

Filed
NOV 20 2013
Missouri Ethics
Commission

**BEFORE THE
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	
GEORGE ENGELBACH,)	Case No. 12C194, 12E195, 12E196,
Candidate)	12E197
)	
JANET ENGELBACH,)	
Candidate)	
)	
JEFFERSON COUNTY CENTRAL)	
REPUBLICAN COMMITTEE,)	
Political Party Committee)	
)	
LESLIE HANSON,)	
Treasurer, Jefferson County Central)	
Republican Committee)	
)	
VOTERS FOR GOOD GOVERNMENT,)	
Continuing Committee)	
)	
and)	
)	
WILLIAM HARDIN IV,)	
Treasurer, Voters for Good Government)	
)	
Respondents.)	

**JOINT STIPULATION OF FACTS, WAIVER OF HEARING
BEFORE THE MISSOURI ETHICS COMMISSION, AND
CONSENT ORDER WITH JOINT PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondents, George Engelbach, Janet Engelbach, Jefferson County Central Republican Committee, Hanson, Voters for Good Government, and Hardin,

acknowledge that they have received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondents further acknowledge that they are aware of the various rights and privileges afforded by law, including but not limited to: the right appear and be represented by counsel; the right to have all charges against Respondents be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondents; the right to present evidence on Respondents' behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

The parties agree that this joint stipulation may be signed in counterparts, each of which shall be deemed original, with the same effect as if all the parties had signed the same document. All such counterparts shall constitute a single agreement.

I.

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

JOINT PROPOSED FINDINGS OF FACT

1. Respondent George Engelbach was a candidate for County Council, District 4, for Jefferson County, and a candidate for a Joachim Township Committeeperson seat on Respondent

Jefferson County Republican Central Committee, both in the August 2012 election. Respondent George Engelbach is the husband of Respondent Janet Engelbach.

2. Respondent Janet Engelbach was a candidate for chairperson of the Jefferson County Republican Central Committee in the August 2012 election. Respondent Janet Engelbach is the wife of Respondent George Engelbach.

3. Respondent Jefferson County Republican Central Committee originally registered with the Missouri Ethics Commission as a political party committee. It was converted to a “political action committee” due to Senate Bill 844 (2010).

4. Respondent Leslie Hanson was at all relevant times the treasurer of Respondent Jefferson County Republican Central Committee.

5. Respondent Voters for Good Government is a continuing committee registered with the Missouri Ethics Commission under Chapter 130, RSMo.

6. Respondent William Hardin IV was at all relevant times the treasurer of Respondent Voters for Good Government.

7. Pursuant to Section 105.961, RSMo, the Commission’s staff has investigated a complaint filed with the Commission and reported the investigation’s findings to the Commission.

8. Based on the report of the Commission’s staff, the Commission determined that there are reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

Count I

Expenditures made or incurred by or through or in the name of another person

Summary: Jefferson County Republican Central Committee

9. Respondent Jefferson County Republican Central Committee, acting at the direction of and through Respondents George Engelbach, Janet Engelbach, and Hanson made an expenditure of \$3,400 for mailers, an example of which is attached hereto and incorporated by reference as Exhibit 1, to support the candidacy of certain individuals for the Jefferson County Republican Central Committee in the August 2012 election.

10. Respondents Jefferson County Republican Central Committee, George Engelbach, Janet Engelbach, and Hanson made that expenditure by or through or in the name of Janet Engelbach in such a manner as to conceal D.E. Graphics as the actual recipient of that expenditure and in such a manner as to conceal the actual purpose of the expenditure, which was to support certain candidates for positions on Respondent Jefferson County Republican Central Committee.

Summary: Voters for Good Government

11. Respondent Voters for Good Government, acting at the direction of and through Respondent Hardin, reported itself on campaign finance disclosure reports as the source of the expenditure for the mailers, but Voters for Good Government was not the source of that expenditure, because Respondent Hardin did not design the mailers, he did not place the order for the mailers, the invoice for the mailers was made to neither Respondent Voters for Good Government nor Respondent Hardin, and Respondents Voters for Good Government and Hardin did not pay the invoice for the mailers until two days after receiving a check for the amount of the invoice from Respondent Janet Engelbach.

