



... creating a better quality of life

December 17, 2007

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2007 DEC 27 AM 10:12
TENNESSEE
ETHICS COMMISSION

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

RE: City of Murfreesboro Tennessee Ethical Standards

To Whom It May Concern:

Enclosed please find a Resolution #07-R-45 adopted by the Murfreesboro City Council on December 13, 2007. This Resolution amends the policy embodied in the Resolution previously filed with you, Resolution 07-R-20 adopted on June 28, 2007.

I also enclose for your convenience a document combining the substantive portions of the two Resolutions so you will have the City's current policy in one instrument.

Please contact me if you have any questions.

Sincerely,

Susan Emery McGannon
Susan Emery McGannon
City Attorney

Enc.

RESOLUTION 07-R-20 to adopt additional ethical standards for the City of Murfreesboro.

WHEREAS, the City of Murfreesboro desires to adopt ethical standards in addition to those in its existing Employee Handbook to comply with Tennessee Code Annotated Sections 8-17-102 through 106.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. These ethical standards shall be applicable to all full time and part time elected or appointed officials and employees, whether paid or unpaid, of the City of Murfreesboro and of any separate board, commission, committee, authority, corporation or other entity or instrumentality appointed or created by the City of Murfreesboro. This includes but is not limited to the Murfreesboro School Board, Evergreen Cemetery, the Murfreesboro Housing Authority and the Murfreesboro Power Board.

Officials and employees of the City bear the responsibility of maintaining the public trust in the performance of their duties with honor and integrity. Each should guard against placing themselves in a position in which any person can expect special consideration, or in which the public may assume that special consideration is, has been, or may be given.

Officials and employees shall not solicit any gift, rebate, discount, favor, money, present, fee or any promise, obligation or contract for future rewards or compensation where there is any connection between the solicitation and the individual's status as a City official or City employee, or in which it could reasonably be interpreted by the public as being a gift, rebate, favor, discount, money, present, fee, or any promise of future rewards or compensation capable of influencing the individual's discretion or judgment in the discharge of the individual's duties for the City.

Officials and employees shall not accept any gift of money in any amount, or any gift, rebate, favor, discount, or present of such value or under such circumstances as to suggest to reasonable persons it constitutes a "kickback" or "quid pro quo" for favorable treatment. "Gift of money" includes benefits conferred through financial or banking arrangements if the terms thereof are not usual and customary, e.g., loans made at a lower interest rate or with more favorable repayment terms.

Officials and employees are allowed to accept gifts, rebates, discounts, favors or presents which are not made in exchange for the individual's exercise of their discretion and judgment.

Any gift, rebate, favor, discount, money, present, fee, or any promise of future rewards or compensation capable of influencing the individual's discretion or judgment in the discharge of the individual's duties for the City which exceeds, or might reasonably be deemed to exceed, one hundred dollars (\$100.00) in value must be reported in writing to the City Recorder within ten (10) days of acceptance. If the gift is

made as part of a collection for a benevolent purpose authorized by the City Manager (or by the appropriate chief administrative officer for city entities) such as a serious illness in the employee's family, such reporting is not required.

This ethical standard shall not apply to legitimate campaign contributions which are properly reported in accordance with applicable election laws, when the official or employee is a candidate for public office.

SECTION 2. Officials and employees of the City shall disclose personal interests that impact or appear to impact their discretion in addition to making all disclosures required by State conflict of interest laws, including T.C.A. § 6-54-107 and T.C.A. § 12-4-101.

Officials on City entities or boards that have final authority over substantive matters within their jurisdiction shall disclose such personal interests by completing the "Statement of Disclosure of Interests Form for State and local Office Holders, Candidates and Appointees To Such Positions, Non-General Assembly Members, Etc." used by the State Ethics Commission. These entities and boards are: City Council, City Board of Education, Power Board, Water and Sewer Board, Planning Commission, Board of Zoning Appeals, Board of Historic Zoning, the Construction Board of Adjustments and Appeals, the Disciplinary Review Board, the Pension Committee, the City Library Board, the Murfreesboro Housing Authority, and the Evergreen Cemetery Board.

