

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.¹

2. Respondent McEntire was an unsuccessful candidate for council person for the City of St. Charles, Missouri in the April 7, 2020 election.

3. Respondent McEntire registered her candidate committee, Venetia McEntire for City Council, by filing a Statement of Committee Organization with the Missouri Ethics Commission on February 26, 2020.

4. Respondents filed a Termination Statement for the committee on July 29, 2020, and later amended the report on August 31, 2020.

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

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

COUNT I

Failure to timely report contributions received

7. Respondents failed to timely report two contributions of \$100 or less, totaling \$147.69.

| Contributor Name | Amount | Date Received | Should've Been Reported By: | Report Showing Contribution | Date Reported |
|-------------------------|-----------------|----------------------|------------------------------------|------------------------------------|----------------------|
| Venetia McEntire | \$100.00 | 2/27/20 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Unknown | \$47.69 | 3/11/20 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Total | \$147.69 | | | | |

8. Respondents failed to timely report eight contributions over \$100, totaling \$8,173.77.

| Contributor Name | Amount | Date Received | Should've Been Reported By: | Report Showing Contribution | Date Reported | |
|-------------------------|---------------|----------------------|------------------------------------|------------------------------------|--------------------------------|---------|
| Venetia McEntire | | 2/27/20 | \$625.00 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Venetia McEntire | | 3/09/20 | \$491.03 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Venetia McEntire | | 3/11/20 | \$125.00 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Venetia McEntire | | 3/15/20 | \$3,057.74 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Venetia McEntire | | 3/15/20 | \$2,000.00 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Fundraiser | | 3/16/20 | \$950.00 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |

| | | | | | |
|------------------|---------|-------------------|---------|--|---------|
| Venetia McEntire | 5/18/20 | \$150.00 | 7/15/20 | Amended 8 Day Before General Municipal Election – 6/2/20 | 7/29/20 |
| Venetia McEntire | 5/26/20 | \$900.00 | 7/15/20 | Amended 30 Day After General Municipal Election – 6/2/20 | 7/29/20 |
| Total | | \$8,298.77 | | | |

COUNT II

Failure to timely and accurately report expenditures

9. Respondents failed to timely report six expenditures over \$100.00, totaling \$8,024.72.

| Expenditure Name | Amount | Date Made | Should've Been Reported By: | Report Showing Expenditure | Date Reported |
|-------------------------|---------------|-------------------|------------------------------------|--|----------------------|
| Victory Enterprises | 02/27/20 | \$625.00 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Victory Enterprises | 03/04/20 | \$491.03 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Victory Enterprises | 02/27/20 | \$3,057.74 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Victory Enterprises | 02/27/20 | \$2,000.00 | 4/15/20 | Amended April Quarterly Report | 7/29/20 |
| Ink Spot | 05/19/20 | \$321.00 | 7/15/20 | Amended 8 Day Before General Municipal Election – 6/2/20 | 7/29/20 |
| Victory Enterprises | 05/28/20 | \$1,529.95 | 7/15/20 | Amended 30 Day After General Municipal Election – 6/2/20 | 7/29/20 |
| Total | | \$8,024.72 | | | |

10. Respondents failed to report two \$5.00 expenditures for bank service charges totaling \$10 occurring on June 12, 2020, and July 14, 2020.

| Expenditure Name | Amount | Date | Report Not Showing Expenditure |
|-------------------------|---------------|----------------|---------------------------------------|
| Analysis Service Charge | \$5.00 | 6/12/20 | 30 Day After Report |
| Analysis Service Charge | \$5.00 | 7/14/20 | Termination Report |
| Total | | \$10.00 | |

11. On the Amended Termination Statement, Respondents inaccurately reported a loan repayment as \$486.74 on July 15, 2020; however, records show a closing withdrawal on July 16, 2020, of \$476.74. There is a \$10.00 difference because Respondents failed to report the June and July bank service fees and then inaccurately included them in the reported loan repayment amount.

12. Respondents inaccurately reported on the 30 Day After Report an expenditure of \$3,800.00 made to Victory Enterprises on June 20, 2020, when in fact the expenditure was for \$4,000.00 made on May 27, 2020. Respondents later amended the 30 Day After Report to include the correct amount.

JOINT PROPOSED CONCLUSIONS OF LAW

COUNT I

Failure to timely report contributions received

13. All committees are required to report receipts for each reporting period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) 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;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan[.]

§ 130.041.1(3), RSMo.

14. There is probable cause to believe that Respondents violated Section 130.041.1(3), RSMo, by failing to timely report ten contributions.

COUNT II

Failure to timely and accurately report expenditures

15. All committees are required to report expenditures for each reporting period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date[.]

§ 130.041.1(4), RSMo.

16. There is probable cause to believe that Respondents violated Section 130.041.1(4), RSMo, by failing to timely report six expenditures, by failing to report two expenditures, and by inaccurately reporting two expenditures.

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. Prior to finalizing settlement, Respondents will be required to file and amend reports and statements with the Commission.
3. 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. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$2,000.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$200.00 of that fee within forty-five 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. Regardless of the stay in paragraph 3.b above, if there is probable cause to believe that any Respondent committed any further violation or violations of the campaign finance laws under Chapter 130, RSMo, within the two year period from the date of this order, then that 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 such Respondent has committed such a violation.
4. 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.

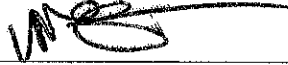
5. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited 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 this case.

SO AGREED:

RESPONDENT VENETIA MCENTIRE

By:  12/14/2020
Venetia McEntire Date

RESPONDENT VENETIA MCENTIRE
FOR CITY COUNCIL

By:  12/14/2020
Venetia McEntire Date

PETITIONER MISSOURI ETHICS
COMMISSION

By: _____
Elizabeth L. Ziegler Date
Executive Director

By: _____
Brian Hamilton Date
Attorney for Petitioner

5. 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 this case.

SO AGREED:

RESPONDENT VENETIA MCENTIRE

By: _____
Venetia McEntire Date

RESPONDENT VENETIA MCENTIRE
FOR CITY COUNCIL

By: _____
Venetia McEntire Date


PETITIONER MISSOURI ETHICS
COMMISSION

By: Elizabeth L. Ziegler
Elizabeth L. Ziegler Date
Executive Director

By: Brian Hamilton
Brian Hamilton Date
Attorney for Petitioner

4. Respondents shall be jointly and severally liable for all fees imposed under this order.

SO ORDERED this 18th day of December, 2020

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