Background

12. Prior to the August 2012 election, Respondent Janet Engelbach approached a third party about creating mailers to support incumbent members of the Jefferson County Republican Central Committee.

13. The third party then contacted Respondent Hardin, the treasurer of Respondent Voters for Good Government, about creating those mailers.

14. The third party informed Respondent Hardin that the mailers would endorse certain candidates for the Jefferson County Republican Central Committee.

15. The third party did not inform Respondent Hardin that he was working with members of the Jefferson County Republican Central Committee on designing the mailers.

16. Respondent Hardin and the third party agreed that the third party would raise the funds to pay for the mailers, provide those funds Voters for Good Government, and that Voters for Good Government would report itself as the source of the expenditure for the mailers.

17. Respondent Hardin asked that he see the mailers before they went out. He saw copies before they were sent, but gave no input on what they should say, whom they should endorse, and suggested no changes to their design.

18. The third party and certain members of the Jefferson County Republican Central Committee worked together to create the mailers, which bore a signed message from certain incumbent members of the Jefferson County Republican Central Committee.

19. After completing the work on the mailers, the third party placed the order for the mailers with a printer, D.E. Graphics.

20. D.E. Graphics sent an invoice for \$3,351.25 to the third party.

21. The invoice was itemized with two categories: \$2,594.75 for printing, with instructions to make a check payable to D.E. Graphics, and \$756.50 for mailing, with instructions to make a check payable to the U.S.P.S.

22. On the same day that D.E. Graphics sent the invoice for \$3,351.25 to the third party, Respondent Janet Engelbach signed and issued a check for \$3,400 from her and Respondent George Engelbach's joint personal account to Respondent Voters for Good Government.

23. Respondent Voters for Good Government received the check from Respondent Janet Engelbach and then it paid the D.E. Graphics invoice when Respondent Hardin signed both a check for \$2,584.75 to D.E. Graphics and a check for \$756.50 to the U.S.P.S.

24. Respondent Hardin originally reported a contribution of \$3,400 from George Engelbach, and later amended the report to show that the contribution came from Janet Engelbach.

25. Respondent Hardin reported an expenditure of \$2,594.75 to D.E. Graphics and an expenditure of \$756.50 to the U.S. Postmaster on a 24-hour Expenditure report.

26. The mailers were distributed prior to the August 2012 election.

27. Nine days after the August 2012 election, Respondent Janet Engelbach called a special meeting of Respondent Jefferson County Republican Central Committee. At this meeting, Respondent Janet Engelbach voted, both for herself and as proxy for Respondent George Engelbach, to pay \$3,400 to Respondent Janet Engelbach "for the Primary Election advertising." The committee's original minutes state that Respondent George Engelbach made the motion, but the minutes were corrected to state that the motion was made by Angela Alter-Wren.

28. Immediately after the meeting, Respondent Hanson issued a check from the Jefferson County Republican Central Committee to Respondent Janet Engelbach.

29. After all of these transactions, the following parties received and spent the following net amounts:

- a. Respondent Jefferson County Republican Central Committee expended \$3,400 for "Primary Election advertising." This expenditure was made through Janet Engelbach.
- b. Respondent Janet Engelbach expended zero net dollars. First, she wrote a check to Respondent Voters for Good Government for \$3,400. Second, she received a check from Respondent Jefferson County Republican Central Committee for \$3,400.
- c. Respondent Voters for Good Government received a net of \$58.75. First, it received a check from Respondent Janet Engelbach for \$3,400. Second, it paid \$3,341.25 for the invoice for the mailers.

Count II

Failure to place correct "paid for by" disclosure statement on mailers

30. Respondents Jefferson County Republican Central Committee, Janet Engelbach, George Engelbach, and Hanson, worked with a third party vendor, and that third party vendor in turn worked with Respondents Voters for Good Government and Hardin to publish, circulate, and distribute the mailers, an example of which is attached hereto as Exhibit 1, but failed to place a full and accurate "paid for by" disclosure statement on those mailers. Respondent Voters for Good Government was disclosed as the sponsor of the mailers, but it was not, because Respondent Voters for Good Government received \$3,400 from Respondent Janet Engelbach,

who received \$3,400 from Respondent Jefferson County Republican Central Committee, for the mailers.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT 1

Violation of Section 130.031.3, RSMo

31. “No contribution shall be made or accepted and no expenditure shall be made or incurred, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person in such a manner as to conceal the identity of the actual source of the contribution or the actual recipient and purpose of the expenditure.” § 130.031.3, RSMo.

