

June 29, 2007

Mr. Bruce A. Andophy, Executive Director  
Tennessee Ethics Commission  
SunTrust Bank Building  
201 4<sup>th</sup> Avenue, N., Suite 1820  
Nashville, TN 37243

**Re: Chattanooga Metropolitan Airport Authority/Ethics Policy**

Dear Mr. Andophy,

Pursuant to the statute and for your files, I am enclosing a copy of the Code of Ethics to the Chattanooga Metropolitan Airport Authority, enacted as Resolution No. 53 and approved June 18, 2007 in compliance with the new state law.

If you have any questions, or if you need any additional information, please do not hesitate to call or email me at the contact information on this letterhead. Thank you very much for your assistance.

Very truly yours,

CHAMBLISS, BAHNER & STOPHEL, P.C.

*Hugh J. Moore, Jr.*

Hugh J. Moore, Jr.

HJM:lhd  
Enclosure

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TENNESSEE  
ETHICS COMMISSION

**CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY**  
**RESOLUTION NUMBER 53**

**CHATTANOOGA METROPOLITAN AIRPORT AUTHORITY**  
**CODE OF ETHICS**

SECTION 1. **Applicability.** This is the Code of Ethics for personnel of the Chattanooga Metropolitan Airport Authority ("CMAA"). It applies to all appointed officials and to employees, whether compensated or not.

SECTION 2. **Definition of "personal interest".**

(1) For purposes of Sections 3 and 4, "personal interest" means:

(a) Any financial, ownership, or employment interest in the subject of a vote by the Board of Commissioners not otherwise regulated by state statutes on conflicts of interest; or

(b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(c) Any such financial, ownership, or employment interest of an official's or employee's spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).

(2) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

(3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

SECTION 3. **Disclosure of personal interest by official with vote.** An official with the responsibility to vote on a measure 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 official's vote on the measure. In addition, the official may recuse himself or herself from voting on the measure.

SECTION 4. **Disclosure of personal interest in nonvoting matters.** An official or employee 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, that interest on a written statement filed with the President of the CMAA. In

addition, the official or employee may, to the extent allowed by law, By-Laws, or policy, recuse himself or herself from the exercise of discretion in the matter.

SECTION 5. **Acceptance of gratuities, etc.** An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the CMAA:

(1) For the performance of an act, or refraining from performance of an act, that he or she would be expected to perform, or refrain from performing, in the regular course of his or her duties; or

(2) That might reasonably be interpreted as an attempt to influence his or her action, or reward him or her for past action, in executing CMAA business.

(3) The prohibition on acceptance of gratuities does not apply to:

(i) A gift given by a member of the official's or the employee's immediate family, or by an individual if the gift is given for a nonbusiness purpose and is motivated by a close personal friendship and not by the position of the official or employee.

(ii) Informational materials in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.

(iii) Sample merchandise, promotional items, and appreciation tokens, if they are routinely given to customers, suppliers or potential customers or suppliers in the ordinary course of business.

(iv) Bona fide awards in recognition of public service in the form of a plaque, trophy, desk item, wall memento and similar items.

(v) Food, refreshments, foodstuff, 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, as above, or one hundred and fifty dollars (\$150.00) for a round of golf.

(vi) 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 CMAA. In such circumstances, the official or employee is to use his or her best judgment, and disclose the gift, including a description, estimated value, the person or entity providing the gift, and any explanation necessary within fourteen (14) days to the Chairman of the Board of Commissioners or the President of the CMAA, as appropriate.

(vii) Food, refreshments, meals, foodstuffs, entertainment, beverages or intrastate travel expenses that are provided in connection with an event where the official or employee 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

(viii) Loans from established financial institutions made in the ordinary course of business on usual and customary terms.

**SECTION 6. Use of information.**

(1) An official or employee may not disclose any information obtained in his or her official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

(2) An official or employee may not use or disclose information obtained in his or her official capacity or position of employment with the intent to result in financial gain for himself or herself or any other person or entity.

**SECTION 7. Use of CMAA time, facilities, etc.**

(1) An official or employee may not use or authorize the use of CMAA time, facilities, equipment, or supplies for private gain or advantage to himself or herself, or to any other person covered by SECTION 2(1)(a).

(2) An official or employee may not use or authorize the use of CMAA time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the CMAA.

(3) The CMAA Board of Commissioners or its designee may authorize the reasonable use of CMAA time, facilities, equipment, or supplies by a charitable entity.

**SECTION 8. Use of position or authority.**

(1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the CMAA.

(2) an official or employee may not use or attempt to use his or her position to secure any privilege or exemption for himself or herself or others that is not authorized by general law or the By-Laws or a policy of the CMAA.

**SECTION 9. Outside employment.** An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the CMAA position or conflicts with any provision of the CMAA's By-Laws or any CMAA policy. Prior approval must be obtained from the CMAA President before any employee will be allowed to accept any outside employment.

**SECTION 10. Ethics complaints.**

(1) CMAA counsel is designated as the ethics officer of the CMAA. Upon the written request of an official or employee potentially affected by a provision of this chapter,

counsel may render an oral or written advisory ethics opinion based upon this policy, the By-Laws, other policies of the CMAA and applicable law.

(2)(a) Except as otherwise provided in this subsection, counsel shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his or her own initiative when he or she acquires information indicating a possible violation and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.

(b) The Board of Commissioners or counsel may request that the governing body hire another attorney, individual, or entity to act as ethics officer when he or she has or will have a conflict of interest in a particular matter.

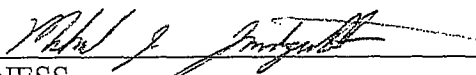
(c) When a complaint of a violation of any provision of this chapter is lodged against a member of the CMAA's Board of Commissioners, that Board shall determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the Board determines that a complaint warrants further investigation, it shall authorize an investigation by counsel or another individual or entity chosen by the Board.


(3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

(4) When a violation of this code of ethics also constitutes a violation of the CMAA Personnel Management Plan, such violation shall be dealt with as a violation of the Personnel Management Plan rather than as a violation of this code of ethics.

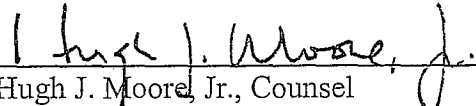
SECTION 11. **Violations.** An appointed member of the CMAA Board of Commissioners who violates any provision of this chapter is subject to punishment as provided by the By-Laws or other applicable law and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action pursuant to the CMAA Personnel Management Plan.

ADOPTED June 18, 2007.

  
WITNESS

  
Dan Jacobson, Chair  
Chattanooga Metropolitan Airport Authority  
Board of Commissioners

REVIEWED AND APPROVED:

  
Hugh J. Moore, Jr., Counsel  
Chattanooga Metropolitan Airport Authority

6/29/07