

**ANDERSON COUNTY EMERGENCY COMMUNICATIONS DISTRICT** ✓

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Board of Directors

Mark Lucas, Chairman

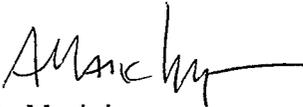
April 9, 2008

Tennessee Ethics Commission  
SunTrust Bank Building  
201 4<sup>th</sup> Avenue, North  
Suite 1820  
Nashville, Tennessee 37243

To Whom It May Concern,

Attached is the Ethics Policy adopted by the Anderson County Emergency Communications District Board of Directors on April 8<sup>th</sup>. We had been originally informed the District would be covered by Anderson County's ethics policy. However, we have since learned this is not the case and have adopted our own policy.

Your attention in this matter is appreciated.



A. Mark Lucas  
Chairman

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ETHICS COMMISSION

## ANDERSON COUNTY EMERGENCY COMMUNICATIONS DISTRICT

### ETHICS POLICY

1. **Persons Covered:** This policy applies to all members of the Board of Directors, employees and agents of the Anderson County Emergency Communications District (hereinafter "board members, employees and agents").
2. **Board Member, Employee and Agent Responsibilities:** Each board member, employee and agent shall avoid any action, whether or not specifically prohibited by statute, regulation, or this Policy, which might result in or create the appearance of:
  - A. Using public office for private gain.
  - B. Giving preferential treatment to any person.
  - C. Impeding government efficiency or economy.
  - D. Losing complete independence or impartiality.
  - E. Making a government decision outside of official channels; or
  - F. Affecting adversely the confidence of the public in the integrity of the Anderson County Emergency Communications District or its Board of Directors.
3. **Gifts:** No board member, employee or agent shall solicit or accept, directly or indirectly, on behalf of himself or herself or any member of the board member's, employee's or agent's household, any gift, including but not limited to any gratuity, service, favor, food, entertainment, lodging, transportation, loan, loan guarantee or any other thing of monetary value, from any person or entity that:
  - A. Has, or is seeking to obtain, contractual or other business or financial relations with the Anderson County Emergency Communications District, or its board of directors; or
  - B. Conducts operations or activities that are regulated by The Anderson County Emergency Communications District Board of Directors; or
  - C. Has an interest that may be substantially affected by the performance or nonperformance of the board member's, employee's or agent's official duties.

4. **Exceptions:** The prohibition on accepting gifts in Paragraph 3 does not apply to:

- A. A gift given by a member of the board member's, employee's or agent's immediate family, or by an individual if the gift is given for non-business purpose and is motivated by a close personal friendship and not by the position of the board member, employee or agent. In determining whether a gift falls within this subsection, the factors contained in Tennessee Code Annotated § 3-6-114(b) (3) (A) and (B) shall apply.
- B. Informational materials in the form of books, articles periodicals, or written materials, audiotapes, videotapes, or other forms of communication;
- C. Sample merchandise, promotional items, and appreciation tokens, provided they are routinely given to customers in the ordinary course of business;
- D. Unsolicited tokens or awards of appreciation, honorary degrees, or bona fide awards in recognition of public service in the form of a plaque, trophy, desk item, wall memento and similar items; provided that any such item shall not be in the form which can be readily converted to cash;
- E. Food, refreshments, foodstuffs, entertainment, or beverages provided as part of a meal or other event, if the value of such items does not exceed fifty dollars (\$50.00) per occasion; provided the value of a gift made pursuant to the subsection may not be reduced below the monetary limit by dividing the cost of the gift among two or more persons or entities identified in Paragraph 3.
- F. There may be circumstances where refusal or reimbursement of a gift (such as a lunch or dinner) may be awkward and contrary to the larger interests of the Emergency Communications District. In such circumstances, the board member, employee or agent is to use his or her best judgment, and provide to the Board of Directors a written disclosure of the gift, including description, estimated value, the identity of the person or entity providing the gift, and any explanation necessary within fourteen (14) days;
- G. Food, refreshments, meals, foodstuffs, entertainment, beverages or intrastate travel expenses that are provided in connection with an event where the board member, employee or agent is a speaker or part of a panel discussion at a scheduled meeting of an established or recognized membership organization which has regular meetings; and
- H. Loans from established financial institutions made in the ordinary course of business on usual and customary terms, so long as there are no guarantees or collateral provided by any person described in Paragraph 3.