32. “Any person who makes expenditures for a committee shall disclose to that committee's treasurer, deputy treasurer or candidate such person's own name and address, the name and address of each person to whom an expenditure has been made and the amount and purpose of the expenditures the person has made for that committee.” § 130.031.3, RSMo.

33. There is probable cause to believe that Respondents Jefferson County Republican Central Committee, Janet Engelbach, George Engelbach, and Hanson violated Section 130.031.3, RSMo, by making and incurring a series of expenditures for mailers that were made by, through or in the name of another person, Janet Engelbach, in such a manner as to conceal D.E. Graphics as the actual recipient of that expenditure and in such a manner as to conceal the actual purpose of the expenditure, which was to support certain candidates for positions on Respondent Jefferson County Republican Central Committee, and that Respondents Jefferson County Republican Central Committee, Janet Engelbach, George Engelbach, and Hanson did so knowingly.

34. There is probable cause to believe that Respondents Voters for Good Government and Hardin violated Section 130.031.3, RSMo, by reporting themselves as the source of an expenditure when they did not design the mailers, did not place the order for the mailers, the invoice for the mailers was made to neither Respondent Voters for Good Government nor Respondent Hardin, and Respondents Voters for Good Government and Hardin did not pay the invoice for the mailers until two days after receiving a check for the amount of the invoice from Respondent Janet Engelbach, and that Respondents Voters for Good Government and Hardin did so knowingly.

COUNT II

Violation of Section 130.031.8, RSMo

35. Pursuant to Section 130.031.8, RSMo:

Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office ... shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section. For the purposes of this section, "printed matter" shall be defined to include any pamphlet, circular, handbill, sample ballot, advertisement, including advertisements in any newspaper or other periodical, sign, including signs for display on motor vehicles, or other imprinted or lettered material....

...

(2) In regard to any printed matter paid for by a committee, it shall be sufficient identification to print the name of the committee as required to be registered by subsection 5 of section 130.021 and the name and title of the committee treasurer who was serving when the printed matter was paid for.

36. There is probable cause to believe that Respondents Jefferson County Republican Central Committee, Janet Engelbach, George Engelbach, Hanson, Voters for Good Government, and Hardin violated Section 130.031.8, RSMo, by publishing, circulating, and/or distributing printed matter related to candidates without providing a full or accurate "paid for by" disclaimer on that printed matter, and that Respondents Jefferson County Republican Central Committee, Janet Engelbach, George Engelbach, Hanson, Voters for Good Government, and Hardin did so knowingly.

II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties to this Joint Stipulation understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.
2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit 2.
 - a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
 - b. In regards to Count I, it is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$3,400, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$1,700 of that fee within forty-five (45) days after the date of the Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.
 - c. If either Respondent Jefferson County Republican Central Committee, Janet Engelbach, George Engelbach, or Hanson commits any further violations of the campaign finance laws under Chapter 130, RSMo, within the two year period from the date of this order, then those Respondents will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that any of those Respondents committed such a violation.

d. If either Respondent Voters for Good Government or Hardin commits any further violations of the campaign finance laws under Chapter 130, RSMo, within the two year period from the date of this order, then those Respondents will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that any of those Respondents committed such a violation.

e. Respondents shall be jointly and severally liable for all fees imposed in regards to Count 1.

f. In regards to Count 2, it is the Order of the Missouri Ethics Commission that a fee is imposed against each Respondent in the amount of \$100. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

RESPONDENT GEORGE ENGELBACH

PETITIONER MISSOURI ETHICS
COMMISSION

By: George Engelbach 11-14-13
George Engelbach Date

By: James Klehr 11-20-13
~~Stacey Heister~~ James Klehr Date

By: Derrick Good 11/14/13
Derrick Good Date
Attorney for Respondent
George Engelbach

