

**AN ORDINANCE**

**TO AMEND SECTION 2-83 OF THE GREENVILLE COUNTY CODE TO PROVIDE FOR WRITTEN DISCLOSURE OF ECONOMIC INTEREST AND RECUSAL FOR BOARD AND COMMISSION MEMBERS.**

**WHEREAS**, County Council has established ethical standards for members nominated and appointed to boards and commissions which can result in disqualification of otherwise qualified candidates; and

**WHEREAS**, the State Ethics Act provides for the members of public bodies to avoid ethical conflicts of interest by allowing members to recuse themselves from certain votes; and

**WHEREAS**, County Council believes that establishing recusal process for board and commission members associated with businesses in the community similar to the State laws that Council follows will serve the best interest of the County and its boards and commissions.

**NOW, THEREFORE, BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:**

**Section 1. Amendment to County Code Section 2-83.** Section 2-83 of the Greenville County Code of Ordinances is hereby struck in its entirety and amended to read as follows:

“(A) No board or commission member shall participate in board action or vote on any contract involving the sale or lease of land, materials, supplies, equipment, or services in which the board or commission member, or an family member of the board or commission member, or individual with whom the board or commission member is associated, or a business with which a board or commission member is associated, has an economic interest.

(B) In the event an action or vote on a transaction regulated under Subsection (A) comes before a board or commission, the covered member shall:

(1) prepare a written statement describing the matter requiring an action or decision and the nature of his or her potential conflict of interest with respect to the action or decision; and

(2) furnish a copy of the written statement (2) to the presiding officer of the board or commission who shall cause the statement to be printed in the minutes and shall require the member be excused from any votes, deliberations, and other actions on the matter on which the potential conflict of interest exists and shall cause such disqualification and the reasons for it to be noted in the minutes.

The presiding officer of the board or commission shall have a copy of the member's written statement along with a copy of the minutes of the board or commission meeting forwarded to the Greenville County Clerk to Council's Office.

(C) A violation of this section by any board or commission member shall render the contract, sale, or lease entered into by the Board or Commission void and may result in removal of the member.

(D) No board or commission member, no family member of a board or commission member shall currently elect to receive services from any entity governed by the board or commission they represent. For purposes of this section, the phrase "elect to receive services" shall not include compliance with a governmental regulation or mandate."

**Section 2. Effective Date.** This ordinance shall take effect upon its adoption.

**DONE IN REGULAR MEETING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**

GREENVILLE COUNTY COUNCIL

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Herman G. Kirven, Jr., Chairman  
Greenville County Council

ATTEST:

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Theresa B. Kizer  
Clerk to Council

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Joseph M. Kernell  
County Administrator