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ROBERT COOK

October 6, 2008

VIA CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

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

RECEIVED
2008 OCT - 8 AM 8: 51
TENNESSEE
ETHICS COMMISSION

RE: Williamson County Code of Ethics, as Amended

Dear Ethics Commission:

This office represents Williamson County and its Board of County Commissioners. In accordance with *Tennessee Code Annotated, Section 8-17-104*, please find included herewith a copy of the recently amended Williamson County Code of Ethics for your files. The Board of Commissioners adopted the amendments on September 8, 2008.

Please feel free to contact me should you have any questions or if you need any additional information.

Very truly yours,

BUERGER, MOSELEY & CARSON, PLC

Robert Cook

RC:gr/H:\Williamson County\County Commission Business\Ethics Bill\EthicsCommission10-6-08Ltr-Amendments.doc

Enc.

RECEIVED

Resolution No. 2-07-9
Requested by: County Attorney

2007 MAR 26 AM 10:07

**RESOLUTION TO ADOPT A CODE OF ETHICS
FOR OFFICIALS AND EMPLOYEES OF WILLIAMSON COUNTY GOVERNMENT
ETHICS COMMISSION**

WHEREAS, Section 49 of the Comprehensive Governmental Ethics Reform Act of 2006, 2006 Public Chapter 1, referenced as the "Ethics Reform Act," requires county legislative bodies to adopt certain standards by resolution on or before June 30, 2007;

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

WHEREAS, after review and study, Williamson County intends to adopt the CTAS model of ethical standards as the Code of Ethics for Williamson County.

NOW, THEREFORE, BE IT RESOLVED, by action of the Board of Commissioners, meeting in regular session, this the 12th day of February, 2007 that:

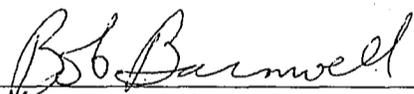
Section 1. The model of ethical standards developed by CTAS and attached to this resolution is hereby adopted by Williamson County as the Code of Ethics for Williamson County;

Section 2. Upon approval of this resolution, the Board of Commissioners directs the County Clerk to:

- a) Mail a copy to the State Ethics Commission;
- b) Mail a copy of the resolution and the attached Code of Ethics to each county officer 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 Williamson County School Board, the Williamson County Election Commission, the Williamson County Health Department and all utility districts within Williamson County; and
- c) Post a copy of the Code of Ethics on each public bulletin board in the Williamson County Judicial Center.

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

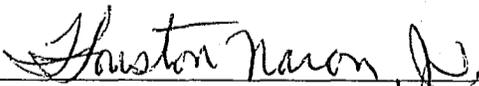
ADOPTED this 12th day of February, 2007.

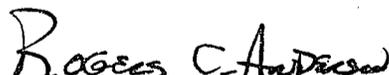

County Commissioner

COMMITTEES REFERRED TO & ACTION TAKEN:

<u>Tax Committee</u>	For <u>5</u>	Against <u>0</u>		
<u>Property Committee</u>	For <u>6</u>	Against <u>0</u>		
<u>Budget Committee</u>	For <u>5</u>	Against <u>0</u>		
Commission Action Taken:	For <u>23</u>	Against <u>0</u>	Pass <u> </u>	Out <u> </u>


Elaine Anderson, County Clerk


Houston Naron, Jr., Commission Chairman


Rogers C. Anderson, County Mayor

2-15-07
Date

PENDING

CODE OF ETHICS
FOR WILLIAMSON COUNTY, TENNESSEE

Section 1. Definitions.

(1) "County" means Williamson 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.

(4) "Prohibited sources" means any person, business, entity or other organization that is seeking official action, decisions or performance or non-performance of an official, employee or appointee of the County. Nothing in this Code of Ethics prohibits an official, employee, or appointee from conducting such County business with, or voting or approving a matter involving, a lending institution whose lending activity is regulated by the state or federal government, solely because that official, employee, or appointee, conducts private business with the institution upon the same terms as those granted to the public generally and not otherwise in violation of this ordinance. *Comment: This excludes mortgages.*

Section 2. Disclosure of personal interest in voting matters. An official or employee 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 or employee's vote on the measure. In addition, the official or employee 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.

(1) An official, or employee, or their spouse or child living in the same household, shall not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the County for the performance of an act, or refraining from performance of an act, that he would be expected to perform or refrain from performance of an act that he would be expected to perform, or refrain from performing, in the regular course of his County duties.

(2) An elected official shall not accept any entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, beverages, or other items with a value in excess of \$100.00 in a calendar year from any prohibited source or single entity which conducts business with the County or appears before the board of County commissioners.