These "Statement of Disclosure of Interests" forms shall be filed annually, by January 31st of each year, with the City Recorder. It is the responsibility of each office holder to file an amended and updated form during the course of the year if there have been substantial changes to the information.

Officials who are not required to file the "Statement of Disclosure of Interests" form are required to publicly disclose any "personal interest" in a matter before any vote on that matter and to request that such disclosure appear in the minutes.

Employees are required to make written disclosure of any personal interest in a matter before exercising discretion relative to that matter to their immediate supervisor and to the City Manager or to the appropriate chief administrative officer for employees of City entities and instrumentalities.

For officials and employees who are not required to file the "Statement of Disclosure of Interests" form, a "personal interest" requiring disclosure shall be any financial, ownership or employment interest held by that individual officer or employee, or that officer or employee's spouse, or child or stepchild, who is under the age of eighteen (18) years, which interest affects, or which would lead reasonable persons to believe it affects, the exercise of discretion by the official or employee that is not otherwise regulated by state statutes on conflicts of interest. A financial, ownership or employment interest which benefits or which may benefit the officer or employee, or their family member, by one thousand dollars (\$1000.00) a year or more is a "personal interest" requiring disclosure under these standards. These ethical standards shall not

prohibit secondary employment ('moonlighting") by employees if said employment has been disclosed in accordance with these standards and approved to the extent required.

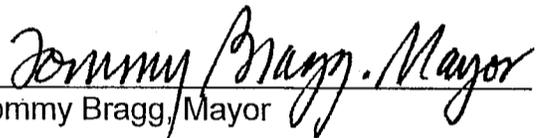
SECTION 3. Any provisions of the Employee Handbook or any general order, rule, policy or regulation of the City or any of its entities or instrumentalities in conflict with this Resolution is hereby superceded.

SECTION 4. The City Attorney shall provide a copy of this Resolution to the State Ethics Commission.

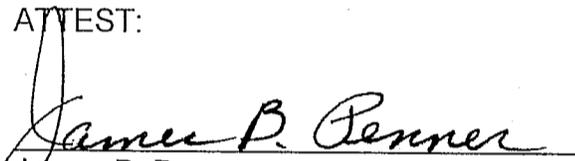
SECTION 5. The City Attorney shall provide a copy of this Resolution to all City boards, commissions, entities and instrumentalities to which it applies.

SECTION 6. This Resolution shall be effective immediately upon its passage and adoption, the public welfare and the welfare of the City requiring it.

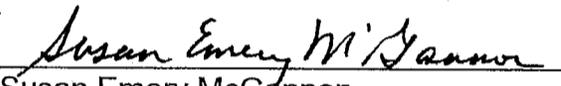
Passed: June 28, 2007


Tommy Bragg, Mayor

ATTEST:


James B. Penner
City Recorder

APPROVED AS TO FORM:


Susan Emery McGannon
City Attorney

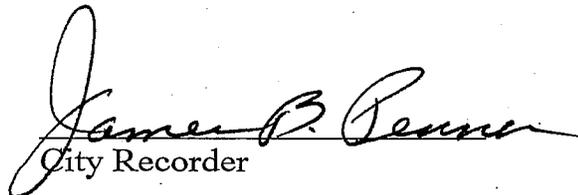
State of Tennessee)

: SS

Rutherford County)

I, the undersigned, **James B. Penner**, do hereby certify that I as the duly appointed City Recorder of the City of Murfreesboro, Rutherford County, Tennessee, and as such official I further certify that attached hereto is a true and correct copy of RESOLUTION 07-R-20 adopted by the City Council of said City at its meeting held on June 28, 2007.

IN WITNESS WHEREOF, I have hereunto subscribed by official signature and affixed the Corporate Seal of said City this 29th day of June, 2007.


