

RESOLUTION No. 2010-020
Supersedes Resolution 2009-043

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO ADOPT A CODE OF ETHICS / CODE OF CONDUCT
FOR OURAY COUNTY QUASI-JUDICIAL BOARDS AND COMMISSIONS**

WHEREAS, Ouray County, Colorado, acting by and through the Board of County Commissioners of Ouray County, Colorado ("Board") is a statutory County, organized under and by virtue of the laws of the State of Colorado; and

WHEREAS, the Board periodically makes appointments of citizens of Ouray County to certain Ouray County Boards and Commissions in order to facilitate the business and affairs of Ouray County; and

WHEREAS, a code of ethics exists by Colorado statute at C.R.S. §24-18-101, *et seq.* wherein the legislative declaration provides that the provisions of the code of ethics: "recognize that some actions are conflicts per se between public duty and private interest while other actions may or may not pose such conflicts depending upon the surrounding circumstance"; and

WHEREAS, the Board adopted Resolution 2009-043 to have a common Code of Ethics / Code of Conduct for all Ouray County Boards and Commissions and persons otherwise appointed to represent Ouray County, utilizing in part the provisions of C.R.S. §24-18-101, *et seq.* and setting out the expectations and responsibilities of those persons selected to represent Ouray County on Boards and Commissions;

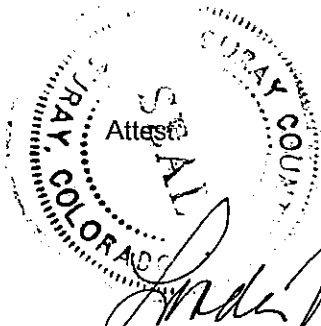
WHEREAS, after implementing the policy for six months, the Board has reconsidered the necessity of having all of the Ouray County Boards and Commissions and persons otherwise appointed to represent Ouray County sign the Code of Ethics; and

WHEREAS, certain Boards and Commissions require the members to act in a quasi-judicial capacity on matters presented at public hearings including observing appropriate due process requirements and subsequently making recommendations to the Board on such matters; and

WHEREAS, the Board determined that while the tenets of the Code of Ethics / Code of Conduct should be observed by all members of Ouray County Board and Commissions, only the Boards and Commissions that act in a quasi-judicial capacity will be required to sign the Code of Ethics / Code of Conduct;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Ouray County, Colorado that the Code of Ethics / Code of Conduct (Attachment A) is adopted and approved and the members of Ouray County Boards and Commissions who act in a quasi-judicial capacity, such as the Planning Commission, the Board of Visual Appeals and the Ridgway – Ouray Area Joint Planning Boards, will be required to sign the Code of Ethics / Code of Conduct. This resolution shall supersede Resolution 2009-043.

APPROVED AND ADOPTED THIS 12th DAY OF JULY, 2010.



[Signature]
Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

[Signature]
Lynn M. Padgett, Chair

- ABSENT -
K. Keith Meinert, Vice-Chair

[Signature]
Heidi M. Albritton, Commissioner

**Code of Ethics / Code of Conduct Policy
For Ouray County Boards and Commissions**

As a member of the _____, I agree to:

- Attend all regularly scheduled meetings of the _____ insofar as possible and review meeting materials prior to those meetings.
- Make decisions on legislative and quasi-judicial matters **only** after I have had the opportunity to review all information and evidence and hear comments and following a full discussion at a properly noticed and scheduled public meeting and/or public hearing of the _____.
- Render my decisions based on the available facts and my independent judgment and I will refuse to surrender that judgment to individuals or special interest groups.
- Encourage the free expression of opinion by all members of the _____ and seek systematic communication with Ouray County citizens through regularly scheduled public meetings and work sessions.
- Avoid being placed in a position of conflict of interest and refrain completely from using my position on the _____ for personal or partisan gain.
- Promptly disclose any conflict of interest or personal or private interest in any matter proposed or pending before the _____ and to recuse myself when required. If I must recuse myself, I will refrain from attempting to influence the decision of the other members of the _____ in voting on the pending matter as required by the "Code of Ethics" set forth at C.R.S. §24-18-101, attached.
- If I have disclosed a personal or private interest not requiring recusal, I will affirm that, notwithstanding such personal or private interest, I will be impartial in acting on such matter.
- Take no action that will compromise the _____ or Ouray County and respect the confidentiality of information that is privileged under applicable laws.
- Avoid "ex-parte" contacts and not discuss a quasi-judicial matter that is, or may come, before the _____ with any person, such as the applicant or an objector.
- Disclose all unsolicited materials and information that I have received pertaining to a matter before the _____ and affirm, if appropriate, that I will be impartial in acting on such matter. If I receive any such unsolicited materials and information I will promptly forward the same to appropriate Ouray County Staff.
- Recognize that as a member of the _____, decision-making authority rests with the _____ as a body and not with individual members. I agree that once a majority of the members of the _____ have reached a decision or position, I may prepare a minority opinion on such matter;

however, I recognize that the majority opinion is binding and I will support the decision or position of the majority.

- Follow appropriate procedure and protocol during meetings of the _____.

Further, as a member of the _____, I recognize that I am representing Ouray County; therefore, I will strive to:

- Conduct myself in a courteous and respectful manner with my colleagues, staff and the public;
- Be attentive to all persons participating in the meeting;
- Exhibit good sportsmanship; and
- Participate as a team member.

I have read and understand the Code of Ethics / Code of Conduct Policy for Ouray County Boards and Commissions and agree to comply with its terms and conditions. I further agree that failure to follow the Code of Ethics/Code of Conduct Policy may be cause for my removal from the _____ by the Board of County Commissioners of Ouray County.

Signature

Date

Printed Name