

AN ORDINANCE RE-ADOPTING RE-ESTABLISHING AND MAKING PUBLIC A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL PERSONAL INTEREST OF CERTAIN MUNICIPAL OFFICIALS

WHEREAS, Sections 105.483 to 105.492 RSMo imposed certain requirements relating to the filing of personal financial interest statements by employees and elected officials of certain political subdivisions of the State of Missouri; and

WHEREAS, on September 5, 2001, at an open meeting, the City of Twin Oaks enacted Ordinance No. 01-60 (now codified as Chapter 119 "Conflicts of Interest" attached as Exhibit 1 and incorporated herein by reference) establishing Twin Oak's method of disclosing potential conflicts of interest and substantial interests and thereby excluding Twin Oaks and its officers and employees from the requirements of §105.485.2 R.S.Mo.; and

WHEREAS, §105.485 R.S.Mo., requires that any political subdivision establishing its own method of disclosing potential conflicts of interest and substantial interests (the "Conflicts Policy") biennially adopt an ordinance, order or resolution establishing and making public the Twin Oaks' Conflicts Policy; and

WHEREAS, the Board of Aldermen wishes to re-establish and make public the Twin Oaks' method of disclosing potential conflicts of interest and substantial interests and continue the provisions of the Conflicts Policy in effect by re-adoption.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, AS FOLLOWS:

Section 1. In conformance with §105.485.4 R.S.Mo., the Board of Aldermen hereby adopts this Ordinance re-establishing and making public Twin Oaks' method of disclosing potential conflicts of interest and substantial interests and approves Exhibit 1 as the Twin Oaks' official method of disclosing potential conflicts of interest and substantial interests. The Board further adopts and approves the form available at https://www.mec.mo.gov/WebDocs/PDF/Fillable/PFD/PFD%20Form-Short_06_2015%20-%20fillable.pdf and attached as Exhibit 2 to be filed with the City Clerk by each official, officer, employee and candidate required to make such disclosures by Chapter 119, the Policy and/or Missouri law.

Section 2. The City Clerk is directed to send a certified copy of this Ordinance thereby notifying the Missouri Ethics Commission of this legislative act within ten (10) days following the passage of this re-adopting Ordinance.

Section 3. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO
PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI,
THIS 7th DAY OF SEPTEMBER 2022.

Yea

Nay

Lisa Eisenhauer
Tim Stoeckl
April Milne
Dennis Whitmore



Russ Fortune, Mayor

Attest:



Frank Johnson, City Clerk/Administrator

Exhibit 1

Chapter 119. Conflicts of Interest

Section 119.010 Declaration Of Policy.

The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

Section 119.020 Conflict Of Interest.

- A. All elected and appointed officials as well as employees of the City must comply with Section 105.454, RSMo., on conflicts of interest as well as any other State law governing official conduct.
- B. Any member of the Board of Aldermen who has a "substantial or private interest" in any measure, bill, order or ordinance proposed or pending before such Governing Body must disclose that interest to the City Clerk and such disclosure shall be duly recorded in the official minutes. "Substantial or private interest" is defined as ownership by the individual, his or her spouse, or his or her dependent children, whether singularly or collectively, directly or indirectly of:
 - 1. Ten percent (10%) or more of any business entity; or
 - 2. An interest having a value of ten thousand dollars (\$10,000.00) or more; or
 - 3. The receipt of a salary, gratuity or other compensation or remuneration of five thousand dollars (\$5,000.00) or more per year from any individual, partnership, organization or association within any calendar year.

Section 119.030 Disclosure Reports.

- A. Each elected official, candidate for elective office, and the City Clerk of the City shall disclose in writing the following information by May 1 or the appropriate deadline as referenced in Section 105.497, RSMo., if any such transactions occurred during the previous calendar year:
 - 1. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total

value in excess of five hundred dollars (\$500.00), if any, that such person had with the City other than compensation received as a Board member or employee or payment of tax, fee or penalty due to the City, and other than transfers for no consideration to the City.

2. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars (\$500.00), if any, that any business entity in which such person had a substantial interest had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.
3. The City Clerk (also the Chief Purchasing Officer) and candidates for that position also shall disclose in writing by May 1 or the appropriate deadline as referenced in Section 105.487, RSMo., the following information for the previous calendar year:
 - a. The name and address of each of the employers of such person from whom income of one thousand dollars (\$1,000.00) or more was received during the year covered by the statement;
 - b. The name and address of each sole proprietorship that he or she owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he or she was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted by any closely held corporation or limited partnership in which the person owned ten percent (10%) or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%) or more of any class of outstanding stock, limited partnership units or other equity interests;
 - c. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

Section 119.040 Filing Of Reports.

- A. The financial interest statements shall be filed at the following times, but no person is required to file more than one (1) financial interest statement in any calendar year:
 1. Every person required to file a financial interest statement shall file the statement

annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.