**5. Financial Interests:**

- A. No board member, employee or agent shall enter into or derive any benefit, directly or indirectly, from any contractual arrangement with the Anderson County Communications District with regard to matters related to E911 or emergency communications. In recognition of the fact that many husbands and wives have separate careers, the normal employment compensation of a spouse whose regular, ongoing employer or business has a "benefit" to the board member, employee or agent is excluded from his provision, provided the contract with the Anderson County Emergency Communications District was procured without any participation, assistance or influenced by the board member, employee or agent.
  
- B. No board member, employee or agent shall have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his or her board-related duties or responsibilities. "Indirect financial interest" in this case includes a substantial interest on the part of a parent, spouse, or minor child of the board member, employee or agent. This subsection shall not apply to interests that have been placed into a "blind trust" arrangement pursuant to which the board member, employee or agent does not have knowledge of the retention or disposition of such interests. This subsection also shall not apply to ownership of publicly traded stocks or bonds where such ownership constitutes less than two percent (2%) of the total outstanding amount of the stocks or bonds of the issuing entity. If, at the time the board member, employee or agent begins his or her term on or tenure with the board or at any subsequent time while serving the board, the board member, employee or agent possesses such direct or indirect financial interests prohibited by subsections (A) or (B), the board member shall divest such interest within a reasonable time.

**6. Use of Information:** No board member, employee or agent shall, directly or indirectly:

- A. Use, disclose, or allow the use of official information which was obtained through or in connection with his or her membership with the Anderson County Emergency Communications District Board of Directors or service with the Anderson County Emergency Communications District and which has not been made available to the general public for the purpose of furthering the private interest or personal profit of any person, including the board member; or

B. Engage in financial transaction as a result of, or primarily relying upon, information obtained through his or her membership on the Anderson County Emergency Communications District Board of Directors or service to the Anderson County Emergency Communications District.

7. **Use of District Property:** No board member, employee or agent shall make use of the facilities, equipment, personnel or supplies of the Anderson County Emergency Communications District for private use or gain, except to the extent that the use is incidental or de minimis or is lawfully available to the general public.
8. **Use of Position or Authority:** No board member, employee or agent shall make or attempt to make private purchases, for cash or otherwise, in the name of the district. No board member, employee or agent shall use or attempt to use their position to secure any privilege or exemption for personal use that is not authorized by the board.
9. **Disclosure of Personal Interest by Board Member with Vote:** A board member with the responsibility to vote on a matter before the Board of Directors shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the board member's vote on the matter. In addition, the board member may recuse from voting on the matter.
10. **Disclosure of Personal Interest in Non-Voting Matters:** A board member, employee or agent 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 in writing to the board chairman. In addition, the board member, employee or agent may, recuse from the exercise of discretion in the matter.
11. **Ethics Complaints:** The Anderson County Law Director is designated as the ethics officer for complaints filed against any board member, employee or agent of the district. Upon the written request of an official or employee potentially affected by this policy, the law director may render an oral or written advisory ethics opinion based upon this policy and other applicable law. The law director may investigate any credible complaint against a board member, employee or agent charging any violation of this policy, or may undertake an investigation on his/her initiative when information is received indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that constitutes a violation of this policy.

12. **Violations:** An appointed member of the Board of Directors who violates this policy is subject to removal from the board as provided by applicable law. An employee or agent who violates this policy is subject to disciplinary action by the board.

**Now, Therefore, Be It Resolved, by the Anderson County Emergency Communications District Board of Directors, that this policy shall be adopted;**

**In Witness Whereof, this the 8<sup>th</sup> day of April, 2008.**



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**A. Mark Lucas, Chairman**