~~Acting Executive Director~~ Executive Director

By: Curtis R. Stokes 11/20/13
Curtis R. Stokes Date
Attorney for Petitioner

RESPONDENT JANET ENGELBACH

By: Janet Engelbach
Janet Engelbach

By: Derrick Good 11/14/13
Derrick Good Date
Attorney for Respondent
Janet Engelbach

RESPONDENT LESLIE HANSON

By: _____
Leslie Hanson Date

By: _____
Derrick Good Date
Attorney for Respondent
Leslie Hanson

RESPONDENT GEORGE ENGELBACH

PETITIONER MISSOURI ETHICS COMMISSION

By: _____
George Engelbach Date

By: James Klehr 11/20/13
~~Stacey Heislen~~ James Klehr Date
~~Acting~~ Executive Director

By: _____
Derrick Good Date
Attorney for Respondent
George Engelbach

By: Curtis R. Stokes 11/20/13
Curtis R. Stokes Date
Attorney for Petitioner

RESPONDENT JANET ENGELBACH

By: _____
Janet Engelbach

By: _____
Derrick Good Date
Attorney for Respondent
Janet Engelbach

RESPONDENT LESLIE HANSON

By: Leslie Hanson 11/13/13
Leslie Hanson Date

By: Derrick Good 11/14/13
Derrick Good Date
Attorney for Respondent
Leslie Hanson

RESPONDENT JEFFERSON COUNTY
CENTRAL REPUBLICAN COMMITTEE

By: Leslie Hanson 11/13/13
Leslie Hanson Date
Treasurer

By: [Signature] 11/14/13
Derrick Good Date
Attorney for Respondent
Jefferson County Central Republican
Committee

RESPONDENT VOTERS FOR GOOD
GOVERNMENT

By: _____
William Hardin IV, Date
Treasurer

RESPONDENT WILLIAM HARDIN IV

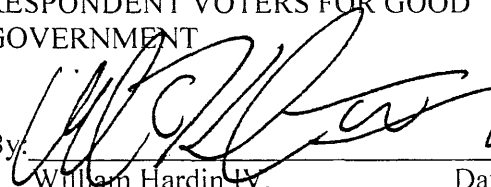
By: _____
William Hardin IV, Date

RESPONDENT JEFFERSON COUNTY
CENTRAL REPUBLICAN COMMITTEE

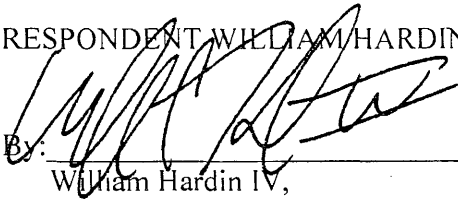
By: _____
Leslie Hanson Date
Treasurer

By: _____
Derrick Good Date
Attorney for Respondent
Jefferson County Central Republican
Committee

RESPONDENT VOTERS FOR GOOD
GOVERNMENT

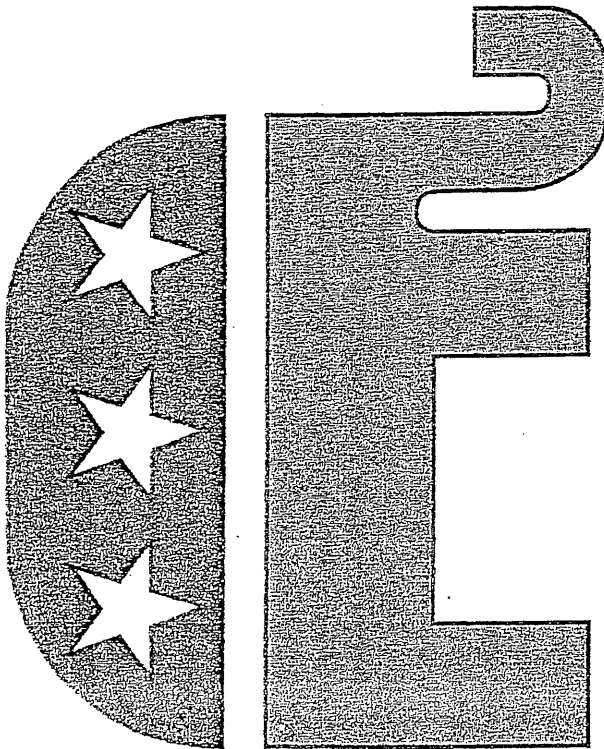
By:  _____ 10/10/13
William Hardin IV, Date
Treasurer

