

**BEFORE THE
MISSOURI ETHICS COMMISSION**

Filed
JUL 22 2016
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)	
)	
Petitioner,)	
)	
v.)	
)	
CONCERNED CITIZENS TO PROTECT)	Case No. 16-0023-I, 16-0026-I, 16-
DEKALB COUNTY,)	0028-I, 16-0029-I
)	
LARRY RUNYON, TREASURER)	
)	
GLENN DYER)	
)	
LESLIE DYER)	
)	
and)	
)	
IVAN KANAK,)	
)	
Respondents.)	

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents violated Sections 130.021.5 and 130.031.8, RSMo.

The Commission directs that the Joint Stipulation be adopted.

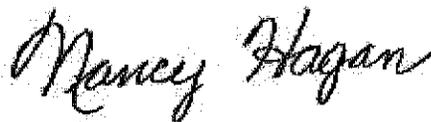
1. Respondents shall comply with all relevant sections of Chapter 130, RSMo.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,100 pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200 of that fee within forty-five (45) days after 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 and sent to the Missouri Ethics Commission.

3. Regardless of the stay in paragraph 2 above, if any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that such Respondent has committed such a violation.
4. Respondents shall be jointly and severally liable for all fees imposed under this order, subject to the terms in paragraph 3 above.

SO ORDERED this 22nd day of July, 2016

By:



Nancy Hagan, Chair
Missouri Ethics Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

Filed
JUL 22 2016
Missouri Ethics
Commission

MISSOURI ETHICS COMMISSION,)
)
Petitioner,)
)
v.)
)
CONCERNED CITIZENS TO)
PROTECT DEKALB COUNTY,)
)
LARRY RUNYON,)
Treasurer)
)
GLENN DYER,)
)
LESLIE DYER,)
)
and)
)
IVAN KANAK,)
)
Respondents.

Case No. 16-0023-I, 16-0026-I, 16-0028-I,
16-0029-I

**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, Concerned Citizens of DeKalb County, Runyon, Glenn Dyer, Leslie Dyer, and Kanak, 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 allegations 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.

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 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 Concerned Citizens to Protect DeKalb County is a campaign committee formed to support ballot measures in DeKalb County, Missouri.
3. Respondent Runyon is the treasurer of Respondent Committee Concerned Citizens to Protect DeKalb County.
4. Respondents Glen Dyer, Leslie Dyer and Kanak participated in the creation and distribution of yard signs and flyers that were paid for by Concerned Citizens to Protect DeKalb County and that related to ballot measures in DeKalb County.

5. Pursuant to Sections 105.957 and 105.961, RSMo, the Commission's staff investigated a complaint filed with the Commission and reported the investigation findings to the Commission.

6. Based on the investigation report, 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.

COUNT I

Failure to timely file statement of committee organization

7. Respondent Concerned Citizens of DeKalb County became a campaign committee on March 3, 2016.

8. By twenty (20) days later, on March 23, 2016, Respondents had not filed a statement of committee organization.

9. On March 17, 2016, the Ethics Commission received a complaint that Respondents had not filed a statement of committee organization.

10. Respondents filed a statement of committee organization, identifying the committee name as Concerned Citizens to Protect DeKalb County, on March 28, 2016, five (5) days after the deadline of March 23.

COUNT II

Improper "paid for by" disclosure

11. Respondents Glenn Dyer, Leslie Dyer, and Kanak published, circulated and distributed flyers and yard signs, true and accurate copies of which are attached hereto as Exhibit A and Exhibit B, by placing them in various locations in DeKalb County.

12. Respondent Concerned Citizens for DeKalb County paid for the flyers and yard signs referred to in Exhibit A and Exhibit B.

13. The flyers and yard signs referred to in Exhibit A and Exhibit B related to a ballot measure in the April 2016 election.

14. The flyers and yard signs should have included a “paid for by” disclosure statement including the name of the committee and treasurer.

15. The flyers and signs were circulated with disclaimers, “Concerned Citizens of Clinton and DeKalb Counties,” and “Concerned Citizens for the Future of Clinton and DeKalb Counties,” but the disclaimers did not contain the treasurer name.

