MISSOURI ETHICS COMMISSION
P.O. Box 1254
Jefferson City, MO 65102
www.mec.mo.gov
(573) 751-2020 / (800) 392-8660

James Klahr
Executive Director

February 21, 2014

Jonathan F. Dalton
Town & Country Citizens to Re-elect Mayor Jon Dalton
12801 Tundra Court
St. Louis, MO 63131

RE: Letter of No Further Action, MEC Case No. 13E105

Dear Mr. Dalton:

A Letter of No Further Action is issued to you pursuant to the authority granted to the Missouri Ethics Commission in Section 105.961.4(5).

The Commission has accepted the submission of the Joint Stipulation of Facts, Waiver of Hearings Before the Missouri Ethics Commission, and Consent Order With Joint Proposed Findings of Fact and Conclusions of Law in this matter, a copy of which submission is marked as Exhibit A, attached hereto and incorporated herein by reference.

The Commission has found that you violated §130.041.1(3)(e) and 130.120, RSMo by failing to include employer or occupation for twenty-seven contributors on four campaign finance disclosure reports.

The Commission hereby issues this Letter that it will take no further action for violation of §130.041.1(3)(e) and 130.120, RSMo.

Sincerely,

Dennis Rose, Chair
Missouri Ethics Commission

Filed
FEB 21 2014
Missouri Ethics Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
JONATHAN F. DALTON,	)	Case No. 13E105
	)	
and	)	
	)	
TOWN & COUNTRY CITIZENS TO RE-ELECT MAYOR JON DALTON, Candidate Committee	)	
	)	
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, Jonathan F. Dalton and Town & County Citizens to Re-Elect Mayor Jon Dalton, 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 to 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'

EXHIBIT
tabbies
A

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.

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. The Missouri Ethics Commission ("the Commission") is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.

2. Respondent Jonathan F. Dalton is the elected mayor of the City of Town & Country, St. Louis County, Missouri.

3. Respondent Town & Country Citizens to Re-Elect Mayor Jon Dalton is a candidate committee registered with the St. Louis County Board of Elections, in support of Mayor Dalton.

4. 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. Respondent Dalton cooperated in all aspects of the investigation.

5. Moreover, upon receipt of the complaint, Respondents voluntarily amended all reports at issue on August 26, 2013.

6. Based on the report of the Commission's staff, the Commission determined that there were 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.

7. Respondents timely filed a total of four reports that while listing the name and address of each contributor, did not include the employer or occupation of contributors as follows:

a. On the April 2012 Quarterly Disclosure Report, Respondents failed to include the employer or occupation information on five contributions.

b. On the 8 Day Before April 2, 2013 Election Report, Respondents failed to include employer or occupation information on fifteen contributions.

c. On the April 2013 Quarterly Disclosure Report, Respondents failed to include employer or occupation information on six contributions.

d. On the July 2013 Quarterly Disclosure Report, Respondents failed to include employer or occupation information on one contribution.

8. Respondents met with Commission staff and presented evidence in support of their position that the alleged omissions were wholly unintentional, the product of administrative oversight and occasioned by Respondent's confusion with the pdf reporting system.

JOINT PROPOSED CONCLUSIONS OF LAW

9. Section 130.041.1(3)(e), RSMo specifies that a committee shall report "a separate listing by name and address and employer, or occupation if self-employed or notation of

retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution."

10. Section 130.120, RSMo also requires "a separate listing by name, address, employer or occupation if self-employed, of each person from whom the committee received one or more contributions, in money or other things of value, which in the aggregate total in excess of $25.00, together with the date and amount of each such contribution."

11. Given the above statutory language, the Commission found probable cause to believe that Respondents violated 130.041.1(3)(e) and 130.120, RSMo, by failing to include employer or occupation for twenty-seven contributions on four campaign finance disclosure reports.

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 A.

   a. Respondents shall comply with all relevant sections of Chapter 130, RSMo.

b. The Missouri Ethics Commission has determined that no further action on this matter shall be taken, and it is the Order of the Commission that a Letter that No Further Action on This Complaint shall be issued and filed herein.

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.

SO AGREED:

RESPONDENT JONATHAN F. DALTON

By: 2·19·2014
Jonathan F. Dalton Date

RESPONDENT TOWN & COUNTRY CITIZENS TO RE-ELECT MAYOR JON DALTON

By: 2·19·2014
Town & County Citizens to Re-Elect Mayor Jon Dalton Date

PETITIONER MISSOURI ETHICS COMMISSION

By: 2/21/14
James Klahr Date
Executive Director

By: 2/21/14
Elizabeth L. Ziegler Date
Attorney for Petitioner

Filed
FEB 21 2014
Missouri Ethics Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
JONATHAN F. DALTON	)	Case No. 13E105
	)	
AND	)	
	)	
TOWN & COUNTRY CITIZENS TO RE-ELECT MAYOR JON DALTON,	)	
	)	
	)	
Respondents.	)	

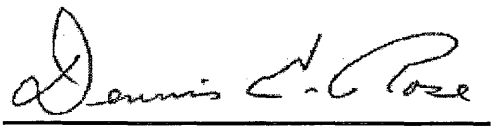
CONSENT ORDER

The parties having filed a Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Proposed Findings of Fact and Conclusions of Law ("Joint Stipulation") with the Missouri Ethics Commission in this matter, the Missouri Ethics Commission hereby accepts as true the facts stipulated and finds that Respondents Jonathan F. Dalton and Town & Country Citizens to Re-Elect Mayor Jon Dalton violated Sections 130.041.1(3)(e) and 130.120, 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. The Missouri Ethics Commission has determined that no further action on this matter shall be taken, and it is the Order of the Commission that a letter that No Further Action on this complaint shall be issued and filed herein.

SO ORDERED this 21st day of February, 2014

By: 

Dennis Rose, Chair
Missouri Ethics Commission