

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION, )  
 )  
 ) Petitioner, )  
 ) Case No. 20-0009-I  
v. )  
 )  
 ) WILLIAM REYNOLDS, )  
 )  
 ) Respondent. )

**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 Respondent, William Reynolds, acknowledges that he has received and reviewed a copy of the legal complaint filed by the Petitioner in this case, and he submits to the jurisdiction of the Missouri Ethics Commission.

Respondent Reynolds contends that he did not intend to violate any conflict of interest laws and was unaware at the time that his actions could result in a finding of probable cause to believe he violated a conflict of interest statute. Respondent contends that any future dealings with the Ozark Fire Protection District will follow the procedure laid out in Chapter 105, RSMo.

The undersigned Respondent further acknowledges that he is 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 Respondent be proven upon the record by competent and substantial evidence; the right to cross-examine any witnesses appearing at the hearing against Respondent; the right to present evidence on Respondent's

behalf at the hearing; and the right to a decision upon the record of the hearing. Being aware of these rights provided to Respondent by operation of law, the undersigned Respondent knowingly and voluntarily waives each and every one of these rights and freely enters 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 agrees to abide by the terms of this document.

**I.**

Based upon the foregoing, the Petitioner and the undersigned Respondent 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 105, RSMo.<sup>1</sup>
2. The Ozark Fire Protection District (District) is a fire department headquartered in Ozark, MO. The District is governed by Chapter 321, RSMo.
3. At all relevant times, Respondent Reynolds was a board member for the District.
4. On or about March 21, 2003, NRRoute Enterprises LLC (NRRoute) filed Articles of Organization with the Secretary of the State of Missouri.
5. At all relevant times, Respondent Reynolds was 49 percent owner of NRRoute.

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<sup>1</sup> Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2019).

6. The primary business of NRoute is upfitting and outfitting law enforcement and emergency services vehicles, including installation of lights, video systems, radio and data communication and audible warning systems.

7. Pursuant to Section 105.961.1, RSMo, the Commission's staff investigated a complaint that was filed with the Commission and reported the investigation findings to the Commission.

8. Based on the investigation report, the Commission determined that there were reasonable grounds to believe that violations of state laws had occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

9. During the twelve-month period beginning January 1, 2019, and ending December 31, 2019, the District purchased goods and/or services from NRoute on ten separate occasions.

10. The total paid by the District to NRoute in 2019 was \$33,276.50.

Invoice #	Invoice Date	Parts	Service	Freight	Shop Supplies	Total Amount	Invoice Paid
19-0140	1/18/2019	\$150.00	\$100.00		\$5.00	\$255.00	2/8/2019
19-0416	4/8/2019	\$4,545.50	\$1,945.00	\$35.00	\$20.00	\$6,545.50	5/7/2019
19-0472	4/23/2019	\$2,000.00		\$28.00		\$2,028.00	
19-0660	6/28/2019	\$9,105.50	\$1,175.00	\$250.00	\$35.00	\$10,565.50	7/12/2019
19-0659	6/28/2019	\$8,864.50	\$1,155.00	\$250.00	\$35.00	\$10,304.50	
19-0763	7/30/2019	\$150.50	\$520.00			\$670.50	10/3/2019
19-1022	10/8/2019	\$24.00				\$24.00	10/18/2019
19-1124	11/8/2019	\$400.00		\$18.50		\$418.50	11/14/2019
19-1143	11/21/2019	\$2,400.00				\$2,400.00	12/2/2019
19-1142	11/21/2019		\$65.00			\$65.00	

	\$27,640.0 0	\$4,960.0 0	\$581.5 0	\$95.00	\$33,276.5 0	
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11. These transactions were not “made pursuant to an award on a contract let or a sale made after public notice and . . . competitive bidding” as is required by § 105.458.2, RSMo.

**JOINT PROPOSED CONCLUSIONS OF LAW**

12. Pursuant to Section 321.220(12), RSMo, the District has the authority “to adopt and amend bylaws, fire protection and fire prevention ordinances, and other rules and regulations not in conflict with the constitution and laws of this state[.]”

13. Pursuant to Section 105.458.2, RSMo, no sole proprietorship, partnership, joint venture, or corporation in which any member of any legislative body of any political subdivision is the sole proprietor, a partner having more than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the outstanding shares of any class of stock, shall:

- (1) Perform any service for the political subdivision or any agency of the political subdivision for any consideration in excess of five hundred dollars per transaction or five thousand dollars per annum, or in the case of a school board five thousand dollars per annum, unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received;
- (2) Sell, rent or lease any property to the political subdivision or any agency of the political subdivision where the consideration is in excess of five hundred dollars per transaction or five thousand dollars per annum, or in the case of a school board five thousand dollars per annum, unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received.

1. There is probable cause to believe that Respondent violated Section 105.458.2, RSMo, by selling goods and performing services for the Ozark Fire Protection District, while serving as a member of the District’s board.

## 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 A.

a. Respondent shall comply with all relevant sections of Chapter 105, RSMo.

b. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondent in the amount of \$33,021.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$6,604.00 of that fee within forty-five 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 the Missouri Ethics Commission.

c. Regardless of the stay in paragraph 2.b above, if there is probable cause to believe that Respondent commits any further violation or violations of the conflict of interest laws under Chapter 105, RSMo, within the two year period from the date of this order, then Respondent will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that there was probable cause to believe Respondent has committed such a violation.

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. Respondent, together with his heirs, successors, and assigns, does 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 Respondent or Respondent's attorney may now have or which they may hereafter have, which are based upon or arise out of this case.

SO AGREED:

RESPONDENT WILLIAM REYNOLDS

By: WR 09/18/2020  
William Reynolds Date

PETITIONER MISSOURI ETHICS COMMISSION

By: Elizabeth L. Ziegler 10/5/20  
Elizabeth L. Ziegler Date  
Executive Director

ATTORNEY FOR RESPONDENT

By: Greggory D. Groves 10/01/2020  
Greggory D. Groves 33526 Date  
Lowther Johnson  
Attorneys at Law, LLC

By: Brian Hamilton 10/5/20  
Brian Hamilton Date  
Attorney for Petitioner

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

**Filed**  
**OCT 05 2020**  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	Case No. 20-0009-I
v.	)	
	)	
WILLIAM REYNOLDS,	)	
	)	
Respondent.	)	

**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 there is probable cause to believe that Respondent violated Section 105.458.2, RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondent shall comply with all relevant sections of Chapter 105, RSMo.
2. It is the Order of the Missouri Ethics Commission that a fee is imposed against Respondent in the amount of \$33,021.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondent pays \$6,604.00 of that fee within forty-five 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 the Missouri Ethics Commission.
3. Regardless of the stay in paragraph 2 above, if there is probable cause to believe that Respondent committed any further violation or violations of the conflict of interest laws under Chapter 105, RSMo, within the two year period from the date of this order, then

Respondent will be required to pay the remainder of the fee. The fee will be due immediately upon final adjudication finding that there was probable cause to believe Respondent has committed such a violation.

SO ORDERED this 5th day of October, 2020

By:   
Cheryl D. S. Walker, Chair  
Missouri Ethics Commission