16. The flyers and yard signs referred to in Exhibit A and Exhibit B did not include a full and accurate “paid for by” disclosure.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to timely file statement of committee organization

17. “The treasurer or deputy treasurer acting on behalf of any person or organization or group of persons which is a committee by virtue of the definitions of committee in section 130.011 and any candidate who is not excluded from forming a committee in accordance with the provisions of section 130.016 shall file a statement of organization with the appropriate officer within twenty days after the person or organization becomes a committee but no later than the date for filing the first report required pursuant to the provisions of section 130.046.” § 130.021.5, RSMo.

18. There is probable cause to believe that Respondents Concerned Citizens of DeKalb County and Runyon violated Section 130.021.5, RSMo, by failing to timely file a Statement of Committee Organization within twenty (20) days of becoming a campaign committee.

COUNT II

Improper "paid for by" disclosure

19. "Any person publishing, circulating, or distributing any printed matter relative to any candidate for public office or any ballot measure 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." § 130.031.8, RSMo.

20. "[P]rinted 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." § 130.031.8, RSMo.

21. "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." §130.031.8(2), RSMo.

22. There is probable cause to believe that Respondents Glenn Dyer, Leslie Dyer, and Kanak violated Section 130.031.8, RSMo, by publishing, circulating and distributing a flyer and yard signs without including accurate and complete paid for by disclosures.

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 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 1.

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

b. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$1,100, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200 of that fee within forty-five days after the date of the Order, the remainder of the fee will be stayed. The fee will be paid by check or money order made payable to the Missouri Ethics Commission.

c. Regardless of the stay in paragraph 2.b above, if any Respondent commits any further violation of the campaign finance laws under Chapter 130, RSMo, within the two-year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that such Respondent has committed such a violation.

d. Respondents shall be jointly and severally liable for all fees imposed under this order, subject to the terms in subparagraph c above.

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 CONCERNED CITIZENS
TO PROTECT DEKALB COUNTY

PETITIONER MISSOURI ETHICS
COMMISSION

By: Larry Runyon 7/13/16
Concerned Citizens to Protect DeKalb
County Date

By: James Klahr 7/22/16
James Klahr Date
Executive Director

LARRY RUNYON

By: Curtis R. Stokes 7/22/16
Curtis R. Stokes Date
Attorney for Petitioner

By: Larry Runyon 7/13/16
Larry Runyon Date

GLENN DYER

By: Glenn Dyer 7/13/16
Glenn Dyer Date

LESLIE DYER

By: Leslie Dyer 7-13-16
Leslie Dyer Date

IVAN KANAK

By: Ivan Kanak 7/14/16
Ivan Kanak Date

ROBERT SHAW

By: Robert Shaw 7/15/16
Robert Shaw Date
Attorney for Respondent

ZONING IS AGRICULTURAL FRIENDLY!!

1. How will zoning affect my farm?

By law, zoning will be agricultural friendly.

By state law, zoning can not impose regulations or require permits with respect to land, used or to be used for raising of crops, orchards, or forestry or with respect to the erection or maintenance, repair, alterations or extensions of farm buildings or farm structures. (Section 65.677)

2. Who writes zoning ordinances?

The Township Zoning Board which will write all regulations complying with state laws. All ordinances and/or amendments are subject to a public hearing prior to adoption.

3. Who sits on a Zoning Commission or Zoning Board?

The Township Board will appoint the Zoning Board. It will be made up of the Township Trustee, and additional Township Board Member, one free holder (citizen at large) and the appropriate County Commissioner.

4. Where does the money come from to pay for zoning?

Funds will be appropriated by the Township Board and the amount of permit fees collected by the zoning commissions.

5. Will I be charged a fee for my existing buildings or structures on my farm if Zoning is implemented?

NO - No fees will be charged to the landowner for any existing, or future farm buildings or farm structures.

6. What will implementing zoning do?

Zoning will protect the landowner from possible nuisance structures being placed near or adjacent to your property. It will also protect the landowner from predation of large corporations which may reduce property values, affect quality of life, general health and welfare of the population. Zoning, by state law, shall be developed so as to conserve the natural resources of the township and to promote the health, safety, convenience, prosperity and general welfare of the inhabitants. (Section 65.662)

7. Will zoning in my township help the landowners maintain property values?

YES - zoning protects the landowner from possible nuisance structures being placed near or adjacent to your property.