City Recorder

(SEAL)

RESOLUTION 07-R-45 amending the reporting standards and form adopted in Resolution 07-R-20.

WHEREAS, pursuant to T.C.A. § 8-17-102 through 106, the Murfreesboro City Council adopted Resolution 07-R-20 adding ethical standards for City officials and employees to those already in the City's Employee Handbook and state law; and

WHEREAS, the Council wishes to modify its requirement that members of certain boards and commissions complete a financial disclosure form without regard to whether any conflict of interest existed between the member's official duties and their financial interests by limiting said requirement to members who are paid for their service and by modifying the disclosure requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. The second paragraph of Section 2 of Resolution 07-R-20 is amended to read:

"Officials on City entities or boards that have final authority over substantive matters within their jurisdictions who are paid a salary or fee for their service, and any persons being considered for appointment to such a position, shall disclose such personal interests by using a form based on the "Statement of Disclosure of Interests Form for State and Local Office Holders, Candidates and Appointees to Such Positions, Non-General Assembly Members, etc." used by the Tennessee Ethics Commission. At this time these entities and boards are: City Council, City Board of Education, Power Board, Water and Sewer Board, Planning Commission, and Board of Zoning Appeals. The "Statement of Disclosure of Interest" form shall be modified so as not to require disclosure of any financial interest which is less than \$10,000 in value."

SECTION 2. The third paragraph of Section 2 of Resolution 07-R-20 is amended by adding the following sentence:

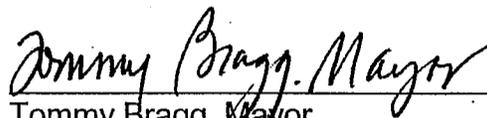
"Any person being considered for an appointment to a board or commission who would be required to complete the "Statement of Disclosure of Interests" form if appointed shall complete and submit such form for review by the City Council prior to the appointment being made."

SECTION 3. The fourth paragraph of Section 2 of Resolution 07-R-20 is amended by deleting the words "who are not required to file the "Statement of Disclosure of Interests" form" so as to make the requirement that any "personal interest" in a matter be disclosed before any vote on that matter applicable to all officials.

SECTION 4. The City Attorney shall provide a copy of this Resolution to the Tennessee Ethics Commission and to the City boards, commissions, entities and instrumentalities to which it applies.

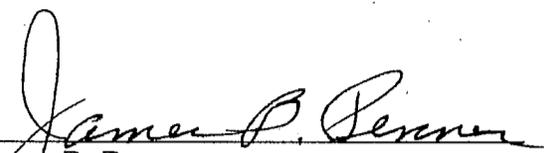
SECTION 5. This Resolution shall be effective immediately upon its passage and adoption, the public welfare and the welfare of the City requiring it.

Passed: December 13, 2007



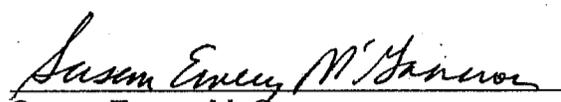
Tommy Bragg, Mayor

ATTEST:



James B. Penner
City Recorder

APPROVED AS TO FORM:



Susan Emery McGannon
City Attorney

CITY OF MURFREESBORO, TENNESSEE
STATEMENT OF DISCLOSURE OF INTERESTS FORM

It is intended that this Form will be used similarly to the Form used by the Tennessee Ethics Commission. If you have questions about how to complete it, refer to the Instruction for State Form SS-8005. Attach additional pages as necessary. Note that this disclosure statement must be signed and the signature attested to by a witness. In addition, please be aware that this statement form is a public record.

Please PRINT OR TYPE.

1. NAME OF OFFICIAL _____
2. PHONE NUMBER
(Home) _____ (Work) _____

3. HOME ADDRESS
Street or Rural Route _____ City _____ State _____ Zip Code _____

MAILING ADDRESS [CHECK HERE IF SAME AS HOME ADDRESS
Street or Rural Route _____ City _____ State _____ Zip Code _____

4. OFFICE HOLDER or NEW CANDIDATE
TITLE OF OFFICE HELD OR SOUGHT: _____

5. SOURCES OF INCOME: List major source(s) of private income of more that \$10,000 and that of your spouse or minor child residing with you. "Major sources of private income: include, but are not limited to, offices, directorships and salaried employments. No dollar amounts need to be stated. If none, answer "none" or "N/A".

