



Town of Granby

Code of Conduct & Ethics for Town Boards, Commissions, and Committees

The purpose of this handbook is to promote public confidence in the Town government, to maintain conformity with the provisions and intent of the Town Code, and to provide guidance in the event of potential, perceived or real conflicts of interest to the members of the Town Board of Trustees and to the Boards, Commission, Committees and other authorities operating on behalf of the Town. Unless indicated otherwise, the term "Board" shall mean the Town board of Trustees as well as any other Board, Commission, Committee, or other authority appointed by the Board of Trustees. Unless indicated otherwise the term Trustee shall include all members of such Board, Commission, Committee, or other authority. This handbook is intended to foster public trust by defining the parameters of honest government and by prohibiting the use of public office for private gain.

While it is critical that Board members follow both the letter and spirit of this handbook, it is equally important that they strive to avoid situations that may create public perceptions of violations of this handbook. Perceptions of such violations can have the same negative impact on public trust as true violations. Thus, it is important that each official conduct themselves in a manner that is consistent with the character of the position.

CONDUCT WITH ONE ANOTHER

The Board of Trustees is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Trustees may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not, however, allow Trustees to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Trustees should conduct themselves in a professional manner at all times, including dress.

Honor the role of the Mayor in maintaining order. It is the responsibility of the Mayor to keep the comments of Trustees on track during public meetings. Trustees should honor the efforts by the Mayor to focus discussion on current agenda items. If there is a disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason.

Avoid personal comments that could offend other Trustees. If a Trustee is personally offended by the remarks of another Trustee, the offended Trustee should make notes of the actual words used and request the other Trustee to justify or apologize for the language used. The Mayor will maintain control of this discussion.

Demonstrate effective problem-solving approaches. Trustees have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Be punctual and keep comments relative to topics discussed. Trustees have made a commitment to attend meetings and partake in discussions. Therefore, it is important Trustees be punctual and that meetings start on time. Be respectful of other people's time. Prepare in advance of meetings and be familiar with issues on the agenda. Stay focused and act efficiently during public meetings. It is equally important discussions be relative to the topic at hand to allow adequate time to fully discuss scheduled issues.

Avoid expressing opinions during Public Hearings. Trustees will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Trustees are not appropriate until after the close of the public hearing. Trustees should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Board discussion and vote. Opinions and positions should be provided by Trustees during Board discussion and prior to calling the vote. Trustee responses when the vote is called shall be limited to "Aye/yes", "Nay/no", or abstain.

IN PRIVATE ENCOUNTERS

Continue respectful behavior in private. The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

Be aware of the insecurity of written notes, voicemail messages, and e-mail. Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note e-mailed to others? How would you feel if this voicemail message was played on a speakerphone in a full office? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

Even private conversations can have a public presence. Elected officials are always on display. People around them that they may not know monitor their actions, mannerisms, and language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

TRUSTEE CONDUCT WITH TOWN STAFF

Treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Limit contact to specific Town staff. Questions of Town staff and/or requests for additional background information should be directed to the Town Manager. The Town Manger should be copied on or informed of any request. Requests for follow-up directions to staff should be made only through the Town Manager.

Do not disrupt Town staff from their jobs. Trustees should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

Never publicly criticize an individual employee. Trustees should never express concerns about the performance of a Town employee in public or to the employee directly. Comments about staff performance are best handled by correspondence or communication with the Town Manager.

Do not get involved in administrative functions. Trustees must not attempt to influence Town staff on the making of appointments, the awarding of contracts, selecting of consultants, processing of development applications, or granting of Town licenses and permits.

Check with Town staff on correspondence before taking action. Before sending correspondence, Trustees should check with Town staff to see if an official Town response has already been sent or is in progress.

Do not solicit political support from staff. Trustees should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

TRUSTEES CONDUCT WITH THE PUBLIC

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice, or disrespect should be evident on the part of individual Trustees toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness. Speaking in front of the Board can be a difficult experience for some people. Some issues the Board undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that the Trustees treat people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.

Be fair and equitable in allocating public hearing time to individual speakers. The Mayor will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three (3) minutes, with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Board requests additional

clarification later in the process. After the close of the public hearing, no more testimony will be accepted unless the Mayor reopens the public hearing for a limited and specific purpose.

Give the appearance of active listening. It is disconcerting to speakers to have Trustees not look at them when they are speaking. It is fine to look down at documents, or to make notes, but reading for a long period of time, using or looking at your phone, or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as smirking, disbelief, anger or boredom.

Ask for clarification, but avoid debate and argument with the public. Only the Mayor - not the individual Trustees - may interrupt a speaker during a presentation. However, a Trustee may ask the Mayor to redirect the speaker if the speaker is off the topic or exhibiting behavior or language the Trustee finds disturbing.