2. Each person appointed to office shall file the statement within thirty (30) days from such appointment or employment covering the calendar year ending the previous December 31.
 3. Every candidate required to file a personal financial disclosure statement shall file no later than fourteen (14) days after the close of filing at which the candidate seeks election. The time period of this statement shall cover the twelve (12) months prior to the closing date of filing for candidacy.
- B. Financial disclosure reports giving the financial information required in Section **119.030** shall be filed with the local political subdivision and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Exhibit 2



Missouri Ethics Commission (MEC)
PO Box 1370, Jefferson City MO 65102, (800) 392-8660, www.mec.mo.gov

Office Use:

Financial Disclosure Statement for Political Subdivisions - 105.485(4), RSMo

1. Statement Information (select one)

Type: New Amended

2. Filing Status & Time Period Covered (select one & insert time period)

A. Filing Status

- Annual Filer:** file from Jan 1 to Dec 31 of prior year (if no longer serving, enter the time period served), due by May 1
- Newly Appointed/Employed:** file for calendar year before start date, due within 30 days
- Incumbent Candidate:** file from Jan 1 of prior year to closing date for candidacy (may be longer than 12-month period), due within 14 days of closing date for candidacy
- New Candidate:** file for the 12-month period before the closing date for candidacy, due within 14 days of closing date for candidacy

B. Time Period Covered: From ___/___/___ to ___/___/___ (mm/dd/yyyy)

3. Filer Information

_____ Filer's name (First, Middle, Last)	_____ Spouse's name (First, Middle, Last)
_____ Mailing address	_____ City, State, Zip
_____ Dependent child's name* (First, Middle, Last)	_____ Dependent child's name* (First, Middle, Last)
_____ Political Subdivision or State Agency	_____ Title (Position/Office Seeking)

Check if spouse is filing separate from yourself (if your spouse is not required to file a PFD, this statement MUST disclose his/her information).
*Includes all children, stepchildren, foster children and wards under the age of eighteen residing in the person's household and who receive in excess of 50% of their support from the person.

4. Transaction Information

A. List the transactions, valued at more than \$500, you, your spouse, or any relative within the first degree of blood or marriage had with the political subdivision listed above. Do not include compensation received as an employee, payment of taxes, fees or penalties or transfers for no consideration.

_____ Date (mm/dd/yyyy)	_____ Parties involved in transaction
_____ Date (mm/dd/yyyy)	_____ Parties involved in transaction

B. List the transactions for any business entity, in which you, your spouse, or dependent child(ren) held a substantial interest, that conducted business with the political subdivision listed above valued at more than \$500. Do not include payments of taxes, fees or penalties due to the political subdivision or transactions involving payment for providing utility service to the political subdivision or transfers for no consideration. (NOTE: Substantial interest includes ownership of 10% of the business entity or interest valued at \$10,000 or more, or from which a salary, gratuity or other compensation of \$5,000 or more is paid per calendar year).

_____ Date (mm/dd/yyyy)	_____ Name of Business	_____ Parties involved in transaction
_____ Date (mm/dd/yyyy)	_____ Name of Business	_____ Parties involved in transaction

5. Signature (select one, sign & date)

- I affirm and attest under penalty of perjury that information and facts in this report are complete, true, and accurate. I further acknowledge that I am aware that any false statement or declaration made herein is punishable under Ch. 575 RSMo.
- I affirm and attest under penalty of perjury that information and facts in this report are complete, true, and accurate and that my spouse has refused or failed to provide information concerning his or her financial interest and that I have no working knowledge of such interests. I further acknowledge that I am aware that any false statement or declaration made herein is punishable under Ch. 575 RSMo.

_____ Filer's Signature (Required)	_____ Date (mm/dd/yyyy)
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NOTE: The following information is required from the **Chief Administrative Officer** and **Chief Purchasing Officer** only. Include information for filer, spouse and dependent child(ren).

6. Employment

List the name and address of each employer from whom you, your spouse, or dependent child(ren) received income of \$1,000 or more during the time period covered by this statement.

Employer Name	Employer Address/City/State/Zip	Person's name whom received income
Employer Name	Employer Address/City/State/Zip	Person's name whom received income

7. Sole Proprietorships

List each sole proprietorship owned by you, your spouse or dependent child(ren) during the time period covered by this statement.

Sole Proprietorship Name	Sole Proprietorship Address/City/State/Zip
Sole Proprietorship Name	Sole Proprietorship Address/City/State/Zip

8. General Partnerships, Joint Ventures

List each general partnership and joint venture in which you, your spouse or dependent child(ren) were a partner or participant, and the names of partners or co-participants, unless such names and addresses are filed with the Secretary of State, during the time period covered by this statement.

General Partnership or Joint Venture Name	Address/City/State/Zip	Nature of Business	Partner/Coparticipant's Name & Address	Party Involved
General Partnership or Joint Venture Name	Address/City/State/Zip	Nature of Business	Partner/Coparticipant's Name & Address	Party Involved

9. Stocks, Bond & Other holdings

EXCEPTION: Interest in any qualified plan or annuity pursuant to the Employees Retirement Income Security Act (ERISA) is not required to be listed.

A. Limited Partnerships, Closely-held Corporations: List the name of any closely-held corporation/limited partnership in which you, your spouse, or dependent child(ren) own ten percent (10%) or more of any class of the outstanding stock or units during the time period covered by this statement.

Limited Partnership/Closely-held Corporation Name	Address/City/State/Zip	Nature of business	Party Involved
Limited Partnership/Closely-held Corporation Name	Address/City/State/Zip	Nature of business	Party Involved

B. Publicly Traded Corporation or Limited Partnership: List the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which you, your spouse or dependent child(ren) own two percent (2%) or more of any class of outstanding stock, units or other equity interests during the time period covered by this statement.

Corporation/Limited Partnership Name	Party Involved
Corporation/Limited Partnership Name	Party Involved

10. Corporations

List the name and address of each corporation for which you, your spouse, or dependent child(ren) served in the capacity of a director, officer or receiver during the time period covered by this statement.

Corporation Name	Corporation Address/City/State/Zip	Person's name who served in this capacity
Corporation Name	Corporation Address/City/State/Zip	Person's name who served in this capacity

This form is required to be filed with the Missouri Ethics Commission and with the governing body of your political subdivision. All elected and appointed officials as well as employees of a political subdivision must comply with §105.454 RSMo., on conflicts of interest and their own local code of ethics.