

ADOPTED

2/20/2023

**Wilmington Urban Area Metropolitan Planning Organization
Conflict of Interest Policy: Recusal Procedure and Guidelines**

The Wilmington Urban Area Metropolitan Planning Organization (“WMPO”) seeks to prevent and avoid any conflicts of interest in the conduct of its business and to avoid any appearance of such conflicts to the public it serves. Each WMPO Board Member, and his/her alternate, has the duty to place the interests of the WMPO and the public it serves foremost in the conduct of business by the WMPO and has a continuing responsibility to comply with this policy.

WMPO Board Members shall comply with the provisions of G.S. 136-200.2(g) through (k), and all other applicable provisions of law. In the event that a conflict of interest is identified and no statutory exceptions allow the Board Member to participate in a matter, the Board Member shall recuse him/herself and shall not participate in any verbal or written action regarding the matter. In addition to all statutory requirements, the Board Member shall:

1. Promptly Disclose the Conflict or Potential Conflict of Interest. The Board Member shall promptly disclose in writing to the Board any conflict of interest or potential conflict of interest, which written disclosure shall be attached to the minutes of the meeting in which any discussion or vote was taken by the Board related to that disclosure.

2. Decline to Vote or Take Action on the Matter. The Board Member shall not vote and shall not otherwise take action or make a determination on the matter. To the extent permitted and feasible, the Board Member may request that his/her alternate participate in the matter on behalf of the member jurisdiction, provided that such participation by the alternate does not also create a conflict of interest or the appearance of a conflict of interest, and provided further that such participation by the alternate does not delay the Board’s timely consideration of and/or action upon the matter.

3. Decline to Participate in Discussions on the Matter. The Board Member shall avoid participating in verbal or written discussions about the matter with fellow Board Members, WMPO Staff, NCDOT Staff and other government officials, interested parties, and members of the media or the public. This includes both formal discussions of the full Board or a Board committee or informal conversations concerning the matter.

4. Not Seek or Accept Non-Public Information Concerning the Matter. The Board Member shall not be provided with or accept non-public information related to the matter or

request such information. This includes information accepted or requested from fellow Board Members, WMPO Staff, NCDOT Staff or other government officials, and interested parties.

This policy shall be distributed to each WMPO Board Member and (if applicable) his/her alternate.

This policy may be revised or amended as deemed appropriate by the WMPO Board.

This policy is in addition to all applicable Federal and State ethics, disclosure and confidentiality laws, rules, and requirements. In the event that this policy conflicts or is inconsistent with any applicable Federal or State law, rule or requirement, the Federal and/or State law, rule or requirement shall control.

Adopted this ____ day of _____, 2023.