concluded.

A resolution concerning a determination on a motion for removal by amotion shall follow the same post-hearing process except that it requires a supermajority vote of four-fifths vote of those present and voting with a quorum present to pass in the affirmative.

Section R-11: Amendment of Code of Ethics and Rules

This code of ethics and rules of procedure may be amended at any regular meeting or at any properly called special meeting convened for that purpose. Adoption of an amendment shall require an affirmative vote equal to a quorum.

READ, APPROVED AND ADOPTED this ___ day of December, 2025.

ATTEST:

_____
Mayor

_____
Town Clerk

_____
Mayor pro tem

_____
Town Manager

_____
Council member

_____
Council member

_____
Council member

_____
Council member

ATTACHMENT "A"
APPLICABLE LAWS AND REGULATIONS

1. Avoid deriving a direct benefit from contracts in which you are involved in making or administering on behalf of the public agency. *NCGS §14-234(a)(l) criminal penalty*

2. Avoid attempting to influence others involved in making or administering a contract on behalf of the public agency, even if you aren't involved, if you will derive a direct benefit from the contract. *NCGS §14-234(a)(2) criminal penalty*

3. Avoid soliciting or receiving any gift or reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency you serve. *NCGS §14-234(a)(3) criminal penalty*

4. Consider the ethical and practical consequences of deriving a direct benefit from a contract authorized under any exception to the statute and weigh these considerations against the potential advantage to the public agency and to yourself. Follow reporting requirements to ensure transparency. *NCGS §14-234(b); (dl)*

5. Avoid participating in deliberations about or voting on a contract in which you have a direct benefit, when the contract is undertaken as allowed under any exception to the statute. *NCGS §14-234(bl) criminal penalty*

6. Avoid using your knowledge of contemplated action by you or your public agency, or information known to you in your official capacity and not made public, to acquire a financial interest in any property, transaction, or enterprise, or to gain a financial benefit that may be affected by the information or contemplated action. Avoid intentionally aiding another to do any of these things. *NCGS §14-234.1 criminal penalty*

7. Avoid receiving any gift or favor from a current, past, or potential contractor. *NCGS §J33-32(a) criminal penalty*

8. Consider the ethical and practical consequences of accepting a gift or favor under any exception to the statutory prohibition, and follow reporting requirements to ensure transparency. *NCGS §133-32(d)*

9. Avoid voting on matters involving your own financial interest or official conduct. Identify and disclose these matters in advance so the board can

determine whether you have a conflict allowing to be excused by the board from voting. When in doubt, obtain an opinion from the town attorney about whether you must vote or may be excused. *NCGS §160A-75*

10. Avoid voting on any zoning map or text amendment where the outcome of the vote is reasonably likely to have a direct, substantial, and readily identifiable financial impact on you. *NCGS §160D-109*

11. Do not participate in or vote on any quasi-judicial matter, including matters that come before the board when the board is acting in a quasi-judicial capacity under *NCGS §160D-109*, if participation would violate affected persons' constitutional right to an impartial decision-maker. Impermissible conflicts under this statutory standard include "having a fixed opinion prior to hearing the matter that is not susceptible to change", "undisclosed ex parte communications" [communications between a board member and someone involved in the matter that occur outside the official quasi-judicial proceeding], "a close familial, business, or other associational relationship with an affected person", or "a financial interest in the outcome of the matter."

12. Fulfill your statutory obligation to vote on all matters that come before you even when there are appearances of conflict, and only refrain from voting when there is a legal basis for being, or requirement to be, excused from voting. *NCGS §160A-75*