

## Ethics Counsel - Madison County Emergency Communications District Ethics Policy

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**From:** "Madison County 911" <madco911@bellsouth.net>  
**To:** <ethics.counsel@state.tn.us>  
**Date:** 7/2/2007 11:04 AM  
**Subject:** Madison County Emergency Communications District Ethics Policy

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In reference to the email below, this is notification that the Madison County Emergency Communications District is covered under the Ethics Policy adopted by Madison County. I will assume you have this policy on file, however in the event you need a copy or any other information, please feel free to contact me and I will be glad to assist you.

Thanks for all you do for Tennessee!!

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You all, I'm afraid my last email to you regarding the Comprehensive Governmental Ethics Reform Act (Tenn. Code Ann. \* 8-17-102) created some confusion. The confusion stems primarily from the facts that the Act does not specifically address Emergency Communications Districts (ECDs) and we received conflicting information generated by government sources on whether it is necessary for 911 districts to adopt their own ethics policy or whether the policy adopted by the county (or city, for a municipal ECD) would automatically apply to the District.

We have some clarification from the Ethics Commission. According to them, ECDs have 3 options:

- (1) Adopt the CTAS or MTAS model ethics policies and notify the Ethics Commission of this action,
- (2) Adopt your own policy and file a copy with the Ethics Commission, or
- (3) Determine that you are covered by the policy adopted by the county or municipality that created your ECD, and notify the Ethics Commission of that.

We explained to the Ethics Commission that ECDs could not take any of these steps except in a properly noticed open meeting. The Ethics Commission has agreed to extend the June 30, 2007 deadline for ECDs, provided each ECD takes action during its next regularly scheduled meeting and immediately makes the necessary filing with the Commission.

If you have not already complied with this new ethics requirement, please do so at your next meeting.

Please note that certain provisions of the model policies may not work for ECDs (for example, language about "County Ethics Commissions" or city attorney investigations). Rather than simply adopting a model policy, a better approach may be to use the models as working templates and revise them appropriately for your ECD organization and operations.

As you may know, TECB Policy No. 29 encourages districts to adopt ethics policies and includes a policy form. This was adopted by the Board in 2004, well before passage of the Ethics Reform Act. Since the Act includes requirements not imposed in 2004, adopting the sample ethics policy from TECB Policy No. 29 without modification will not make you compliant with the Ethics Reform Act. The Act specifies that your ethics policy must include "limits on, and/or reasonable and systematic disclosure of, gifts or other things

of value received by officials and employees that impact or appear to impact their discretion" and "reasonable and systematic disclosure by officials and employees of their personal interests that impact or appear to impact their discretion." Policy 29 does not have the provisions on disclosure of gifts and personal interests.

Sorry for any confusion. Hope this email clears things up. If not, please don't hesitate to contact us with questions. Best,

Lynn Questell

Executive Director

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