

BLEDSON COUNTY COMMISSION

DATE APRIL 16, 2007

RE: CTAS MODEL ETHICAL STANDARDS FOR BLEDSON COUNTY

UPON MOTION BY COMMISSIONER CHARLES R. RAINS AND SECONDED BY COMMISSIONER

ROBERT REECE TO:

APPROVE THE CTAS MODEL ETHICAL STANDARD FOR BLEDSON COUNTY
RESOLUTION.

THE VOTE WAS AS FOLLOWS: THE MOTION WAS APPROVED BY A VOICE VOTE.

- TIM CAMPBELL _____
- JUNIOR L. HANKINS _____
- GREG JOHNSON _____
- CRAIG MERCER _____
- CHARLES R. RAINS _____
- ROBERT REECE _____
- TONYA ROBERSON _____
- H.C. SAPP _____
- RONNY SAPP _____
- CARLOS SMITH _____
- GORDON SMITH _____
- ROGER SIMMONS _____
- PERRY SWAFFORD _____
- YEA _____
- NAY _____
- PASS _____

2007 SEP 25 PM 1:45
 ETHICS COMMISSION

STATE OF TENNESSEE
COUNTY OF BLEDSON

I, Carolyn M. Terry, Clerk in and for the above named state and county, do certify this to be a true and correct copy as filed in my office.

Given under my hand and seal office this 21

day of Sept. 2007

Carolyn M. Terry
Bledson County

SAMPLE RESOLUTION

RESOLUTION NO. _____

TO ADOPT A CODE OF ETHICS FOR OFFICIALS AND EMPLOYEES
OF Bledsoe COUNTY GOVERNMENT

WHEREAS, Section 49 of the Comprehensive Governmental Ethics Reform Act of 2006, 2006 Public Chapter 1 (1st Ex. Sess.), (the "Ethics Reform Act") requires county legislative bodies to adopt certain ethical standards by resolution on or before June 30, 2007; and

WHEREAS, the County Technical Assistance Service (CTAS) is directed to prepare and disseminate a model of ethical standards which may be adopted by counties in compliance with the Ethics Reform Act; and

WHEREAS, Bledsoe County desires to adopt the CTAS model of ethical standards as the Code of Ethics for Bledsoe County;

NOW THEREFORE, BE IT RESOLVED by the Bledsoe County legislative body meeting in regular session at Pikeville, Tennessee, on this 16th day of April, 2007, that:

SECTION 1. The model of ethical standards developed by CTAS and attached to this resolution is hereby adopted as the Code of Ethics for Bledsoe County.

SECTION 2. Upon approval of this resolution, the County Clerk is directed to:

(a) Mail a copy of this resolution to the State Ethics Commission; and

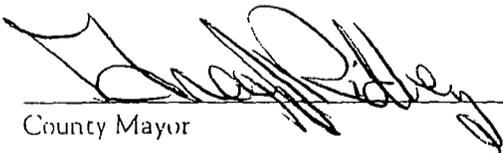
(b) Mail a copy of this resolution and the attached Code of Ethics to each county office governed thereby, including all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the county or an official of the county, and specifically including the county school board, the county election commission, the county health department, and utility districts in the county; and

(c) Post a copy of the Code of Ethics on each public bulletin board in the county courthouse.

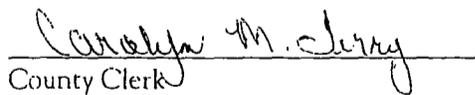
SECTION 3. This resolution shall take effect upon its passage and approval, the public welfare requiring it.

ADOPTED this 16 day of April, 2007.

APPROVED:


County Mayor

ATTEST:


County Clerk

MODEL ETHICS POLICY

The Committee may:

- (1) refer the matter to the County Attorney for a legal opinion and/or recommendations for action;
- (2) in the case of an official, refer the matter to the county legislative body for possible public censure if the county legislative body finds such action warranted;
- (3) in the case of an employee, refer the matter to the official responsible for supervision of the employee for possible disciplinary action if the official finds discipline warranted;
- (4) in a case involving possible violation of state statutes, refer the matter to the district attorney for possible ouster or criminal prosecution;

The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics.

Section 6. Applicable State Laws. In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of county officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, public law of local application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics in county government. For the full text of these statutes, see the Tennessee Code Annotated (T.C.A.) sections indicated.

Campaign finance—T.C.A. Title 2, Chapter 10. Part One (campaign financial disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part Three (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

CTAS Model Code of Ethics, page 3

MODEL ETHICS POLICY

Conflict of interest—T.C.A. § 12-4-101 is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from having a direct financial interest in that contract, purchase or work, and it requires disclosure of indirect financial interests by public acknowledgment.

Conflict of interest—T.C.A. § 49-6-2003 applies to the department of education in all counties and prohibits direct and indirect conflicts of interest in the sale of supplies for use in public schools.

Conflict of interest—T.C.A. § 5-1-125 applies in all counties and prohibits county officials and employees from purchasing surplus county property except where it is sold by public bid.

Conflict of interest—T.C.A. § 54-7-203 applies in all counties that are governed by the County Uniform Highway Law. It prohibits officials and employees in the highway department and members of the county legislative body from having any personal interest in purchases of supplies, materials, machinery, and equipment for the highway department.

Conflict of interest—T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from having any financial or other personal beneficial interest in any contract or purchase of goods or services for any department or agency of the county.

