

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

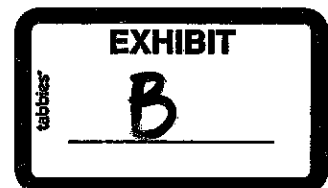
MISSOURI ETHICS COMMISSION, )  
 )  
 Petitioner, )  
 )  
 v. ) Case No. 21-0005-I  
 )  
 MIKE NULL, )  
 )  
 Respondent. )

**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, Mike Null, 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.

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.

2. During all relevant times, Respondent was Ward 2 Alderman and was performing duties as acting mayor for the City of Dixon, Missouri.

3. Pursuant to Section 105.450(9), RSMo, a “political subdivision shall include any political subdivision of the state, and any special district or subdistrict.”

4. The City of Dixon, Missouri is a political subdivision with an annual operating budget over one million dollars.

5. Respondent filed a Financial Interest Statement with the Missouri Ethics Commission on January 26, 2021, providing financial information for the calendar year 2020.

6. Pursuant to Section 105.961, RSMo, the Commission’s staff received a complaint filed with the Commission. The Commission’s staff investigated the complaint and reported the investigation findings to the Commission.

7. 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.

8. Elite Dump Trucking & Excavation (Elite Trucking) is a business that is solely owned by Respondent Null. The business is located at 302 E. 10th St., Dixon, MO, 65459.

9. During all relevant times, Elite Trucking was not registered with the Missouri Secretary of State.

10. During all relevant times, Elite Trucking was operated as a sole proprietorship.

11. On Respondent's 2020 Financial Interest Statement, Respondent answered "N/A" for the section requiring him to list any sole proprietorships owned by the filer, their spouse, and/or dependent children.

12. Respondent did not disclose his ownership of Elite Trucking on his 2020 Financial Interest Statement.

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

13. Pursuant to Section 105.483.1(11), RSMo.; "Each of the following persons shall be required to file a financial interest statement:

Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer and the general counsel, if employed full time, of each political subdivision with an annual operating budget in excess of one million dollars, and each official or employee of a political subdivision who is authorized by the governing body of the political subdivision to promulgate rules and regulations with the force of law or to vote on the adoption of rules and regulations with the force of law; unless the political subdivision adopts an ordinance, order or resolution pursuant to subsection 4 of section 105.485[.]

14. Section 105.485.2(2), RSMo, requires a financial Interest Statement to disclose the following information:

The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests[.]

15. There is probable cause to believe that Respondent violated Section 105.485.2(2), RSMo, by failing to disclose his ownership of Elite Trucking, a business he owns, on his 2020 Financial Interest Statement.

## 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, Respondent will be required to amend his 2020 Financial Interest Statement to disclose his ownership of Elite Trucking.

3. 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 letter of reprimand be issued to Respondent Mike Null pursuant to § 105.961.4(4), RSMo.

c. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondent in the amount of \$1,000, pursuant to Section 105.961.4(6), RSMo. However, the fee will be stayed, subject to the provisions in the following paragraph.

d. Regardless of the stay in paragraph 3.c above, if there is probable cause to believe that Respondent commits any further violation or violations under Chapter 105, RSMo, within the two-year period from the date of this order, then Respondent will be required to pay the \$1,000 fee. The fee will be due immediately upon final adjudication finding that there was probable cause to believe Respondent has committed such a violation.

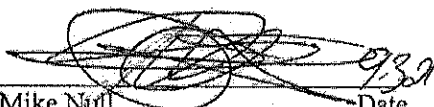
4. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the legal complaint filed by the Petitioner in the above action.

5. 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 MIKE NULL

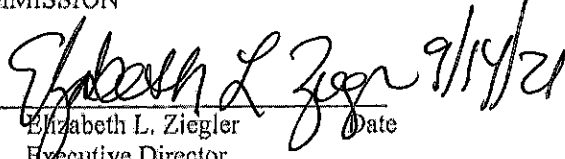
By:

  
Mike Null

  
Date

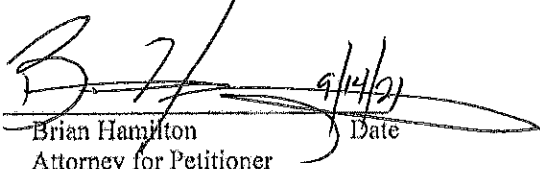
PETITIONER MISSOURI ETHICS  
COMMISSION

By:

  
Elizabeth L. Ziegler  
Executive Director

  
Date

By:

  
Brian Hamilton  
Attorney for Petitioner

  
Date

BEFORE THE  
MISSOURI ETHICS COMMISSION

Filed  
SEP 14 2021  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION, )  
)  
Petitioner, )  
)  
v. )  
)  
MIKE NULL, )  
)  
Respondent. )

Case No. 21-0005-I

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 105.485.2(2), RSMo.

The Commission directs that the Joint Stipulation be adopted.

1. Respondent shall comply with all relevant sections of Chapters 105, RSMo.
2. It is the order of the Missouri Ethics Commission that a letter of reprimand be issued to Respondent Mike Null pursuant to § 105.961.4(4), RSMo.
3. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondent in the amount of \$1,000.00, pursuant to Section 105.961.4(6), RSMo. However, the fee will be stayed subject to the provisions below.
4. Regardless of the stay in paragraph 2 above, if there is probable cause to believe that Respondent commits any further violation or violations of Chapter 105, RSMo, within the two year period from the date of this order, then Respondent will be required to pay the \$1,000.00 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 14th day of September, 2021

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





# Missouri Ethics Commission

Elizabeth L. Ziegler  
EXECUTIVE DIRECTOR

September 14, 2021

Mike Null  
302 East 10<sup>th</sup> St.  
Dixon, MO 65459

**RE: MEC Case No. 21-0005-I**

Dear Mr. Null:

This Letter of Reprimand is issued to you pursuant to the authority granted to the Missouri Ethics Commission in Section 105.961.4(4), RSMo.

The Commission has accepted the submission of the 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 in this matter, a copy of which is marked as Exhibit B, attached hereto and incorporated herein by reference.

The Commission has found that you violated § 105.485.2(2), RSMo, by failing to disclose your ownership of Elite Trucking on your 2020 Financial Interest Statement. The Commission hereby issues this Letter of Reprimand to you for violation of § 105.485.2(2), RSMo.

Sincerely,

Cheryl B. S. Walker, Chair  
Missouri Ethics Commission