

Information Paper: The Meade County Ethics Commission

Purpose: To inform Meade County residents of the general responsibilities and authority of the Meade County Ethics Commission.

Background:

1. Kentucky law provides that counties shall adopt a code of ethics for county officials and certain county employees. These officials and employees occupy positions of public trust. Kentucky Revised Statutes chapter 65.003(1).
2. It is important to provide these officials and employees with standards by which to regulate their public duties and private financial interests.
3. These standards are promulgated in the Meade County Ethics Code, a County Ordinance which defines terms, establishes standards of conduct, and assigns ethics responsibilities within the County.
4. It is also important to provide these officers and employees, and any interested resident, with a forum which can render advice; provide opinions and judgments; and otherwise adjudicate alleged violations of the Meade County Ethics Ordinance. This forum is the Meade County Ethics Commission.
5. The Ethics Code was passed by the Meade County Fiscal Court, which has also amended the Code from time to time. It is found in Ordinances 2005-12, 2008-06, and 2011-06.

Facts:

1. The Ethics Code provides that no officer or employee shall
 - a. Have a private interest which conflicts with the duties of his or her official position,
 - b. Act in an official capacity in any matter in which he or a close relative or an affiliated business might be affected,
 - c. Undertake any activity which reasonably prejudices his independent judgment on public matters,
 - d. Solicit or accept any favor or thing of value for influencing him on public matters, or
 - e. Use official but generally unknown information to secure financial gain.
2. To assist in making these determinations, officers, employees with procurement authority in excess of \$10,000, and candidates for local office shall

file financial disclosure forms with the Ethics Commission, recording certain financial and other interests. Failure to file these forms may result in a fine of up to \$500.

3. The Code establishes a seven member Ethics Commission. The Commission can answer general ethics inquiries from officers and employees, provide advice on completing the financial disclosure forms, and investigate ethics complaints filed by Meade County residents against officers and employees. The Ethics Commission may impose a fine not to exceed \$1000 for violations of the Ethics Code.

4. The jurisdiction of the Ethics Commission is limited to ethics violations noted in the Code. It does not have general jurisdiction to inquire into any allegation of misconduct, abuse, or negligence by an officer or employee. Accordingly, an allegation of an Ethics Code violation must assert that a specific provision of the Code has been violated. A complaint of a violation may be submitted by any resident of the County, or by a member of the Commission itself.

5. Complaints will be filed using the approved form. Following the submission of a complaint, the Commission will provide due process to the officer against whom the complaint has been lodged; investigate the alleged violation; and render a decision on the complaint.

Approved for Release by the Chairman, Meade County Ethics Commission, May 27, 2014. Ethics Commission, care of the Meade County Clerk, 516 Hillcrest Drive, Brandenburg, KY 40108.