



Board of Park Commissioners of the City of Fargo

Conflict of Interest Policy

Disclosure of Potential Conflicts of Interest and/or Duality Policy

In consideration of the following:

1. Conflict of interest law. A person acting in a legislative or quasi-legislative or judicial or quasi-judicial capacity for a political subdivision of the state who has a direct and substantial personal or pecuniary interest in a matter before that board, council, commission, or other body, must disclose the fact to the body of which that person is a member, and may not participate in or vote on that particular matter without the consent of a majority of the rest of the body. (N.D.C.C. 44-04.22)
2. A park board member may not be directly or indirectly interested in any contract requiring the expenditure of park district funds unless the contract has been approved by two-thirds of the park board. Before the contract is approved, a motion must be made and approved that the service of the property is not readily available elsewhere at equal cost. Regardless of this section, any park board, by resolution duly adopted, may contract with park board members for minor supplies or incidental expenses. (N.D.C.C. 40-49.10)

Be it hereby resolved that the following policy of interest is adopted:

Any duality of interest or possible conflict of interest on the part of any Board Member should be disclosed to other Board Members and made a matter of record, either through an annual procedure or when the interest becomes a matter of Board action.

Any Board Member having a duality of interest or possible conflict of interest on any matter should not vote or use her/his personal influence on the matter, and she/he should not be counted in determining the quorum for the meeting, even where permitted by law. The Minutes of the meeting should reflect that a disclosure was made, the abstention from voting, and the quorum situation.

The foregoing requirements should not be construed as preventing the Board Member from briefly stating her/his position in the matter, nor from answering pertinent questions of other Board Members since her/his knowledge may be of great assistance.

It is further resolved that this policy be reviewed annually for the information and guidance of Board Members, and that any new Board Member be advised of the policy upon entering the duties of her/his office. The Board President is authorized and directed to see that this policy is followed.