If speakers become flustered or defensive by Trustee questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Trustees to members of the public testifying should seek to clarify or expand information. It is never appropriate to challenge or belittle the speaker. Trustees' personal opinions or inclination about upcoming votes should not be revealed until after the public hearing is closed.

No personal attacks of any kind, under any circumstance. Trustees should be aware their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

Follow appropriate procedure in conducting public meetings. The Town Attorney serves as advisory parliamentarian for the Town and is available to answer questions or interpret situations. Final rulings on procedure are to be made by the Mayor, subject to the appeal of a majority of the Trustees present.

Main motions may be followed by amendments. Only Trustees who voted on the prevailing side may make motions to reconsider.

IN UNOFFICIAL SETTINGS

Make no promises on behalf of the Board. Trustees will frequently be asked to explain a Board action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise that the Town staff will do something specific (fix a pothole, remove a fee, plant new flowers in planters, etc.).

It is unacceptable for Trustees to request or permit the unauthorized use of Town-owned vehicles, equipment, materials or property for personal convenience or profit.

Make no personal comments about other Trustees. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Trustees, their opinions and actions.

Remember that despite its recent growth, Granby is a small community at heart. The community is constantly observing Trustees every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Granby. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Trustees, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

BOARD CONDUCT WITH OTHER AGENCIES

Be clear about representing the Town or personal interests. If a Trustee appears before another governmental agency or organization to give a statement on an issue, the Trustee must clearly state whether his or her statement reflects their personal opinion or is the official stance of the Town. Even if the Trustee is representing his or her own personal opinions, remember that this still may reflect upon the Town as an organization.

If the Trustee is authorized to represent the Town, the Trustee must support and advocate the official Town position on an issue, not a personal viewpoint.

If the Trustee is representing another organization whose position is different from the Town, the Trustee should withdraw from voting on the issue if it significantly impacts or is detrimental to the Town's interest. Board members should be clear about which organizations they represent and inform the Mayor and Board of their involvement.

No Trustee may use information obtained by virtue of his or her public position in furtherance of any personal or financial interest or the personal or financial interest of any other person.

Correspondence should also be equally clear about representation. Town letterhead may be used when the Trustee is authorized to represent the Town and the Town's official position. A copy of official correspondence should be given to the Town Clerk to be filed as part of the permanent public record. Town letterhead may not be used for correspondence of Trustees representing a personal point of view, or a dissenting point of view from an official Board position.

Town issued email accounts should be used only for Town business and should not be used to conduct personal business or non-Town related or personal matters.

Avoid conflicts of interest. No Trustee shall engage in or accept private employment or render service, for private interests, when such employment or service is compatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgement or action in the performance of official duties, unless otherwise permitted by law.

A Trustee who has a conflict of interest shall not participate in any related discussions and shall refrain from attempting to influence the decisions of the other members of the Board of which the Trustee is a member. After the Board has completed consideration of the matter, the Trustee may resume duties as a Trustee.

Travel expenses are for Trustee members only when traveling on official Town business. Such travel shall include attendance at conferences, seminars and training sessions on behalf of the Town. The Town shall pay for reasonable expenses for registration fees, lodging, meals, transportation and all allowable miscellaneous expenses for the Trustee only. All travel expenses will be handled in the same manner and consistent with the provisions within the Town's Employee Handbook.

TOWN BOARD CONDUCT WITH OTHER BOARDS AND COMMISSIONS

The Town may establish several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Town Board. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

If attending a Board or Commission meeting, be careful to only express personal opinions. Trustees may attend any Board or Commission meeting, which are always open to any member of the public. However, if the Board/Commission is conducting a public hearing, the Trustee shall remove themselves from the proceedings. Trustees should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Trustee at a Board meeting should be clearly made as individual opinion and not a representation of the feelings of the Board. Also, a Trustee's presence may affect the conduct of the Board/Commission and limit their role and function.

Limit contact with Board and Commission members. It is inappropriate for a Trustee to contact a Board/Commission member to lobby on behalf of an individual, business, or developer. Trustees should contact staff in order to clarify a position taken by the Board/Commission.

Be respectful of diverse opinions. A primary role of the Board is to provide advice and make decisions based on a full spectrum of concerns and perspectives. Trustees must be fair and respectful of all citizens serving on Boards and Commissions.

Inappropriate behavior can lead to removal from an advisory Board or Commission. Inappropriate behavior by a Trustee should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Town Board, and the individual may be subject to removal from the advisory Board or Commission.

CONDUCT WITH THE MEDIA

Trustees may be contacted by the media for background information and quotes.

The best advice for dealing with the media is to never go "off the record". Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

The Mayor is the official spokesperson for the Town Board of Trustees. The Mayor is the designated representative of the Board of Trustees to present and speak on the official Town position. If the media contacts an individual Trustee, the Trustee should be clear about whether their comments represent the official Town position or a personal viewpoint.

