Filed
MAY 13 2015
Missouri Ethics Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
BURNIS GIBSON,	)	Case No. 15-0011-I, 15-0012-I
	)	15-0013-I, 15-0014-I
AND	)	
	)	
WILLIAM "CHIP" COVEY,	)	
	)	
Respondents.	)	

CONSENT ORDER

The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission in this matter. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that Respondents Gibson and Covey violated Section 130.031.8(4), RSMo.

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. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of $100 pursuant to Section 105.961.4(6), RSMo. The fee will be paid by check or money order made payable to and sent to the Missouri Ethics Commission.

SO ORDERED this 13th day of May, 2015

By: C. E. Weedman, Jr.

Charles E. Weedman, Jr., Chair
Missouri Ethics Commission

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	)	
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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, Burnis Gibson and Chip Covey, 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' 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 Gibson is running for Pleasant View Fire Board in the April 7, 2015 election.

3. Respondent Covey is running for Pleasant View Fire Board in the April 7, 2015 election.

4. Proposition One is a ballot measure regarding consolidating the Pleasant View Fire Protection District and the Ebenezer Fire Protection District on the April 7, 2015 ballot.

5. Pursuant to Section 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 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 Gibson and Covey published, circulated, and/or distributed the yard signs, a true and accurate copy of which is attached hereto as Exhibit A, by placing them in various locations in the Pleasant View Fire Protection District area.

8. Respondents Gibson and Covey, together with five other individuals, paid for the printed matter referred to in Exhibit A.

9. The printed matter referred to in Exhibit A relates to a ballot measure in the April 2015 election.

10. The yard signs referred to in Exhibit A should have contained a clear and conspicuous statement containing a disclosure of all sponsors pursuant to Section 130.031.8(4), RSMo, but they did not.

JOINT PROPOSED CONCLUSIONS OF LAW

11. "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.

12. "'[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.

13. In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses, except that if more than five individuals join in paying for printed matter it shall be sufficient identification to print the words "For a list of other sponsors contact:" followed by the name and address of one such individual responsible for causing the matter to be printed, and the individual identified shall maintain a record of the names and amounts paid by other individuals and shall make such record available for review upon the request of any person. § 130.031.8(4), RSMo.

14. There is probable cause to believe that Respondents violated Section 130.031.8(4), RSMo, by publishing, circulating and distributing yard signs relative to a ballot measure in the April, 2015 election without including the proper "paid for by" disclosure.

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 B.

   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 $100, pursuant to Section 105.961.4(6), RSMo. 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.

SO AGREED:

RESPONDENT BURNIS GIBSON

By: _____ 5/4/15
Burnis Gibson Date

RESPONDENT WILLIAM COVEY

By: _____
William Covey Date

PETITIONER MISSOURI ETHICS COMMISSION

By: _____ 5/13/15
James Klahr Date
Executive Director

By: _____ 5/15/5
Curtis R. Stokes Date
Attorney for Petitioner

GIBSON
Vote NO
on PROPOSITION 1
SAVE OUR FIRE DISTRICT
PAID FOR BY CITIZENS OF THE PLEASANT VIEW FIRE DISTRICT
EXHIBIT
A
tabbies

NO

ON PROPOSITION 1

AVE OUR FIRE DISTRIC

PAID FOR BY CITIZENS OF THE PLEASANT VIEW FIRE DISTRICT