

## Board of County Commissioners Leon County, Florida

### Policy No. 97-9

Title: Voting Conflicts on Boards, Committees, Councils and Authorities

Date Adopted: July 8, 1997

Effective Date: July 9, 1997

Reference: Sec.112.3143, Florida Statutes (1996)

Policy Superseded: N/A

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It shall be the policy of the Board of County Commissioners of Leon County, Florida, that all members of any authority, board, council and/or committee formed or appointed by the Leon County Board of County Commissioners shall abide by the following:

No member/appointee shall vote in an official capacity upon any measure which would inure to the member's special private gain or loss, which he or she knows inure to the special private gain or loss of any principal by whom the member is retained or to the parent organization or subsidiary of a corporate principal by which the member is retained, or which the member knows would inure to the special private gain or loss of a relative or business associate of the member. Such member shall, prior to the vote being taken, publicly state to the authority, board, council or committee the nature of the member's interest in the matter from which he or she is abstaining from voting and within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording minutes of the meeting, who shall incorporate the memorandum in the minutes.

No member shall participate in any matter which would inure to the member's special private gain or loss, which he or she knows would inure to the special private gain or loss of any principal by whom the member is retained or to the parent organization or subsidiary of a corporate principal by which the member is retained, or which the member knows would inure to the special private gain or loss of a relative or business associate of the member, without first disclosing the nature of his or her interest.

Such disclosure, indicating the nature of the conflict, shall be made in a written memorandum filed with the person responsible for recording the minutes of the meeting, prior to the meeting in which consideration of the matter will take place, and shall be incorporated into the minutes. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

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In the event that disclosure has not been made prior to the meeting or that any conflict is unknown prior to the meeting, the disclosure shall be made orally at the meeting when it becomes known that a conflict exists. A written memorandum disclosing the nature of the conflict shall then be filed within 15 days after the oral disclosure with the person responsible for recording the minutes of the meeting and shall be incorporated into the minutes of the meeting at which the oral disclosure was made. Any such memorandum shall become a public record upon filing, shall immediately be provided to the other members of the agency, and shall be read publicly at the next meeting held subsequent to the filing of this written memorandum.

For purposes of this subsection, the term "participate" means any attempt to influence the decision by oral or written communication, whether made by the officer or at the officer's direction.

Whenever a member is being considered for appointment or reappointment to any authority, board, council or committee, the appointing body shall consider the number and nature of the memoranda of conflict previously filed under this section by said member.