



Missouri Ethics Commission

Elizabeth L. Ziegler
EXECUTIVE DIRECTOR

Final Action: MEC No. 22-0058-I, Byron Townsend, Hickman Mills C-1 School Board

Date: 09/02/2022

The Missouri Ethics Commission took final consideration of the complaint filed against Byron Townsend, the former President of the Hickman Mills C-1 School Board at its September 2, 2022, meeting.

The complaint filed with the Commission alleged Byron Townsend, in his capacity of President of the school board, violated school board policy when the District entered contracts for the annual summer board retreat held in Columbia Missouri, July 30- August 1, 2021, without a vote of the school board. Hickman Mills C-1 School District Policy DJF-1 requires an affirmative vote of the majority of the board for contracts. However, Policy DJF-1 authorizes the Superintendent enter contracts up to \$50,000 without competitive bidding.

Documentation and interviews confirmed the total expenses for the retreat were \$16,145.00. Contracts for services and payments on contracts for this retreat were not presented to the board for approval, however, such contracts and payments were within the Superintendent's purchasing and contracting authority established by board policy, and it was the Superintendent's Executive Assistant who signed the contracts for services in her capacity as Executive Assistant to the Superintendent. This duty was within her authority established by board policy.

The complaint also alleged Mr. Townsend violated the same school board policy when he allowed the board to vote on a contract for legal services without the contract being presented to the board. In June 2021, Carla Fields Johnson of Fields & Brown, made a presentation to the full board in a closed session meeting regarding a contract for legal services between the firm, Fields & Brown and the District. The physical contract was not present at this meeting, but the board was provided a full presentation of the terms, including duration, rates and services. The board discussed and unanimously approved the contract for services. An audit of the District determined the District did not have a signed copy of the contract for legal services on file. The board met in closed session in December 2021 and voted to re-sign the contract for legal services as had been agreed to in June 2021 since the original copy could not be found. The resigning of the contract passed with a vote of 4-3. While it was alleged Mr. Townsend was required to provide the board with a physical copy of the contract prior to voting, the school board policy did not require such presentation. The board was presented the terms of the contract, and, in both June 2021 and December 2021, it was approved by a majority of the whole board, as policy requires.

From the facts presented, the Commission found no reasonable grounds exist to support a violation of school board policy and dismissed the complaint.

Elizabeth L. Ziegler
Executive Director