

**Filed**

**JAN 12 2024**

Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS )  
COMMISSION, )  
 )  
Petitioner, )  
 )  
Case No. 22-0048-I; 22-0051-I  
v. )  
 )  
RON SCONCE, )  
Candidate & Public Official, )  
 )  
and )  
 )  
COMMITTEE TO ELECT RON )  
SCONCE, )  
Candidate Committee, )  
 )  
Respondents. )

**JOINT FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND ORDER**

The Missouri Ethics Commission ("MEC"), together with Ron Sconce and Committee to Elect Ron Sconce ("Respondents"), collectively the "parties" jointly stipulate and consent to action as set forth here (the "agreement").

Respondents acknowledge their right to have this agreement reviewed by counsel. Respondents further acknowledge they have received actual notice of the legal complaint filed by the MEC in this case, have reviewed the contents of the Complaint, and submit to the jurisdiction of the Missouri Ethics Commission.

Respondents further acknowledge 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 at a hearing before the MEC; the right to have all allegations

against Respondents 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, Respondents knowingly and voluntarily waive each one of these rights and freely enters into this agreement and agrees to abide by its terms.

### I.

The parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Findings of Fact and Conclusions of Law in this matter:

#### FINDINGS OF FACT

1. Respondent Ron Sconce was first appointed to fill a vacancy as Mayor of Troy, MO, on January 23, 2020. He was elected to continue in the role in the April 6, 2021, special mayoral election. Further, he won a full term as Mayor at the regular mayoral election on April 5, 2022. He continues to serve as mayor as of the filing of this Petition.

2. Troy is a fourth-class city in Missouri.

3. Respondent Committee to Ron Sconce is a candidate committee first registered with the Missouri Ethics Commission on March 8, 2021.

4. Pursuant to § 105.961, the Commission's staff received two complaints against Respondents. Upon investigation of the allegations, reports were presented to the Commission.

5. The Commission determined there was reasonable grounds to believe violations of the Chapter 130 and §79.120 occurred and authorized a hearing pursuant to § 105.961.3.

**Count I – Failure to Report Expenditures**  
*Candidate Ron Sconce & Committee to Elect Ron Sconce*

6. On at least three occasions, Respondents received in-kind contributions in support of Sconce’s candidacy for office which were never reported.

7. In 2021, Respondent Sconce built a wooden sign in support of his candidacy with materials he already had in his possession, which had a nonzero monetary value. This in-kind contribution was never reported by Respondents.

8. On or about February 28, 2021, Respondent Sconce purchased \$532 worth of campaign signs and yard stakes in support of his own candidacy. This in-kind contribution was never reported by Respondents.

9. During the 2022 election cycle, Respondent Sconce paid \$250 for the creation of ronformayor2022.com, a website supporting his candidacy. This in-kind contribution was never reported by Respondents.

**Count II – Improper Conduct by Public Official**  
*Public Official - Ron Sconce*

10. On April 4, 2022, a special board meeting of the Board of Aldermen was called.

11. The City of Troy Board of Aldermen special board meeting minutes for April 4, 2022 shows that there was a motion made by an alderman for \$20,000 a year pay raise for the position of mayor, to take effect at the next term of mayor. Three

aldermen voted "aye" and three aldermen voted "nay" resulting in the board deadlocked at a 3-3 tie. The meeting minutes states, "Attorney Granneman advised Mayor Sconce could vote to break the tie. Mayor Sconce voted aye to break the tie. Motion carried."

12. Respondent Sconce, pursuant to §79.120, broke the tie.

13. The next day, April 5, 2022, Sconce signed the bill into effect, the same day as the general municipal election where Sconce was a successful candidate for mayor.

14. Sconce took office, in a new term, thirteen (13) days later, April 18, 2022.

15. Sconce had a clearly recognizable stake in the vote where the close of candidate filing for the mayoral race in which he was a declared candidate had long passed and the vote was a mere day before the election.

## CONCLUSIONS OF LAW

### Count I – Failure to Report Expenditures

#### *Candidate Ron Sconce & Committee to Elect Ron Sconce*

16. Section 130.011 defines a contribution to include:

12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office... A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee[.]

