

Filed

APR 10 2024

Missouri Ethics
Commission

BEFORE THE
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS)	
COMMISSION,)	
)	
)	Petitioner,
)	Case No. 23-0041-I & 23-0044-I
v.)	
)	
MIKE DOBSON,)	
)	
)	Respondent.

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

The Missouri Ethics Commission (“MEC”), together with Mike Dobson (“Respondent”), collectively the “parties” jointly stipulate and consent to action as set forth here (the “agreement”).

Respondent acknowledges his right to have this agreement reviewed by counsel. Respondent further acknowledges he has 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.

Respondent further acknowledges 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 at a hearing before the MEC; the right to have all allegations against Respondent 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, Respondent knowingly and voluntarily waives 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. At all times relevant, Respondent Mike Dobson was the City of Hannibal Ward 2 Councilman.
2. The City of Hannibal, MO is a political subdivision of the state of Missouri.
3. Pursuant to § 105.961, the Commission's staff received a complaint against Respondent.
4. The Commission determined there was reasonable grounds to believe violations of Missouri statute and local ordinance occurred and authorized a hearing pursuant to § 105.961.3.

5. On August 7, 2023 Respondent sent an email to other council members and city employees using his Hannibal-mo.gov email address which read, "Please consider this your invitation to attend the Barry Louderman for Mayor kickoff to be held on the steps the Old St. Elizabeth hospital at 4pm on Wednesday August 9." The email further advised, "There are a host of dignitaries that include our State Senator Cindy O'Laughlin, Marion County Commissioners, etc. that plan to attend. Please join us as Bary outlines his visions for Hannibal."

6. The Hannibal-mo.gov email address belongs to and is maintained by the City of Hannibal, MO. The cost of maintaining a Hannibal-mo.gov email address is not zero.

CONCLUSIONS OF LAW

7. Missouri law restricts the conduct of government officials using public funds for certain purposes, § 115.646 details this prohibition:

No contribution or expenditure of public funds shall be made directly by any officer, employee or agent of any political subdivision, including school districts and charter schools, to advocate, support, or oppose the passage or defeat of any ballot measure or the nomination or election of any candidate for public office, or to direct any public funds to, or pay any debts or obligations of, any committee supporting or opposing such ballot measures or candidates.

8. There is probable cause to believe that Respondent violated § 115.646, RSMo, when he used public funds, to wit: official email of the City of

Hannibal, to invite individuals to attend a campaign kickoff event in support of a mayoral candidate.

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 Respondent violated § 115.646 and pursuant to § 105.961.4, RSMo, hereby

ORDERS:

1. Respondents shall comply with all relevant sections of Chapters 115.
2. 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, if Respondent pays \$100.00 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 Respondent committed any further violation of Chapter 115, RSMo, within the two-year period from the date of this order, then the Respondent 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 Respondent has committed such a violation.

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. Respondent, together with his 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.

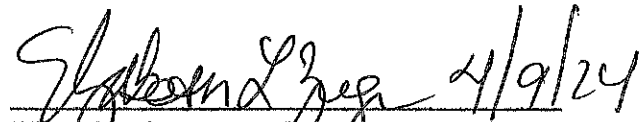
5. This agreement shall become effective immediately upon (1) the signature of all parties; (2) adoption of the Joint Proposed Findings of Fact, Conclusions of Law by the Missouri Ethics Commission; and (3) issuance of a Final Order by the Commission, without any further action of the parties.

SO AGREED:

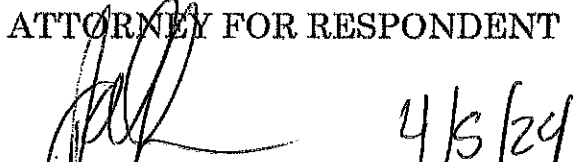
RESPONDENT MIKE DOBSON


MISSOURI ETHICS COMMISSION


Mike Dobson Date 4/4/24


Elizabeth L. Ziegler Date 4/9/24
Executive Director

ATTORNEY FOR RESPONDENT


James F. Lemon Date 4/5/24
Lemon & Matchett, LLC


Brian Hamilton Date 4/5/24
Attorney for Petitioner

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SO ORDERED this 10th day of April, 2024

Robin Wheeler Sanders

Robin Wheeler Sanders, Chair
Missouri Ethics Commission