6. INVESTMENTS: List any investment by you, your spouse or minor children residing with you in any corporation or other business organization in excess of ten thousand dollars (\$10,000) or five percent (5%) of the total capital. The name of the corporation or organization must be listed but no dollar amounts or percentages of the investment need be stated. If none, answer "none" or "N/A".

7. LOBBYING: List any person, firm or organization for whom compensated lobbying of any City entity is done by any associate, your spouse or minor children residing with you. Also, list any firm in which you, your spouse or minor children residing with you hold any interest for whom compensated lobbying is done. Explain the terms of any such employment, the subject matters lobbied and/or the measures to be supported or opposed. If none, answer "none" or "N/A".

8. PROFESSIONAL SERVICES: List in general terms (by areas of the client's interests) the entities to which professional services, such as those of an attorney, accountant or architect, are furnished by you or your spouse. If none, answer "none" or "N/A".

9. RETAINER FEES: List any retainer fee you receive from any person, firm or organization who is in the practice of promoting or opposing, influencing or attempting to influence directly or indirectly, the passage or defeat of any law, policy or contract before the City or any of its boards, commissions or entities. If none, answer "none" or "N/A".

10. BANKRUPTCY: List any adjudication of bankruptcy or discharge received in any United States district court within five (5) years of the date of this report. If none, answer "none" or "N/A".

11. LOANS: List any loan or combination of loans for more than ten thousand dollars (\$10,000) from the same source made in the previous calendar year to you, your spouse or minor children residing with you. See me attached Instructions for the list of bans that should not be disclosed on this report. If none, answer "none" or "N/A".

12. NO CHANGES IN ITEMS 5-11 (Check if applicable; this box can not be used unless you have previously filed this form with the City Recorder.)

There have been no changes in the conditions listed in Items 5-11 since my previous report.