17. Section 130.011(19) goes on to define in-kind contribution as a contribution in a form other than money.

18. Section 130.041.1 requires campaign finance reports to be filed in accordance with § 130.046, and requires them to include:

(3) Receipts for the 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...

...

(d) Total dollar value of all in-kind contributions received[.]

19. Where Sconce failed to timely report contributions received and expenditures made, there is probable cause to believe he violated § 130.041.1.

**Count II – Improper Conduct by Public Official**

*Public Official - Ron Sconce*

20. Section 79.120 governs certain conduct of mayors of a fourth-class city, stating:

The mayor shall have a seat in and preside over the board of aldermen, but shall not vote on any question except in case of a tie, nor shall he preside or vote in cases when he is an interested party[.]

21. Where Sconce voted to break a tie on a vote in which he had a recognizable stake, there is probable cause to believe he violated the conflict-of-interest prohibitions in § 79.120.

## II.

Based on the foregoing, the parties mutually agree and stipulate, subject to adoption by the Missouri Ethics Commission, the following shall constitute the Order issued by the Missouri Ethics Commission in this matter:

### CONSENT ORDER

The Missouri Ethics Commission finds probable cause to believe Respondents violated §§ 79.120 and 130.041.1, and pursuant to § 105.961.4, hereby **ORDERS**:

1. Respondents shall comply with all relevant sections of Chapters 79 and 130.
2. It is the order of the Missouri Ethics Commission that a fee is imposed against Respondents in the amount of \$4,834.00, pursuant to Section 105.961.4(6), RSMo. However, if Respondents pay \$2,000.00 within forty-five days after the date of the Consent Order, the remainder of the fee will be stayed. 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 any Respondent commits any further violation of the campaign finance laws under Chapter 79 or 130, RSMo, within the two-year period from the date of this order, then the Respondent who committed the violation will be required to pay the remainder of the fees. The fee will be due immediately upon final adjudication finding that there was probable cause to believe that such Respondent has committed such a violation.
4. Respondents shall be jointly and severally liable for all fees imposed under this order.

## III.

1. The parties understand the Missouri Ethics Commission will maintain this agreement as an open record of the Commission.

2. This agreement does not bind the Missouri Ethics Commission or restrict the remedies available concerning any violations not expressly detailed here, including any future violations.

3. Each party agrees to pay all of their own fees and expenses incurred as a result of this case, its litigation, and/or its disposition.

4. Respondents, together with their heirs, assigns, agents, representatives and attorneys, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission, the Commission's respective members, employees, agents and attorneys including former members, employees, agents and attorneys, of, or from any liability, claim, actions, causes of action, fees, costs, expenses and compensation, including, but not limited to, any claim for attorney's fees and expenses, whether or not now known or contemplated, including, but not limited to, any claims pursuant to Section 536.087, RSMo, as amended, or any claim arising under 42 U.S.C. § 1983, which now or in the future may be based upon, arise out of, or relate to any of the matters raised in this case or its litigation or from the negotiation or execution of this Joint Stipulation. The parties acknowledge that this paragraph is severable from the remaining portions of this agreement in that it survives in perpetuity even in the event that any court or administrative tribunal deems this agreement or any portion thereof void or unenforceable.

5. This agreement shall become effective immediately upon (1) the signature of all parties; (2) adoption of the Joint Proposed Findings of Fact,

Conclusions of Law by the Missouri Ethics Commission; and (3) issuance of a Final Order by the Commission, without any further action of the parties.

SO AGREED:

RESPONDENTS RON SCONCE,  
COMMITTEE TO ELECT RON  
SCONCE

Ron Sconce 1-10-24  
Ron Sconce Date

MISSOURI ETHICS COMMISSION

Elizabeth L. Ziegler 1/12/24  
Elizabeth L. Ziegler Date  
Executive Director

Brian Hamilton 1/12/24  
Brian Hamilton Date  
Attorney for Petitioner



Filed

JAN 16 2024

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

SO ORDERED, this 16th day of January, 2024.

By: Robert C Cook  
Robert Cook, Chair  
Missouri Ethics Commission