

ORDINANCE NO. 2025-01

CONFLICT OF INTEREST POLICY FOR MEMBERS OF ALL ADVISORY BOARDS & ELECTED POSITIONS OF THE CITY OF BENTON

1. PURPOSE

The purpose of this Conflict of Interest Policy is to provide clear and consistent guidelines for all members of the City of Benton's advisory boards & also elected officials. This policy is designed to ensure that decisions are made impartially and in the best interest of the City. It aims to prevent situations where personal, financial, or other interests may compromise a board member's ability to serve objectively.

2. SCOPE

This policy applies to all members serving on advisory boards of the City of Benton, including but not limited to the:

- Zoning & Planning Commission
- Civic Center Authority Board
- Police & Fire Merit Board
- Airport Board
- City Council

It covers any potential, actual, or perceived conflicts that may arise from personal interests which could influence board responsibilities or decisions.

3. POLICY PRINCIPLES

- **Duty of Loyalty:** Board members must act in the interest of the advisory board and the City of Benton, placing public interest above any personal or financial gains.
- **Disclosure:** Any board member with a potential conflict must disclose the nature of the conflict to the board before participating in any related discussion or decision-making.
- **Recusal:** A member must recuse themselves from deliberation or voting on any matter where a conflict of interest exists.
- **Transparency:** All disclosed conflicts must be recorded in official meeting minutes and communicated transparently to stakeholders.

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4. IDENTIFYING CONFLICTS OF INTEREST

Conflicts of interest may include, but are not limited to:

- **Financial Interests:** Direct or indirect financial relationships with individuals, organizations, or vendors doing business with the City or its boards.
- **Personal Relationships:** Family, friendship, or other close relationships with individuals involved in City operations or advisory matters.
- **Competing Affiliations:** Participation in other organizations or boards whose interests may conflict with the mission or actions of the City of Benton.

5. DISCLOSURE REQUIREMENTS

- **Annual Disclosure:** All board members must complete a conflict of interest disclosure form annually, listing potential or known conflicts.
- **Ongoing Disclosure:** Board members must disclose new or evolving conflicts as they arise throughout their term.

6. MANAGING CONFLICTS OF INTEREST

- Upon disclosure, the advisory board and/or the Benton City Council will review the situation and determine whether a conflict exists and what actions are appropriate, which may include recusal or further action.
- If the potential conflict exists with a current member of the City Council (Mayor and/or Commissioner), the member is not allowed to participate in discussions pertaining to the conflict.

7. EXCLUSIONS FROM ELIGIBILITY

Professional Exclusions (Specific to Zoning & Planning Commission):

Individuals actively working in professions that could compromise the neutrality of zoning or land-use decisions are not eligible for membership. These include, but are not limited to:

- Real estate attorneys
- Mortgage lenders or brokers

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- Real estate agents or brokers
- Title Insurance Company Owners and/or Issuers of Title Insurance

The Benton City Council reserves the right to exclude any profession it deems to be in conflict with the goals of this policy.

Personal Exclusions (Applies to All Boards):

Potential members with close personal or family ties to current City Council members, City employees (including contractual), or individuals already excluded under the professional exclusion clause may be deemed ineligible. Relationships include:

- Spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepparent, stepchild, aunt, uncle, nephew, niece, grandparent, grandson, or first cousin.

The Benton City Council holds the discretion to identify and exclude other relationships that may present a conflict.

PASSED THIS 28th day of April, 2025

AYES: 4

NAYS: 0

ABSTENTIONS: 0

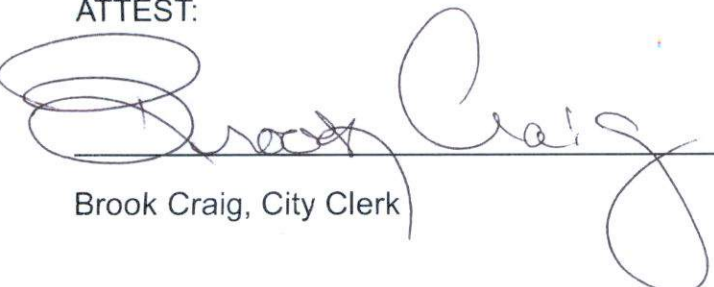
ABSENT: 1

APPROVED THIS 28th day of April, 2025



Lee Messersmith, Mayor

ATTEST:



Brook Craig, City Clerk