13. TO BE SIGNED BY REPORTING OFFICIAL (must be attested to by a witness)

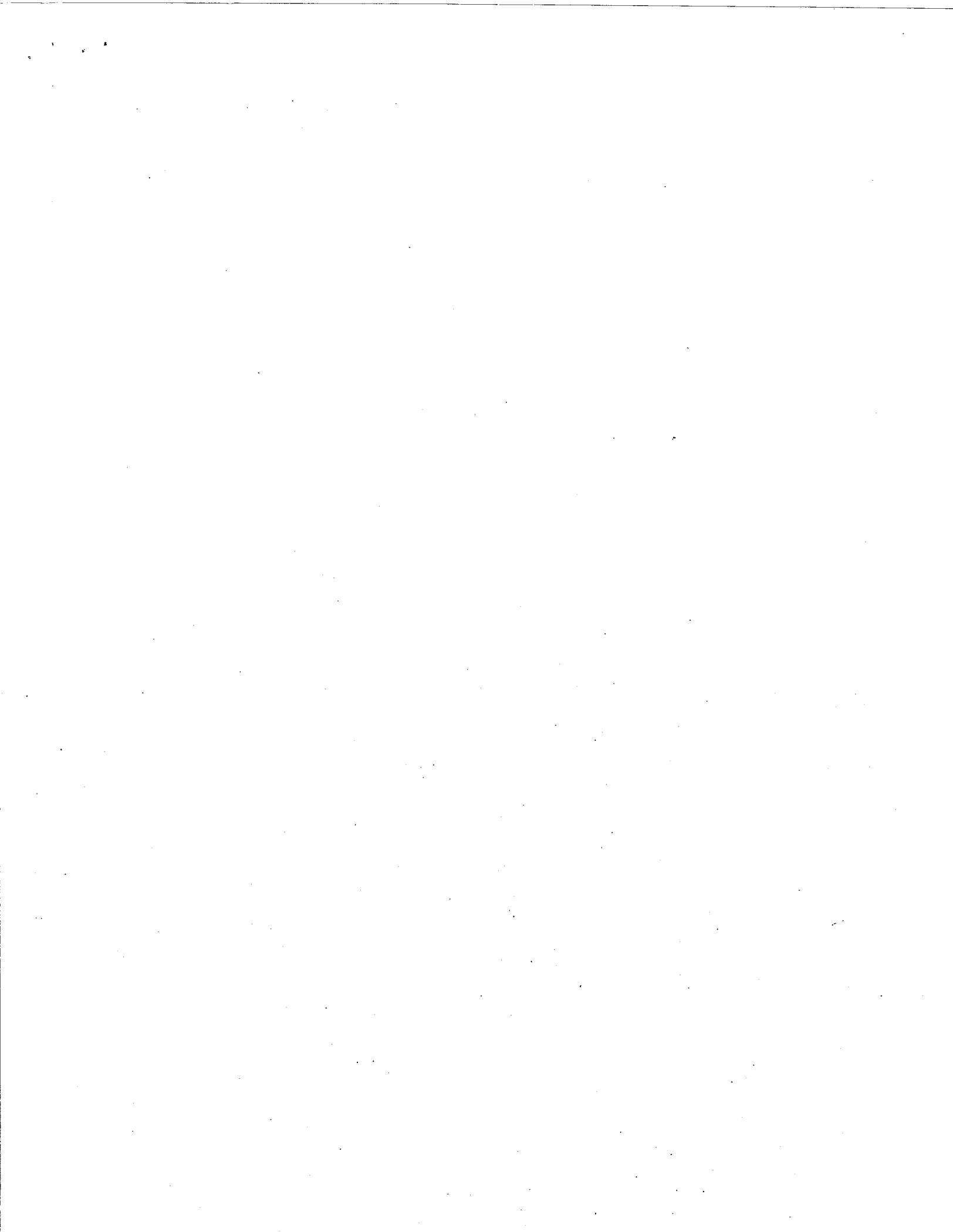
I certify that the information contained in this disclosure statement is true and that it is a complete and accurate report in accordance with the City's Ethical Standards Policy.

Signature of Official _____ Date _____

I, _____, the undersigned, do hereby witness the above signature, which was (Printed Name of Witness) signed in my presence:

Signature of Witness _____ Date _____

This Form is to be filed no later than January 31st of each year with the City Recorder, City Hall, 111 West Vine Street, Murfreesboro, TN 37133-1139. This Form and its filing is not a substitute for filing Form SS-8005 with the Tennessee Ethics Commission by the members of the City Council and the City School Board.





CITY OF MURFREESBORO, TENNESSEE
STATEMENT OF DISCLOSURE OF INTERESTS FORM
STATE AND LOCAL OFFICE HOLDERS, CANDIDATES AND APPOINTEES TO SUCH POSITIONS,
NON-GENERAL ASSEMBLY MEMBERS, ETC.

Please see the attached Instructions before completing this form (the failure to timely and properly submit the required disclosure statement can, under T.C.A. § 3-6-205, result in the imposition of civil penalties in amounts up to \$10,000). It is intended that this Form will be used similarly to the Form used by the Tennessee Ethics Commission. If you have questions about how to complete it, refer to the Instruction for State Form SS-8005. Attach additional pages as necessary. Note that this disclosure statement must be signed and the signature attested to by a witness in item 13. In addition, please be aware that the information listed on this statement may be posted on the Commission's website pursuant to T.C.A. § 8-50-501 (d) (3). form is a public record.

Please PRINT OR TYPE.

