

**Jackson Energy Authority
Meeting of the Board of Directors
January 25, 2024**

Resolution approving revision to Jackson Energy Authority's Code of Ethics.

Background:

The Tennessee Ethics Commission was established by the General Assembly to sustain the public's confidence in government by increasing governmental transparency through the regulation of lobbying activities, financial disclosure requirements, and ethical conduct. As a result, the 2006 General Assembly passed the Ethics Act which requires municipalities to adopt a code of ethics by June 30, 2007, and submit it to the Tennessee Ethics Commission for approval. To comply with this law, on June 28, 2007, JEA Board of Directors adopted a Code of Ethics to supplement and replace the Conflict of Interest Policy that was previously adopted.

As a result of recent organizational changes, management recommends updating the Code of Ethics effective January 25, 2024. The substantive changes are as follows:

Disclosure of Conflicts of Interest

- Modified the following which replaces General Counsel with Chief Financial Officer as JEA's Ethics Officer in addition to the Chief Executive Officer.
 - *The Ethics Officer shall be the Chief Executive Officer or the Chief Financial Officer.*

Elected or Appointed Public Office

- Eliminated the paragraph due to recent review and recommendation by JEA's outside General Counsel, Dale Thomas.
 - *Unless permitted by state or federal law or prior written approval from JEA, any employee that wishes to accept or seek nomination, election, or appointment to any public office at the federal, state, or local level shall take an unpaid leave of absence from JEA employment. Upon election or appointment, the employee shall promptly resign from JEA employment. For the purpose of this section, public office is defined as an elected or appointed position with oversight or influence over JEA's activities.*

Adopted Resolution:

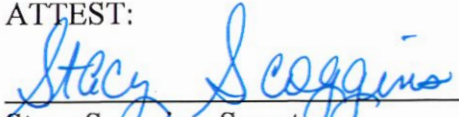
RESOLVED, That the Board adopts the attached JEA Code of Ethics as amended and revised on January 25, 2024.

ADOPTED, This 25th day of January, 2024.



Monte Jones, Chair

ATTEST:



Stacy Scoggins, Secretary

Jackson Energy Authority

Code of Ethics

The intent of this policy is to assist members of the Board of Directors, officers, and employees of Jackson Energy Authority (JEA) in avoiding a real or perceived conflict of interest, establish guidelines regarding the acceptance of gifts, promote integrity in our business conduct, and help achieve JEA 's mission and vision. Within the context of this policy, the term "employee" applies to all members of the Board of Directors, officers and employees.

Conflicts of Interest

A conflict of interest occurs when an employee engages in an activity, which appears incompatible with the performance of the employee's responsibilities or impairs the employee's judgment or action. An employee should avoid either an actual conflict of interest or the appearance of a conflict of interest in the performance of their duties. For the purpose of this Code of Ethics, "personal interest" means any financial, ownership, or employment interest of the employee, or a financial interest of the employee's spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).

Disclosure of Conflicts of Interest

An employee with the responsibility to vote on a measure and having a personal interest in such shall disclose during the meeting at which the vote takes place, before the discussion and vote and so it appears in the minutes, any personal interest that affects or would lead a reasonable person to infer that it affects the employee's vote on the measure. The employee shall refrain from any discussion on this matter and abstain from voting.

In all other non-voting circumstances, where an employee has a personal interest in the matter that affects or would lead a reasonable person to infer that it affects the exercise of discretion shall disclose the interest on a Conflict of Interest Disclosure Statement. The Conflict of Interest Disclosure Statement should be filed with JEA's Ethics Officer. The Ethics Officer shall be the Chief Executive Officer or the Chief Financial Officer. A sample form is attached to this Code of Ethics. In addition, the employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from participating in the matter.

Acceptance of Gifts and Other Items of Value

An employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than JEA or any organization owned in part or in whole by JEA:

- (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 duties; or
- (2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing JEA business. For purposes of this section, the definition of reasonable shall be what a reasonable person would do under the circumstances.

Use of Information, Time, Property, & Other Assets

An employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law. An employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity.

An employee may not use or authorize the use of JEA time, property, or other assets for private gain or advantage to himself or any private person or entity, except as authorized by legitimate contract or lease that is determined to be in the best interest of JEA.

Use of Position or Authority

An employee may not make or attempt to make private purchases, for cash or otherwise, in the name of JEA. An employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the charter, general law, or policy of JEA.

Outside Employment

An employee may not engage in any outside employment if the work unreasonably inhibits the performance of his duties at JEA or conflicts with any provision of JEA's charter or any ordinance or policy.

Ethics Complaints

Administration of this policy is the responsibility of JEA's Ethics Officer. Upon the written request of an employee potentially affected by this Code of Ethics, the Ethics Officer may render an oral or written advisory ethics opinion based upon this Code or any applicable law.

The Ethics Officer shall investigate any credible complaint against an employee charging any violation of this Code, or may undertake an investigation on his own initiative when he acquires information indicating a possible violation and make recommendations for action to end or seek retribution for any activity that, in his judgment, constitutes a violation of this Code of Ethics.

The Ethics Officer may request that JEA hire an attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interest in a particular matter.

When a complaint of a violation of any provision of this chapter is lodged against a member of JEA's Board of Directors, the Board of Directors shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the governing body determines that a complaint warrants further

investigation, it shall authorize an investigation by the Ethics Officer or another individual or entity chosen by the Board of Directors.

When a violation of this Code of Ethics also constitutes a violation of a personnel policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel policy or other rule or regulation rather than as a violation of this Code of Ethics.

Violations

An employee who violates any provision of this Code is subject to disciplinary action.

Applicable State Laws

Following is a brief summary of selected state laws concerning ethics in government. These laws were in effect at the origination of this code of ethics, however, this list may not be complete, these laws may be amended, or new laws may be enacted by the state government. For the full text of these statutes, see the Tennessee Code Annotated (T.C.A.) sections indicated. 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.

Conflict of interest- T.C.A. § 6-54-107 and § 12-4-101.

Conflict of interest- T.C.A. § 5-1-125

Conflict of interest- T.C.A. § 5-14-114

Conflict of interest- T.C.A. § 5-21-12 1

Gifts- T.C.A. § 5-14

Gifts- T.C.A. § 5-21-121

Fee statutes- T.C.A. §§ 8-21-101, 8-21-102, and 8-21-103

Crimes involving public officials-T.C.A. § 39-16-10

Official misconduct- T.C.A. § 39-16-402

Official oppression-T.C.A. § 39-16-403

Misuse of official information- T.C.A. § 39-16-404

Ouster law- T.C.A. § 8-47-10 I

Loss of Retirement Benefit- T.C.A. § 8-35-1 24

*Masculine pronouns have been used for convenience and readability, however these pronouns are not meant to be gender specific.