Choose words carefully and cautiously. Comments taken out of context can cause problems. Be especially cautious about humor, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media. The less interpretation required from a reporter, the less chance for errors or distortions.

SANCTIONS

Public Disruption. Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Town meeting room.

Inappropriate Staff Behavior. Trustees should refer to the Town Manger any Town staff that does not follow proper conduct in their dealings with Trustees, other Town staff, or the public. In the event a Trustee has a concern with the Town Manager they should refer these concerns to the Mayor. These employees may be disciplined in accordance with standard Town procedures for such actions.

Trustee Behavior and Conduct. Trustees who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Town Board. A Trustee may only be removed from the Board of Trustees pursuant to applicable Colorado state law.

Trustees should point out the offending Trustee's infractions of the Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro Tem.

It is the responsibility of the Mayor to initiate action if a Trustee's behavior warrants sanction. If the Mayor takes no action, the alleged violation(s) may be brought up with the full Board in a public meeting.

If violation of the Code of Conduct is outside of the observed behaviors by the Mayor or Board, the alleged violation should be referred to the Mayor. The Mayor should ask the Town Manager to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: Discussing and counseling the individual on the violations; the investigation and its findings, as well as to recommend sanction options for Board consideration.

Staff members who are present during Board meetings shall abide by appropriate standards of conduct and may be disciplined if they act inappropriately. Arguing with or challenging Town Trustees is strictly prohibited.

APPLICATION OF THIS CODE TO ADVISORY BOARDS, COMMISSIONS, AND TASK FORCES

It is the intent of the Granby Board of Trustees that this Code of Conduct be adhered to in spirit and action by all members of the Granby advisory boards, commissions, and task forces.

PRINCIPLES OF PROPER CONDUCT

Proper conduct IS:

- Keeping promises
- Being dependable
- Building a solid reputation

- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper Conduct IS NOT:

- Showing favoritism, antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

It all comes down to respect. Respect for one another as individuals, validity of different opinions, democratic process, and the community that we serve.

CHECKLIST FOR MONITORING CONDUCT

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my internal motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would people whose integrity and character I respect evaluate my conduct?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone?

How Governing Body Members Can Govern Better

The following ideas are taken from the Colorado Municipal League handbook of Ethics, Liability, & Best Practices for Elected Officials.

Governing is clearly more of an art than a science. There are no ultimate answers on how to govern; different approaches are to be expected, and probably desired. However, there do seem to be some fundamentals. The suggestions that follow range from practical, common sense fundamentals to those more philosophic and theoretical. These tips for successful and effective public service are intended to assist mayors, board trustees and members of advisory boards and commissions. Most suggestions related to individual officers and others apply to the governing body as a whole. These two applications, however, are interdependent – the capacity of a governing body to govern effectively is dependent on the collective capacities of at a majority of its membership. These suggestions are not in any priority order, and not all are universally accepted. All of them, however, are worth consideration by anyone who would serve the public through an elective local office.

- Learn all you can about your town, its history, its operation, its financing. Do your homework. Know your town ordinances. Dust off your comprehensive plan.
- Devote sufficient time to your office and to studying the present and future problems of your community.
- Don't bum yourself out on the little things but recognize that they are often important to the public. Save some energy, and time, for the important matters.
- Don't act as a committee of one; governing a town requires team effort – practically and legally.
- Don't let honest differences of opinion within the governing body degenerate into personality conflicts.
- Remember that you represent all of the people of your community, not just neighbors and friends. Be wary of personal experiences coloring your public decisions.
- Take your budget preparation job seriously, for it determines what your town does or does not do for the coming year and will also influence what happens in future years.
- Establish policy statements. Written policy statements let the public, and the town staff, know where they stand. They help the governing body govern, and writing them provides a process to develop consensus.
- Make decisions on the basis of public policy and be consistent. Treat similar situations similarly and avoid favoritism.
- Focus your attention on ways to prevent problems, rather than just trying to solve them as they occur. Filling potholes is one approach to governing; developing plans to prevent them is more important.
- Don't be misled by the strong demands of special interest groups who want it done now, their way. Your job is to find the long-term public interest of the community as a whole, and you may be hearing from the wrong people.
- Don't rush to judgement. Few final actions have to be taken at the first meeting at which they are considered. Avoid "crisis management".
- Don't be afraid of change. Don't be content just to follow the routine of your predecessors. Charge your appointed officers and employees with being responsible for new ideas and better ways. Listen to what they have to say.