RESPONDENT WILLIAM HARDIN IV

By:  _____ 10/14/13
William Hardin IV, Date

D8

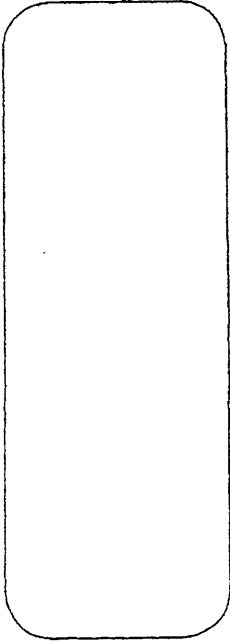
ELECTION ALERT!



tabbles
EXHIBIT
1

Voters for Good Government
William Clark Hardin IV, Treasurer
3396 Cottonwood Dr.
St. Charles, MO 63301

PRESORTED
STANDARD
U.S. Postage
PAID
St. Louis, MO
Permit No. 861



After four generations, we can finally say Jefferson County is once again a Republican County. Unfortunately, now that the hard work has been done by our Republican Central Committee Members, unproven outsiders are trying to take their seats.

Please help us keep the people we can trust, our True Republicans!

Page 8

Fellow Republican,

It has been difficult, but gratifying work to help make Jefferson County a Republican area. We highly recommend John R. Gebel for the Central Township Committeeman. It has been our honor to serve as your Republican Central Committee Members and we are, once again, asking for your vote. Please bring this postcard when you vote in the August 7th Republican Primary as a reminder to vote for John R. Gebel.

Thank you,
George and Janet Engelbach

**FOR CENTRAL TOWNSHIP
COMMITTEEMAN**
Vote for ONE

John R. Gebel

Vincent Wooten Jr.



Write-in

**FOR CENTRAL TOWNSHIP
COMMITTEEWOMAN**
Vote for ONE

KATHY VIERLING



Write-in

18-578

Fellow Republican,

It has been difficult, but gratifying work to help make Jefferson County a Republican area. It has been our honor to serve as your Republican Central Committee Members and we are, once again, asking for your vote. Please bring this postcard when you vote in the August 7th Republican Primary as a reminder to vote for your proven Republican Committee Members.

Thank you,
Dwight and Diane

**FOR IMPERIAL TOWNSHIP
COMMITTEEMAN**

Vote for ONE

DWIGHT VERMETTE

MARK PAUL



Write-in

**FOR IMPERIAL TOWNSHIP
COMMITTEEWOMAN**

Vote for ONE

SHARON GROETEKE

DIANE BAST BERBERICH



Write-in

Fellow Republican,

It has been difficult, but gratifying work to help make Jefferson County a Republican area. It has been our honor to serve as your Republican Central Committee Members and we are, once again, asking for your vote. Please bring this postcard when you vote in the August 7th Republican Primary as a reminder to vote for your proven Republican Committee Members.

Thank you,
George and Janet Engelbach

**FOR JOACHIM TOWNSHIP
COMMITTEEMAN**
Vote for ONE

GEORGE "BOB" ENGELBACH

BILL ZIMMERLY

Write-in

**FOR JOACHIM TOWNSHIP
COMMITTEEWOMAN**
Vote for ONE

JANET ENGELBACH

CARMEN COPELAND JOHNSTON

Write-in

88058

Fellow Republican,

It has been difficult, but gratifying work to help make Jefferson County a Republican area. It has been our honor to serve as your Republican Central Committee Members and we are, once again, asking for your vote. Please bring this postcard when you vote in the August 7th Republican Primary as a reminder to vote for your proven Republican Committee Members.

