



discretion, shall disclose, before the exercise of the discretion when possible, the interest on the attached Disclosure Form, and file the Disclosure Form with the Board of Commissioners. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

4. Acceptance of Gifts and Other Things of Value.

An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the utility:

- (a) For the performance of an act, or refraining from the performance of an act, that he or she would be expected to perform, or refrain from performing, in the regular course of his or her duties; or
- (b) That a reasonable person would understand was intended to influence the vote, official action, or judgment of the official or employee in executing utility business.

5. Ethics Complaints.

Questions and complaints regarding violations of this Code of Ethics or of any violation of state law governing ethical conduct should be directed to the President of the Board of Commissioners of the utility district. If a question or complaint involves the President or the utility district's Board of Commissioners, the question or complaint should be directed to the Secretary of the Board of Commissioners. Complaints shall be in writing and signed by the person lodging the complaint and shall set forth in reasonable detail the facts upon which the complaint is based.

The President or Secretary of the Board of Commissioners shall direct the utility district's retained attorney to investigate any credible complaint against an official or employee charging any violation of this Code of Ethics and may request a legal opinion or recommendation for action. The utility district's attorney may request the Board of Commissioners to hire another attorney to conduct the investigation or to give a legal opinion or recommendation when he or she has or will have a conflict of interest on a particular complaint. The investigating attorney shall report the results of his or her investigation and any legal opinion or recommendation requested to the Utility District's Board of Commissioners. If a member of the Board of Commissioners is the subject of a complaint, such member shall recuse himself or herself from all proceedings involving such a complaint.

The Board of Commissioners may:

- (a) In the case of a member of the Board of Commissioners, publicly censure such member if the Board of Commissioners finds such action warranted;
- (b) In the case of a member of the Board of Commissioners, report the complaint and actions taken by the Board to the Utility Management Review Board;
- (c) In the case of an employee, refer the matter to the official responsible for supervision of the employee for possible disciplinary action if the official finds discipline warranted; or
- (d) In a case involving possible violation of state statutes, refer the matter to the District Attorney General for possible ouster or criminal prosecution.

The interpretation of a reasonable person in the circumstances shall be used in interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics constitutes a violation of the Utility District's personnel policy, the violation shall be dealt with as a violation of the personnel policy, rather than as a violation of this Code of Ethics.

6. **Applicable State Laws.**

In addition to the ethical principles set out in this Code of Ethics, state laws also provide a framework for the ethical behavior of Utility District officials and employees in the performance of their duties. Officials and employees should familiarize themselves with the state laws applicable to their office or position and the performance of their duties. To the extent that an issue is addressed by state law (law of general application, local option law, or private act), the provisions of that state law, to the extent they are more restrictive, shall control. Following is a brief summary of selected state laws concerning ethics for Utility District officers and employees. For the full text of these statutes, see the ***Tennessee Code Annotated*** sections indicated.

**Campaign finance - *Tennessee Code Annotated Title 2, Chapter 10.*** Part 1 (campaign financial disclosure) requires candidates for public office to disclose contributions and contributors to their campaigns. Part 3 (campaign contribution limits) limits the total amount of campaign contributions a candidate may receive from an individual and sets limits on the amount a candidate may receive in cash.

**Conflict of interest - *Tennessee Code Annotated Section 12-4-101*** is the general conflict of interest statute that applies in all counties. It prohibits anyone who votes for, lets out, or in any manner supervises any work or contract from

having a direct financial interest in that contract, purchase, or work, and it requires disclosures of indirect financial interests by public acknowledgement.

**Conflict of interest disclosure statements - *Tennessee Code Annotated Section 8-50-501*** and the following sections require candidates and appointees to local public offices who are elected to file a disclosure statement with the State Ethics Commission listing major sources of income, investments, lobbying activities, professional services provided, bankruptcies, certain loans, and other information, and to keep these statements up to date.

**Honoraria - *Tennessee Code Annotated Section 2-10-116*** prohibits elected officials from accepting an honorarium (including money or anything of value, but not including reimbursement for actual expenses) for an appearance, speech, or article in their official capacity.

**Crimes involving public officials - *Tennessee Code Annotated Section 39-16-101*** and the following sections prohibit bribery, soliciting unlawful compensation, and buying and selling in regard to offices.

**Official misconduct - *Tennessee Code Annotated Section 39-16-402*** applies to public servants and candidates for office and prohibits unauthorized exercise of official power, acting in an official capacity exceeding the servant's power, refusal to perform a duty imposed by law, violating a law relating to the servant's office or employment, and receiving a benefit not provided by law.

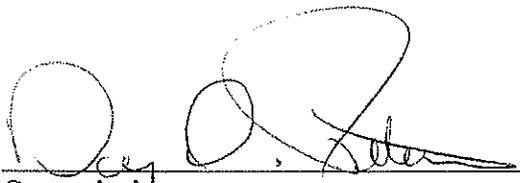
**Official oppression - *Tennessee Code Annotated Section 29-16-403*** prohibits abuse of power by a public servant.

**Bribery for votes - *Tennessee Code Annotated Sections 2-19-121, 2-19-126, and 2-19-127*** prohibit bribery of voters in elections.

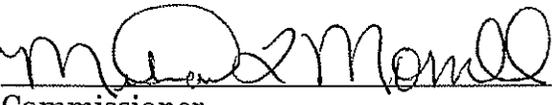
**Misuse of official information - *Tennessee Code Annotated Section 39-16-404*** prohibits a public servant from attaining a benefit or aiding another person in attaining a benefit from information which was obtained in an official capacity and is not available to the public.

**Ouster law - *Tennessee Code Annotated Section 8-47-101*** sets out conduct that is punishable by ouster from office, including misconduct in office and neglect of duty.

**Personnel not to benefit from water service agreements - *Tennessee Code Annotated Section 7-82-310*** prohibits utility district commissioners and employees from receiving money or other goods or services of value for the installation of water service within the utility district or the sale of materials to be installed within the utility district.

  
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Commissioner

  
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Commissioner

  
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Commissioner

**BRISTOL-BLUFF CITY UTILITY DISTRICT**

**CODE OF ETHICS**

**CONFLICT OF INTEREST DISCLOSURE STATEMENT**

**Instructions**

This form is for reporting personal interests required to be disclosed under Section 3 of the Code of Ethics of the Bristol-Bluff City Utility District. Officials and employees are required to disclose personal interests in matters that affect or would lead a reasonable person to infer that they would affect the exercise of discretion of an official or employee.

1. Date of Disclosure: \_\_\_\_\_

2. Name of Official or Employee: \_\_\_\_\_

3. Office/Position: \_\_\_\_\_

4. Description of Personal Interest (describe below in detail): \_\_\_\_\_

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Signature of Official or Employee