

SUBJECT: BOARD MEMBER CONFLICT OF INTEREST

EFFECTIVE
DATE: 12-29-08 (replaces 03-31-05)

APPROVED BY:

Reviewed (no changes): 02-02-10 _____

Executive Director

POLICY

It is the policy of the governing board of McIntosh Trail CSB, as stated in the by-laws and O.C.G.A. 37-2-6 that a member of the Board may not:

- a. serve as a member of the regional planning board which serves the region in which McIntosh Trail CSB is located; or
- b. be an employee or board member of a public or private entity which contracts with the division to provide mental health, developmental disabilities, and addictive diseases services within this region; or
- c. be an employee of this CSB or employee or board member of any private or public group, organization, or service provider which contracts with or receives funds from this CSB, or
- d. have a spouse, parent, child, or sibling who is a member of this CSB or a member, employee, or board member specified in a., b., or c. above.

Additionally, a board member may not have served a full term or more on a regional planning board unless two years have passed since that service. Members of the Board will abide by the "Code of Ethics for Members of Boards, Commissions, and Authorities" and the "Conflict of Interest" statutes, O.C.A.G. Section 45-10-3 and 45-10-20.

A conflict of interest is defined as any circumstance in which the personal interest of a Board member in a matter before him/her may prevent or appear to prevent him/her from making an unbiased decision with respect to the matter.

PROCEDURE

1. If a Board member has cause to believe that a matter to be voted upon would involve him or her in a conflict of interest, he/she shall announce the conflict of interest and shall abstain from both discussion and voting on the matter; he/she may respond to a specific request from the Chair for information concerning the matter.
2. If a Board member has cause to believe that a matter to be voted upon involves another Board member in a conflict of interest, he/she may, and is expected, to raise the question.
3. The question of whether or not an actual conflict exists shall be decided by a majority vote of the Board members present (excluding any other Board member affected or who has already been disqualified from discussion and voting because of conflict of interest).
4. If a conflict of interest is found to exist, the Board member shall abstain from discussion and voting on such matter, but may respond to a specific request from the Chair for information concerning the matter.
5. If the Board determines that a member is in violation of the conflict of interest provision of Georgia law or the Board by-laws, the Board Chair or his/her designee shall notify the appointing county governing authority of the violation. The Board may request that the respective county governing authority revoke the appointment of such member.