1
(over)



ZONING AND THE CITY

1. The city residents have city codes etc. Why do we need Township zoning?
To protect residents from objectionable business and activities from developing next to the city limits which are beyond the city's control.
2. Can city residents vote on Township zoning?
Yes! Any registered voter within the Township can vote on Township zoning in their Township.
3. Who will govern the zoning?
A Township Zoning Board will be established that will recommend zoning regulations to the Township Board for action.
4. How does the public make their wishes known?
Before any regulations can be adopted by the Township Board a public hearing must be held to hear and consider all the public's comments!
5. Who is Concerned Citizens for the Future of Clinton and DeKalb County?
A group of Clinton and DeKalb County residents who originally came together to discuss and educate ourselves to the potential impact of a large industrial wind energy complex and what affect it would have on us and our area.
6. Why would the Concerned Citizens of Clinton and DeKalb County be interested in zoning?
In our research we have learned that large corporations are attracted to unzoned areas. The only people who have any protection from being victimized by these large corporations live in zoned areas.
7. When will the vote on Township Zoning be held?
It is on the April 5, 2016, ballot.

8. Why should we give up our current freedoms for zoning regulations?

To protect ourselves from individuals and businesses who seek out unzoned areas in which to operate due to the lack of restrictions. This leaves the residents of said areas, subject to any number of objectionable activities such as loud noise, objectionable odors, excessive traffic, etc. Any of these lower your real estate values and have potential for health issues.

9. Who is Concerned Citizens for the Future of Clinton and DeKalb County?

A group of Clinton and DeKalb County residents who originally came together to discuss and educate ourselves to the potential impact of a large industrial wind energy complex and what affect it would have on us and our area.

10. Why would the Concerned Citizens of Clinton and DeKalb County be interested in zoning?

In our research we have learned that large corporations are attracted to unzoned areas. The only people who have any protection from being victimized by these large corporations live in zoned areas.

11. When will the vote take place in DeKalb County?

It will be on the ballot soon.

April 5, 2016

REMEMBER

Zoning protects the land owner from extreme or nuisance structures being built near your property which may reduce your property values, affect quality of life, general health and welfare of the population. Without zoning, the landowner has NO protection from unwanted corporate invasion in DeKalb County!

Concerned Citizens For the Future of Clinton and DeKalb Counties

On April 5th, those of us who live in Adams, Camden, Dallas and Sherman Townships will have the opportunity to vote on zoning in our respective Township.

As voters in any ballot issue, it is up to each of us to become informed of both the pros and cons of the issue and not to rely on rumor or erroneous information.

In an effort to help answer several questions, a group of Clinton and DeKalb County citizens who call themselves the Concerned Citizens For the Future of Clinton and DeKalb Counties are enclosing a short question and answer sheet for your information. In addition, we plan to conduct informational meetings in the four Townships to provide additional information and answer questions. We hope you will watch for notices of these meetings and will plan to attend.

DeKalb County officers of the Concerned Citizens For the Future of Clinton and DeKalb Counties are as follows:

Chairman - Glenn Dyer

Vice Chairman - Jason Saunders

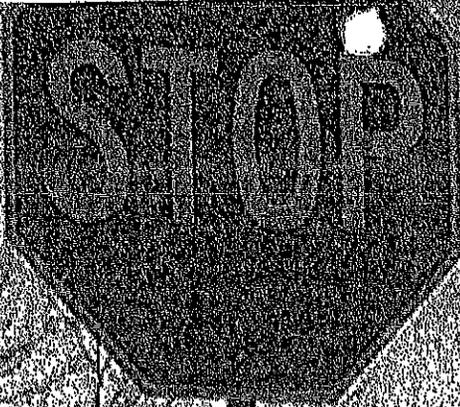
Secretary - Cloyce Coffman

Treasurer - Larry Runyon

We meet nearly every Sunday evening at 6 p.m. at the Stewartsville Fire Station. You are invited to attend!!

Ivan Kanak
CCFCD

P.S. For your protection, Vote YES For Zoning on April 5th.



ACTE
TOWNSHIP
CON

EXHIBIT
B