Conflict of interest—T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits all county officials and employees from having any financial or other personal beneficial interest in the purchase of any supplies, materials or equipment for the county.

Conflict of interest—T.C.A. §§ 5-5-102 and 12-4-101 govern disclosures and abstentions from voting due to conflicts of interest of members of county legislative bodies.

Conflict of interest disclosure statements—T.C.A. § 8-50-501 and the following sections require candidates and appointees to local public offices to file a disclosure statement with the state ethics commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

MODEL ETHICS POLICY

Gifts—T.C.A. § 5-14-114 applies in counties that have adopted the County Purchasing Law of 1957. It prohibits the purchasing agent, members of the purchasing commission, and all county officials from receiving anything of value, directly or indirectly, from anyone who may have or obtain a contract or purchase order with the county.

Gifts—T.C.A. § 5-21-121 applies in counties that have adopted the County Financial Management System of 1981. It prohibits the finance director, purchasing agent, and employees in those departments from accepting anything of value, directly or indirectly, from anyone who furnishes supplies, materials or equipment to the county.

Honoraria—T.C.A. § 2-10-116 prohibits elected officials from accepting an honorarium (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or article in their official capacity.

Private use of public property—T.C.A. § 54-7-202 applies in counties that are governed by the County Uniform Highway Law. It prohibits the private use of equipment, rock, and other highway materials.

Court sales—T.C.A. § 39-16-405 prohibits judges, clerks of court, court officers, and employees of court, from bidding on or purchasing any property sold through the court for which such person discharges official duties.

Rules of the Supreme Court—Rule 10, Cannon 5 (Code of Judicial Conduct) establishes ethical rules for judges and other court personnel when exercising judicial functions.

Fee statutes—T.C.A. §§ 8-21-101, 8-21-102, and 8-21-103 set out circumstances where fees are authorized, prohibit officials from requiring payment of fees in advance of performance of services except where specifically authorized, and set penalties for charging excessive or unauthorized fees.

Consulting fee prohibition for elected county officials—T.C.A. §§ 2-10-122 and 2-10-124 prohibit officials from receiving compensation for advising or assisting a person or entity in influencing county legislative or administrative action.

Crimes involving public officials—T.C.A. § 39-16-101 and the following sections prohibit bribery, soliciting unlawful compensation, and buying and selling in regard to offices.

CTAS Model Code of Ethics, page 5

MODEL ETHICS POLICY

Official misconduct—T.C.A. § 39-16-402 applies to public servants and candidates for office and prohibits unauthorized exercise of official power, acting in an official capacity exceeding the servant's power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or employment, and receiving a benefit not provided by law.

Official oppression—T.C.A. § 39-16-403 prohibits abuse of power by a public servant.

Bribery for votes—T.C.A. §§ 2-19-121, 2-19-126, and 2-19-127 prohibit bribery of voters in elections.

Misuse of official information—T.C.A. § 39-16-404 prohibits a public servant from attaining a benefit or aiding another person in attaining a benefit from information which was obtained in an official capacity and is not available to the public.

Ouster law—T.C.A. § 8-47-101 sets out conduct that is punishable by ouster from office, including misconduct in office and neglect of duty.

MODEL ETHICS POLICY

_____ COUNTY CODE OF ETHICS
CONFLICT OF INTEREST DISCLOSURE STATEMENT

Instructions: This form is for reporting personal interests required to be disclosed under Section 3 of the Code of Ethics of this county. Officials and employees are required to disclose personal interests in matters that affect or would lead a reasonable person to infer that it would affect the exercise of discretion of an official or employee.

1. Date of disclosure: _____

2. Name of official or employee: _____

3. Office and position: _____

4. Description of personal interest (describe below in detail):

Signature of official or employee

Witness Signature

Printed name of witness

CTAS Model Code of Ethics, page 7

12.04.06
**MODEL ETHICS POLICY
UNDER THE ETHICS REFORM ACT OF 2006**

CTAS OFFICES

Nashville (Headquarters)	(615) 532-3555	
Chattanooga	(423) 425-5319	Johnson City (423) 282-4141
Cookeville	(931) 525-3535	Knoxville (865) 974-0667
Jackson	(731) 423-3710	Martin (731) 587-7056

www.ctas.tennessee.edu

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THE UNIVERSITY of TENNESSEE 
COUNTY TECHNICAL ASSISTANCE SERVICE

BLEDSOE COUNTY COMMISSION

DATE APRIL 16, 2007

RE: ETHICAL STANDARD COMMITTEE

UPON MOTION BY COMMISSIONER ROGER SIMMONS AND SECONDED BY COMMISSIONER
GREG JOHNSON TO:

CONFIRM THE APPOINTMENT OF DON SNOW, TIM CAMPBELL, GREG MERCER,
CARLOS SMITH, AND GREGG RIDLEY TO THE ETICAL STANDARD BOARD.

THE VOTE WAS AS FOLLOWS: THE MOTION WAS APPROVED BY A VOICE VOTE.

TIM CAMPBELL _____

JUNIOR L. HANKINS _____

GREG JOHNSON _____

CRAIG MERCER _____

CHARLES R. RAINS _____

ROBERT REECE _____

TONYA ROBERSON _____

H.C. SAPP _____

RONNY SAPP _____

CARLOS SMITH _____

GORDON SMITH _____

ROGER SIMMONS _____

PERRY SWAFFORD _____

YEA _____

NAY _____

PASS _____