(3) It shall not be considered a violation of this policy for an official or employee to receive meals and entertainment offered as part of events sponsored by public or quasi-public entities, community organizations, or non-profit charitable or educational organizations.

(4) Notwithstanding anything in this code of ordinances to the contrary, an officer or employee may accept any offer of items described in paragraph two of this section regardless of value, provided that the same items are offered at the same time to the public generally or to all County commissioners or all other individuals in the same class of official or employee.

(5) It shall not be considered a violation of this policy for an official or employee to accept, either directly or indirectly, flowers, food, or donations on behalf of a non-profit in response to a family illness or death.

(6) The officer or employee who accepts any gifts as provided for under subsection (2) and (3) of this Section 4 shall disclose the gratuities to the Ethics Officer within 30 days of acceptance by filling out the gratuity form adopted by the Ethics Commission. A copy of the disclosure form will be forwarded to the County clerk for filing.

Section 5. Ethics Commission and procedures to file complaints.

A County Ethics Commission consisting of 5 members, shall be appointed to a 2 year term by the mayor with confirmation by the board of County commissioners. At least 3 members of the committee shall be members of the County legislative body; 1 member shall be a constitutional County officer or, should no constitutional County officer be willing to accept appointment, an additional member of the County legislative body; and the remaining member may be either a member of a board, committee, commission, authority, corporation, or other instrumentality governed by this policy, or an additional member of the County legislative body. The Ethics Commission shall elect a chair and a secretary. The secretary shall fill in as chairman unless another committee member is appointed during the period of the chairman's absence. The records of the Ethics Commission shall be certified as a record of the Ethics Commission actions by signature of the secretary and shall be filed and maintained in the office of the County clerk, where they shall be open to public inspection.

Jurisdiction. The Ethics Commission shall have jurisdiction over ethics complaints lodged against officials and employees.

Duties of Ethics Commission. The Ethics Commission shall investigate any credible complaint referred by the Ethics officer charging a violation under this Code of Ethics by an official, employee, or appointee in its jurisdiction. The Ethics Commission shall establish by a simple majority vote, procedural rules and regulations for the conduct of hearings, meetings, and other activities of the Commission.

Ethics officer. The County attorney or a designee shall serve as the Ethics officer to the Ethics Commission. The Ethics officer shall provide legal advice and direction to the Commission, and shall review all ethics complaints prior to those complaints being heard by the Commission. Upon reviewing a complaint, the Ethics officer may take no action, refer the matter to an appropriate officer or entity, or refer it to the Ethics Commission. If requested by the board, any County elected official, or any department head, the Ethics officer may issue ethics opinions, verbally or in writing.

Filing complaints and hearing procedures. Questions and complaints regarding the application or any violation of the Code shall be directed to the Ethics officer. Complaints against

an individual shall be in writing and signed under oath by the person making the complaint, and shall set forth in reasonable detail the facts upon which the complaint is based.

Any complaints forwarded to the chair by the Ethics officer shall contain comments to the Ethics Commission as to the validity of the complaint. Upon receiving a complaint, the Ethics Commission chair shall schedule a meeting within 45 days of receipt of the complaint.

The individual who is the subject to the complaint may be represented by counsel and put on witnesses and supporting documentation. If the panel finds that no violation has occurred, then the panel shall dismiss the complaint. If it is determined that a violation has occurred, then the panel shall submit its findings and recommendations to the appropriate elected officials.

If a member of the Ethics Commission is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such complaint.

Upon finding a violation to the Code of Ethics, the Ethics Commission may recommend one or more of the following:

1. In the case of an employee, that the employee's supervisor take disciplinary action in accordance with County policy;
2. In the case of an elected official, that a record of the findings be filed with the County clerk's office;
3. In the case of an elected official, that an ouster suit be brought by the appropriate law enforcement official; or
4. In the case of a possible criminal violation, refer the matter to the district attorney for possible ouster or criminal prosecution.

By a unanimous vote, the Commission may dismiss the complaint if it determines that there is insufficient credible evidence supporting the allegations.

If the Ethics Commission finds that an ethics violation resulted from a good faith mistake, then the Ethics Commission may by majority vote issue a warning rather than any sort of formal recommendation or disciplinary action.

Penalties for frivolous complaints. It shall be a violation to submit a complaint to the Ethics Commission that has no genuine basis in fact. Any person, firm, or corporation in violation of this subsection shall be fined no more than \$50.00 plus court costs and reasonable attorney fees, if determined by a unanimous vote of the Ethics Commission that the complaint is frivolous and not based on relevant facts.

Any action of the Ethics Commission resulting in a monetary fine may be appealed by certiorari to Chancery Court of Williamson County within 60 days of the action. Any appeal shall stay final action by the Ethics Commission. All fines shall be paid to the Williamson County Court Clerk's Office.

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