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WATERVILLE ESTATES VILLAGE DISTRICT

CONFLICT OF INTEREST ORDINANCE

SECTION 1: AUTHORITY

This conflict-of-interest Ordinance is adopted pursuant to the authority vested in the Waterville Estates Village District ("District"), through the 2024 Annual Meeting of the District's legislative body, under RSA 31:39-a.

SECTION 2: PURPOSE

The purpose of this Ordinance is to establish a conflict-of-interest Ordinance applicable to all employees, officials, commissioners, committee/board members, and representatives of the District, whether elected or appointed, full-time or part-time, paid or volunteer (collectively "District Representatives"), and to ensure consistency in the application of the Ordinance among the various Boards, Commissions, and District Representatives of the District. The Ordinance is intended to encourage a high level of public trust and confidence that District Representatives will always act in the public interest.

This Ordinance shall be known as the "Waterville Estates Villate District Conflict of Interest Ordinance."

SECTION 3: DEFINITIONS

As used in this Ordinance, the following terms shall have the following meanings:

Board: Any Board (including the District Commissioners), committee, or commission, permanent or special, appointed or elected (unless the context indicates otherwise).

Conflict of Interest: A situation, circumstance or financial interest that has the potential to cause a private or personal interest to interfere with the proper exercise of a public duty. The conflict shall be immediate, definite, and capable of demonstration; not remote, uncertain, contingent, and speculative, that is, such that persons of ordinary capacity and intelligence would not be influenced by it.

Family: Any person who is related to a District Representative in one of the following ways: spouse, domestic partner, parent, grandparent, child, grandchild, sibling, or similar relation to the individuals' spouse. This includes all persons who are members of the same household as the District Representative in question, regardless of whether they are related by blood or marriage.

Firm: A sole proprietorship, joint venture, partnership, corporation or any other form of enterprise.

Interest: Any legal or equitable right, share, or claim, whether or not subject to an incumbrance or a condition, which is owned or held, in whole or in part, jointly or severally, including, but without limitation or right, share, or claim.

Pecuniary: Any advantage in the form of money, property, commercial interest or anything else, the primary significance of which is economic gain; it does not apply to economic advantage applicable to the public generally, such as reduction or increase in prosperity generally.

Principals: Those people who are the subject of the action or application that is before the Board or District Representative.

District Representatives: All officials, employees, commissioners, committee/board members, and officers of the District, whether elected, appointed, paid, or unpaid.

Recuse: Removing or excusing oneself from participating in a specific action or discussion due to a conflict of interest. Recusal requires one to completely remove oneself from all further participation as a District Representative in the matter in question.

SECTION 4: CONFLICTS OF INTEREST

A. District Representatives shall avoid legal conflicts of interest.

1. A District Representative shall not participate in any matter in which the District Representative, or

a member of the District Representative's family, has a personal or pecuniary interest.

2. A District Representative shall not participate in any matter in which a member of his or her family is a principal.

3. A District Representative shall not participate in any matter in which his or her employer or employee is a principal.

4. A District Representative shall not accept any gift or gratuity of anything more than nominal value.

5. No District Representative shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege, or other private or personal advantage for the District Representative, his or her family, or any person or firm associated with the District Representative, or member of the District Representative's family.

6. No District Representative shall appear on behalf of a client or friend or family member before the board of which the District Representative is a member.

7. No District Representative shall:

(a) Coerce or attempt to coerce any public servant or municipal employee to engage in political activities;

- (b) Coerce or command a District Representative or municipal employee to pay, lend, or contribute anything of value to a political party, committee, organization, agency, candidate, or person for political purposes.

SECTION 5: DUTY TO RECUSE

District Representative have a duty to recuse themselves from participating in a specific action or discussion where they have a conflict of interest.

District Representative who have been recused may remain in the hearing room for the public input portion of the hearing and shall seat themselves with the other members of the public that are present. When recused, the recused person shall not participate in the discussions, unless she or he clearly states for the record that she or he is doing so only as a general member of the public.

SECTION 6: ADVISORY VOTE

1. Prior to any vote, each District Representative should give consideration to whether a potential violation of this conflict-of-interest Ordinance might exist. If the public servant is not sure whether a potential violation may exist, the public servant should disclose such facts to the Board.

2. When uncertainty arises as to the application of this conflict-of-interest Ordinance to a Board member in a particular circumstance the public servant shall disclose the nature of the possible conflict and the Board shall, upon the request of that member or another member of the Board, vote on the question of whether that member should be disqualified. Any such request and vote shall be made prior to the commencement of any required public hearing. Such a vote shall be advisory and non-binding and may not be requested by persons other than Board members.

SECTION 7: ADMINISTRATION

1. The Village District Commissioners shall be responsible for administering this Ordinance. The Commissioners shall be the sole arbiter of the terms of this Ordinance and their decision shall be final.

2. Any resident of the District who believes that a District Representative has violated this Ordinance may report the alleged violation to the District Commissioners by submitting the attached form to the District Manager. This form shall be the only manner by which a complaint may be considered. The form shall be completed in detail.

3. The District Commissioners shall provide a copy of the complaint to the District Representative who is alleged to have violated this Ordinance.

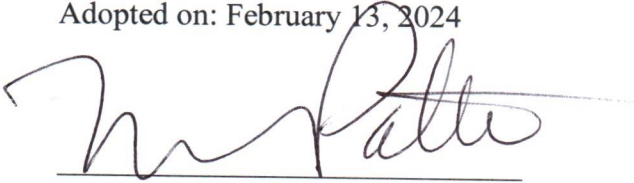
4. The District Commissioners shall, in the first instance, consider the complaint and determine whether a reasonable person could conclude the complaint states a claim that may rise to the level of a violation of this Ordinance. If the complaint does not state sufficient cause to proceed it shall be dismissed, and the resident and public servant alleged to have violated this Ordinance shall be advised of the decision, in writing.

5. If the District Commissioners determine the complaint could present a violation of this Ordinance, then it may investigate in any manner it sees fit consistent with the law. All documents and short descriptions of the results of interviews, if any, shall be made part of the record and shall be made public unless otherwise exempt from public disclosure under RSA 91-A.

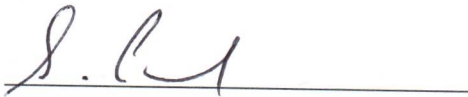
6. Upon completion of any investigation, unless prohibited under RSA 91-A or otherwise prohibited by law, the District Commissioners shall schedule a public hearing where the District Representative shall have the right to make a presentation. The resident also shall have an opportunity to be heard but may not supplement the complaint as filed.

7. The District Commissioners shall issue a written decision.
8. Unless otherwise exempt from public disclosure under RSA 91-A, all records shall be public documents and the hearing of the District Commissioners shall be a public proceeding.

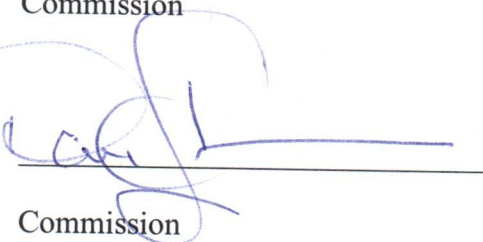
Adopted on: February 13, 2024

A handwritten signature in black ink, appearing to read "M. Patten", written over a horizontal line.

Commission – Chair

A handwritten signature in black ink, appearing to read "S. C.", written over a horizontal line.

Commission

A handwritten signature in blue ink, appearing to read "C. L.", written over a horizontal line.

Commission