1. NAME OF OFFICIAL OR CANDIDATE _____ 2. PHONE NUMBER _____
(Home) _____ (Work) _____

3. HOME ADDRESS
Street or Rural Route _____ City _____ State _____ Zip Code _____

MAILING ADDRESS [CHECK HERE IF SAME AS HOME ADDRESS
Street or Rural Route _____ City _____ State _____ Zip Code _____

4. OFFICE HOLDER or NEW CANDIDATE
TITLE OF OFFICE HELD OR SOUGHT: _____
DISTRICT NUMBER OR COUNTY WHERE OFFICE LOCATED: _____

5. SOURCES OF INCOME
List major source(s) of private income of more than \$1,000 \$10,000 and that of your spouse or minor child residing with you. "Major sources of private income" include, but are not limited to, offices, directorships and salaried employments. No dollar amounts need to be stated. If none, answer "none" or "N/A".



6. INVESTMENTS: List any investment by you, your spouse or minor children residing with you in any corporation or other business organization in excess of ten thousand dollars (\$10,000) or five percent (5%) of the total capital. The name of the corporation or organization must be listed but no dollar amounts or percentages of the investment need be stated. If none, answer "none" or "N/A".

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8. PROFESSIONAL SERVICES: List in general terms (by areas of the client's interests) the entities to which professional services, such as those of an attorney, accountant or architect, are furnished by you or your spouse. If none, answer "none" or "N/A".

9. RETAINER FEES: List any retainer fee you receive from any person, firm or organization who is in the practice of promoting or opposing, influencing or attempting to influence directly or indirectly, the passage or defeat of any ~~legislation~~ law, policy or contract before the Tennessee General Assembly, the legislative committees or the members thereof City or any of its boards, commissions or entities. If none, answer "none" or "N/A".

10. BANKRUPTCY: List any adjudication of bankruptcy or discharge received in any United States district court within five (5) years of the date of this report. If none, answer "none" or "N/A".

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12. NO CHANGES IN ITEMS 5-11 (Check if applicable; this box can not be used unless you have previously filed ~~directly with the state Ethics Commission~~; this form with the City Recorder.)

There have been no changes in the conditions listed in Items 5-11 since my previous report ~~to the Tennessee Ethics Commission.~~

13. TO BE SIGNED BY REPORTING OFFICIAL (must be attested to by a witness)

I certify that the information contained in this disclosure statement is true and that it is a complete and accurate report in accordance with the ~~Conflict of Interest Disclosure Act.~~ City's Ethical Standards Policy.

Signature of Official or Candidate

Date

I, _____, the undersigned, do hereby witness the above signature, which was (Printed Name of Witness) signed in my presence:

Signature of Witness

Date

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Ethical Standards Policy for the City of Murfreesboro

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Any gift, rebate, favor, discount, money, present, fee, or any promise of future rewards or compensation capable of influencing the individual's discretion or judgment

in the discharge of the individual's duties for the City which exceeds, or might reasonably be deemed to exceed, one hundred dollars (\$100.00) in value must be reported in writing to the City Recorder within ten (10) days of acceptance. If the gift is made as part of a collection for a benevolent purpose authorized by the City Manager (or by the appropriate chief administrative officer for city entities) such as a serious illness in the employee's family, such reporting is not required.

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Officials on City entities or boards that have final authority over substantive matters within their jurisdictions who are paid a salary or fee for their service, and any persons being considered for appointment to such a position, shall disclose such personal interests by using a form based on the "Statement of Disclosure of Interests Form for State and Local Office Holders, Candidates and Appointees to Such Positions, Non-General Assembly Members, etc." used by the Tennessee Ethics Commission. At this time these entities and boards are: City Council, City Board of Education, Power Board, Water and Sewer Board, Planning Commission, and Board of Zoning Appeals. The "Statement of Disclosure of Interest" form shall be modified so as not to require disclosure of any financial interest, which is less than \$10,000 in value.

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Any provisions of the Employee Handbook or any general order, rule, policy or regulation of the City or any of its entities or instrumentalities in conflict with these ethical standards is hereby superceded.

(Excerpts from Resolutions 07-R-20 and 07-R-45)