



CODE OF CONDUCT

FOR COUNTY COMMISSIONERS, ELECTED AND APPOINTED
DEPARTMENT HEADS, MEMBERS OF ALL BOARDS,
COMMISSIONS, COMMITTEES, TASK FORCES OR OTHER
APPOINTED ADVISORY GROUPS

YANKTON COUNTY, SOUTH DAKOTA

ADOPTED BY THE YANKTON COUNTY BOARD OF
COMMISSIONERS

2020

PREFACE

Business Ethics and Conduct

The successful business operation and reputation of Yankton County is built upon the principles of fair dealing and ethical conduct. The reputation of county governance for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of personal conduct, integrity and public service.

The continued success of Yankton County is dependent upon the public's trust and those who serve the public on behalf of the County should be dedicated to preserving that trust. County Commissioners, elected and appointed department heads, members of all boards, commissions, committees, task forces or other appointed advisory groups owe a duty to Yankton County and the public to act in a way that will merit the continued trust and confidence of the public.

Yankton County expects its elected officials, appointed department heads, members of boards, commissions, committees, task forces and other appointed advisory groups to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest, unethical or disruptive behavior. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct.

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It is the policy of the County of Yankton, South Dakota, to uphold, promote and demand the highest standard of ethical behavior from its elected and appointed department heads and individuals serving on all boards, commissions, committees, task forces or other appointed advisory groups, hereinafter referred to collectively as “Members.” It is presumed that all Members have chosen to serve in order to preserve and protect the present and the future of the County. Honesty, integrity and fairness are hallmarks of public service.

This code has been created to ensure that all Members have clear guidelines for carrying out their responsibilities in their relationships with each other, with all other county employees, with the citizens of Yankton County and with all other private and governmental entities.

SECTION 1: Obey the Laws

Obeying the law, both in letter and in spirit, is the foundation on which this County’s ethical standards are built. The Members shall support the Constitution of the United States and the State of South Dakota as well as all federal, state and local laws, rules and regulations.

SECTION 2: Responsibility of Public Service

Members are to be trustworthy, respectful, responsible, fair, caring and promote citizenship at all times and are not entitled to special consideration or treatment based on their official position or responsibility.

In addition to the above:

- A. Members should actively pursue policy goals they believe to be in the best interest of all residents within the parameters of orderly decision-making and the laws and rules governing those decisions.
- B. Members should respect the legitimacy of the goals and interests of other Members and should respect the rights of others to pursue goals and policies different from their own.
- C. Members, who sit on county boards, commissions, committees, advisory groups, task forces, etc., do not individually speak for the body itself unless approved by the Member body to do so.
- D. Members should dispose of the business of the County in a deliberate manner that assures citizens have meaningful knowledge of and input into their decisions.
- E. Members should conserve the resources of the County in their charge. They should employ county equipment, property, funds and personnel only in legally permissible pursuits and in a manner that exemplifies excellent stewardship.
- F. No Member may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated.
- G. No person may offer or give to a Member, directly or indirectly, and no Member may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the Member’s vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the Member.

- H. Members are cautioned to refrain from giving legal advice or other related direction to members of the public on matters under investigation by Yankton County departments/offices, on matters pending before the courts or government bodies and on any matters where a conflict of interest would caution against any such communication.

SECTION 3: Members' Conduct with County Employees

Governance of the County relies on the cooperative efforts of the Members and the County employees who implement and administer adopted policies and procedures within the County. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community. The following are examples of how the Members should relate to the employees of Yankton County:

- A. Members should treat all employees as professionals. Clear, honest communication that respects the abilities, experience and dignity of each employee is expected. Poor behavior or disrespectful comments toward employees are not acceptable.
- B. Members should never publicly criticize employees. Public criticism of employees leads to poor morale of the employees and undermines their effectiveness with the public and is detrimental to their performance.
- C. Members should not attempt to influence by intimidation or other unethical means, the decisions or opinions of employees on issues that may come before the Planning Commission, Board of Commissioners or other Member bodies.
- D. Individual Members may not intentionally coerce or intimidate employees or interfere with employees' duties or authority.
- E. Members, with the exception of elected and appointed department heads interacting with their own employees, shall not instruct nor direct employees to perform duties related to the employee's job.
- F. Requests for information and clarification on items of County business is allowed and encouraged. Communication is most effective when the Member contacts the Department Head or Elected Official in charge. Members in general should always respect and interact appropriately when requesting information pertinent to County business.

SECTION 4: Conduct in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Members toward an individual participating in a public meeting. Every effort should be made to be fair and impartial in listening to public comments. Members should listen to comments from the public and ask for clarification if they do not understand the comment. Members should not disparage or insult other Members, County employees or other members of the public.

The Chairperson presiding over any meeting, which is subject to open meetings laws or not, shall not allow an individual or other Member to interfere with the orderly progression of meetings. Personal attacks against any Member, County employees or any other person are not allowed regardless of whether the meeting is in session or in recess. If the audience dialogue or Member

discussion becomes disruptive or abusive, the Chairman has the option to ask the offending individual(s) to leave or have the individual(s) removed from the meeting by law enforcement.

SECTION 5: Open Government

The citizens of Yankton County expect and deserve open government. South Dakota’s open meetings law embodies the principle that the public is entitled to the greatest possible information about public affairs and is intended to encourage public participation in government.

Members who are subject to the Open Meetings Laws of the State of South Dakota shall conduct themselves in a manner that fully adheres to the intention of state laws concerning open meetings and transparency of actions. These Members are encouraged to employ a “mindset of openness” in conducting the affairs of the County in an open meeting and should resort to conducting business in executive session only when allowed by law.

SECTION 6: Conflict of Interest

In the execution of official County business, a Member shall not put himself or herself in a position where his or her personal interest conflicts with his or her duties and responsibilities. Members shall disclose any personal relationships to the governing body in the instance where there could be an appearance of a conflict of interest. The Member shall not use official information acquired in the course of their duties for personal gain.

SECTION 7: Violation of Code of Conduct

Violations of this Code of Conduct may result in disciplinary action taken by the Board of County Commissioners. Disciplinary action may involve public or private reprimand at the discretion of the appropriate governing body and may include removal from serving on an appointed body or removal from Office as provided in law.

Date of Adoption: February 4, 2020

APPROVED BY THE YANKTON COUNTY BOARD OF COMMISSIONERS

Cheri Loest, Chair
Yankton County Commission

ATTEST:

Yankton County Auditor/Deputy