Thank you,
Ken and Linda

**FOR MERAMEC TOWNSHIP
COMMITTEEMAN**
Vote for ONE

DENNIS L. LaFOREST

KEN HOLLENBERG

RALPH E. MEUSER

Write-in

**FOR MERAMEC TOWNSHIP
COMMITTEEWOMAN**
Vote for ONE

LINDA VANDERIJT

NICOLE BRADLEY

Write-in

Fellow Republican,

It has been difficult, but gratifying work to help make Jefferson County a Republican area. It has been our honor to serve as your Republican Central Committee Members and we are, once again, asking for your vote. Please bring this postcard when you vote in the August 7th Republican Primary as a reminder to vote for your proven Republican Committee Members.

Thank you,
David and Terri

**FOR PLATTIN TOWNSHIP
COMMITTEEMAN**

Vote for ONE

DAVID B. COURTWAY

JOSHUA D. WHITE

Write-in

**FOR PLATTIN TOWNSHIP
COMMITTEEWOMAN**

Vote for ONE

TERESA "TERRI" KREITLER

Write-in

Fellow Republican,

It has been difficult, but gratifying work to help make Jefferson County a Republican area. It has been our honor to serve as your Republican Central Committee Members and we are, once again, asking for your vote. Please bring this postcard when you vote in the August 7th Republican Primary as a reminder to vote for your proven Republican Committee Members.

Thank you,
Gerald and Jane Bollinger

**FOR RIVERVIEW TOWNSHIP
COMMITTEEMAN**

Vote for ONE

- RYAN COZART
- JIM MUELLERSMAN
- JIM TRUE

GERALD BOLLINGER

Write-in

**FOR RIVERVIEW TOWNSHIP
COMMITTEEWOMAN**

Vote for ONE

- ANDREA BERGHOLD
- BARBARA J. TRUE

JANE BOLLINGER

Write-in

8/23/88

Fellow Republican,

It has been difficult, but gratifying work to help make Jefferson County a Republican area. It has been our honor to serve as your Republican Central Committee Members and we are, once again, asking for your vote. Please bring this postcard when you vote in the August 7th Republican Primary as a reminder to vote for your proven Republican Committee Members.

Thank you,
Bill and Angela

**FOR ROCK TOWNSHIP
COMMITTEEMAN**
Vote for ONE

BILL ALTER

JOSH DUNN

Write-in

**FOR ROCK TOWNSHIP
COMMITTEEWOMAN**
Vote for ONE

ANGELA ALTER-WREN

Write-in

Committee, Leslie Hanson, Voters for Good Government and William Hardin, IV, violated Sections 130.031.3 and 130.031.8, RSMo, as stated in the Joint Stipulation.

The Commission directs that all terms and orders of the Joint Stipulation be adopted herein and implemented.

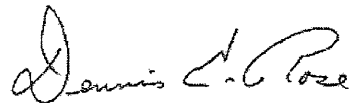
1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. In regards to Count I, it is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$3,400 pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$1,700 of that fee within forty-five (45) days of the date of this Order, the remainder of the fee will be stayed, subject to the provisions below. The fee will be paid by check or money order made payable to the Missouri Ethics Commission and sent to the Missouri Ethics Commission.
3. If either Respondent Jefferson County Republican Central Committee, Janet Engelbach, George Engelbach or Hanson commit any further violations of the campaign finance laws pursuant to Chapter 130, RSMo, as amended, within the two year period from the date of this order, then those Respondents will be required to pay the remainder of the fee as originally imposed by the Commission. The fee will be due immediately upon final adjudication finding that any of those Respondents committed such a violation.
4. If either Respondent Voters for Good Government or Hardin commits any further violations of the campaign finance laws under Chapter, 130, RSMo, within the two year period from the date of this order, then those Respondents will be required to pay

the remainder of the fee. The fee will be due immediately upon final adjudication finding that any of those Respondents committed such a violation.

5. Respondents shall be jointly and severally liable for all fees imposed in regards to Count I.
6. In regards to Count 2, it is the Order of the Missouri Ethics Commission that a fee is imposed against each Respondent in the amount of \$100. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

SO ORDERED this 20th day of November,
2013

By:



Dennis Rose, Chair
Missouri Ethics Commission