- Don't give quick answers when you are not sure of the real answer. It may be embarrassing to appear ignorant, but it can be more embarrassing, and damaging, to tell a person something which is wrong.
- As an individual, even if you are the mayor, don't make promises you can't deliver! Most decisions and actions require approval of the governing body, and this takes a majority vote.
- Remember that you have legal authority as a governing body member only when the governing body is in legal session.
- Don't spring surprises on your fellow governing body members or your town staff, especially at formal meetings. If a matter is worth bringing up for discussion, it's worth being on the agenda. Surprises may get you some publicity, at the embarrassment of others, but they tend to erode the "team" approach to governance.
- Participate in official meetings with the dignity and decorum fitting those who hold a position of public trust. Personal dress and courteous behavior at meetings help create an environment for making sound public decisions.
- Conduct your official public meetings with some formality, and follow rules of procedure. Have an agenda and follow it. Most governing body members agree that formal meetings expedite the process and promote better decision making.
- Don't be afraid to ask questions. It is one of the ways we learn. But do your homework by studying agenda material before meetings.
- Vote yes or no on motions. Don't cop out by abstaining except when you have a conflict of interest. A pass does not relieve you of responsibility when some decisions must be made.
- Once a majority decision of the governing body has been made, respect that official position and defend it if needed, even if you personally disagree.
- Respect the letter and intent of the open meetings law, but also keep private and confidential matters to yourself. Don't gossip.
- Retain competent, key employees, pay them well, trust their professional judgement, and recognize their authority and responsibilities.
- Don't bypass the system! If you have a manager or other chief administrative officer, stick to policy making and avoid personal involvement in the day-to-day operations of the municipality. If you do not have an administrative officer, make sure you have some management system that officers, employees, and the public understand.
- Don't let others bypass the system. Insist that people such as equipment or service suppliers work with your municipality staff. If direct contact with governing body members is necessary, it should be with the governing body as a whole, or a committee, and not on a one-on-one basis.
- Don't pass the buck to staff or employees when they are only following your policies or decisions.
- Don't always take no for an answer. The right question may be "How can we do this?" instead of "May we do this?" Be positive!
- Learn to evaluate recommendations and alternative courses of action. Request that your staff provide options. Encourage imaginative solutions.
- Avoid taking short-term gains at the expense of long-term losses. Be concerned with the long-term future of the town.

- In determining the public interest, balance personal rights and property interests, the possible harm to a few versus the good of the many. Recognize that in some situations, everyone can't be a winner.
- Remember that towns are for people! Be concerned with the total development – physical, economical, and social – of your community.
- Don't act as if the town operates in a vacuum. Towns must work within the intergovernmental system to be effective. Keep in contact and cooperate with your federal, state, county, and school officials.
- Know your neighbors. Get to know the officials of neighboring and similar size towns. Visit other towns, particularly those with a reputation of being well run.
- Learn to listen – really listen – to your fellow governing body members and the public. Hear what they are trying to say, not just the words spoken.
- Keep your constituents informed and encourage citizen participation.
- Be friendly and deal effectively with the news media. Make sure what you say is what you mean. Lack of good communication, with the media and the public, can be a major problem for municipal officials.
- Remember that what you say, privately and publicly, will often be news. You live in a glass house. Avoid over-publicizing minor issues.
- Expect, and respect, citizen complaints. Make sure that your governing body members and your town have a way to deal effectively with them. Have a follow-up system.
- Be careful about rumors. Check them out. Help squelch them when you know they are false.
- Appoint citizen advisory committees and task forces when you need them, but be prepared to follow their advice if you use them.
- Take care in your appointments to boards and commissions. Make sure they are willing and capable as well as representative of the whole community.
- Never allow a conflict of interest to arise between your public duties and your private interests. Be sensitive to actions you take that might even give the appearance of impropriety.
- Seek help. Use manuals, guides, and other technical assistance and information available from the Colorado Municipal League and other agencies. Attend workshops and conferences put on for the benefit of you and your town.
- Pace yourself. Limit the number of meetings you attend. Set some priorities, including the need to spend time with your family. Recognize that life – and the town – is dependent on a lot of things you have little control over.
- Establish some personal goals and objectives. What do you want to help accomplish this year? Next year?
- Help develop some short-term and long-term goals and objectives for your town and check your progress at least every six months.
- Similarly, help your town develop a vision of the future. Plan from the future to the present – no vision, no plan. One of the important purposes of a governing body is to establish a vision for the future.
- Focus on the future and try to leave your town better than which you inherited as a town officer.

- Be a leader as well as part of the team of elected and appointed officials who were selected to make your town an even better place to live.
- At least once a year, schedule a governing body discussion about how you are governing. Review the processes and procedures. Sit back and ask, "How are we doing? How can we do things better?"
- Be enthusiastic about your public service and the privilege you have and let the public know it. But maintain your sense of humor. Don't take yourself or business of government so seriously that you don't enjoy it. It should be fun as well as a rewarding experience.
- Celebrate! Always focusing on problems and issues may lead you, the governing body, and the public, to believe that nothing positive ever happens. Good things do happen. Let the public share your successes.