



HAMILTON COUNTY

Office Of The County Clerk

ROOM 201, COURTHOUSE, CHATTANOOGA, TENNESSEE 37402

WILLIAM F. (BILL) KNOWLES
County Clerk

June 28, 2007

Tennessee Ethics Commission
SunTrust Bank Building
201 4th Avenue, N., Suite 1820
Nashville, TN 37243

Dear Sir or Madam:

As required by law, the Hamilton County Commission adopted Resolution No. 607-62 on June 28, 2007. The attached resolution complies with TCA 8-17-103 requiring all county legislative bodies to adopt a Code of Ethics prior to July 2007.

Sincerely,

William F. (Bill) Knowles

Cc: County Mayor Claude Ramsey
Members, County Commission
County Attorney
County Elected Officials

RECEIVED
2007 JUL -5 AM 8:41
TENNESSEE
ETHICS COMMISSION



Hamilton County Board of Commissioners

RESOLUTION

No. 607-62

A RESOLUTION ADOPTING A CODE OF ETHICS FOR HAMILTON COUNTY OFFICIALS, EMPLOYEES, APPOINTEES, AND AGENTS

WHEREAS, Tennessee Code Annotated Section 8-17-103 requires all county legislative bodies within the State of Tennessee to adopt a code of ethics prior to July 2007 and file with the State Ethics Commission notification of its adoption along with a copy of said code; and

WHEREAS, this county legislative body has reviewed a model code as drafted by the County Technical Assistance Services (CTAS), along with certain modifications recommended thereto by the County's staff and officials; and

WHEREAS, this county legislative body feels that the attached Code of Ethics is appropriate and acceptable for adoption as affecting and binding upon all Hamilton County officials, employees, appointees, and agents.

NOW, THEREFORE, BE IT RESOLVED BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED:

That the attached Code of Ethics be, and hereby is, adopted as applicable to all Hamilton County officials, employees, appointees, and agents; and that the Clerk is hereby authorized to submit a copy of this Resolution and the attached Code of Ethics to the State Ethics Commission with verification of its passage.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

Hamilton County, Chattanooga, TN
A CERTIFIED TRUE COPY
This 28th day of June, 2007
W. F. (BILL) KNOWLES, County Clerk
By Dublin Rollins, Deputy Clerk

Approved:

Rejected:

Approved:

Vetoed:

CERTIFICATION OF ACTION

W. F. Knowles
County Clerk

[Signature]
County Mayor

June 28, 2007
Date



CODE OF ETHICS FOR HAMILTON COUNTY, TENNESSEE

Section 1. Definitions.

(1) "County" means Hamilton County, which includes 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.

(2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the county.

(3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of personal interest in voting matters. An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form with the county clerk. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value. An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the county:

(1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his or her duties; or

(2) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing county business.

It shall not be considered a violation of this policy for an official or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference or meeting sponsored by an established or recognized association having an interest in the affairs of local government or by an umbrella or affiliate organization of such association.

In the adoption of this Code of Ethics, the County does not intend to deprive its officials and/or employees from exercising and enjoying the same acts of society as other members of the general population. Therefore, the exchange and acceptance of gifts and other acts of kindness that are reasonable throughout our society in acknowledgement of holidays and special days are not prohibited or in violation of this Code, as long as said acceptance and exchange is not intended or received as a compensation for any vote or job performance.

Section 5. Ethics Complaints. A County Ethics Committee (the "Ethics Committee") consisting of five members shall be appointed to one-year terms by the County Mayor with confirmation by the county legislative body, to be appointed each year at the same time as internal committees of the county legislative body. One member of the committee shall be a member of the county legislative body; one member shall be a constitutional county officer; the county auditor, or his designee, and the county attorney, or his designee, shall serve on said committee; and the remaining member may be either an employee of county general government and/or a member of a board, committee, commission, authority, corporation, or other instrumentality governed by this policy. The Ethics Committee shall convene as soon as practicable after their appointment and elect a chair and a secretary. The records of the Ethics Committee shall be maintained by the secretary and shall be filed in the office of the county clerk, where they shall be open to public inspection.

Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be in writing and signed by the person making the complaint, and shall set forth in reasonable detail the facts upon which the complaint is based.

The County Ethics Committee shall investigate any credible complaint against an official or employee charging any violation of this Code of Ethics, or may undertake an investigation on its own initiative when it acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the Committee's judgment, constitutes a violation of this Code of Ethics. If a member of the Committee is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such complaint.

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.

HAMILTON 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

ROLL CALL

COUNTY COMMISSION, HAMILTON COUNTY, TN
W. F. (BILL) KNOWLES, County Clerk

ITEM:	Absent	Present	Motion	Second	Aye	Nay	Abstain					
RESOLUTION NO. 607-62												
CURTIS ADAMS				✓	✓							
GREG BECK					✓							
JOHN ALLEN BROOKS	✓											
RICHARD CASAVANT	✓											
JIM COPPINGER			✓		✓							
BILL HULLANDER					✓							
WARREN MACKEY					✓							
FRED SKILLERN					✓							
LARRY HENRY					✓							
TOTAL												

Adopted

DATE June 28, 2007 COUNTY CLERK *W. F. Knowles*