

Office: 931-296-7795  
Cell: 615-456-1836  
Fax: 931-296-5011



**HUMPHREYS COUNTY EXECUTIVE**  
**Mike Pogreba**

mpogreba@humphreyscountytn.gov

August 25, 2023

Bill Young  
Bureau of Ethics and Campaign Finance  
Tennessee Ethics Commission  
404 James Robertson Pkwy  
Suite 104  
Nashville, TN 37243

Re: Adoption of Ethical Standards

Dear Mr. Young,

In response to your email from August 21, 2023, please be advised that the Humphreys County Legislative Body voted unanimously to adopt by Resolution the Code of Ethics mandated in accordance with T.C.A. § 8-17-104. Our County Attorney has indicated to me that the standards are modeled from those originally provided by CTAS. I have enclosed a copy of Humphreys County Commission Resolution 2007-33 for your review.

Please feel free to reach out to my office if you require further information.

Sincerely,

A handwritten signature in black ink that reads "Mike Pogreba". The signature is written in a cursive, flowing style.

Mike Pogreba  
Humphreys County Executive

Attachment:

Humphreys County Resolution 2007-33

cc: Colonel John Lee Williams (Ret)

## Addendum No. 2

### RESOLUTION NO. 2007-33

A RESOLUTION to adopt a Code of Ethics for those persons elected, appointed or employed in county government service.

WHEREAS, it is essential that those persons engaged in county service in their actions and performance official duties do so with the highest standards of personal and professional conduct and integrity.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF HUMPHREYS COUNTY, TENNESSEE, as follows:

SECTION 1. Applicability. This resolution establishes a code of ethics for full and part time elected and appointed officials and employees of Humphreys County (herein after referred to as the "county"), whether compensated or not, including those serving on separate boards, commissions, committees, authorities, corporations, and other instrumentalities appointed or created by the county.

SECTION 2. General. For purposes of this resolution the following terms shall have the meanings assigned:

a. "Personal Interest" shall be:

(1) Financial, ownership, or Employment Interest in the subject of a vote by a county official which is not otherwise regulated by state statutes relative to conflicts of interests; or

(2) Financial, ownership, or Employment Interest in a matter regulated or supervised by a county official or employee which is not otherwise regulated by state statutes relative to conflicts of interest, or

(3) Financial, ownership, or Employment Interest of a family member of a county official or employee.

b. A "Family Member" is a spouse, parent, stepparent, grandparent, sibling, child, or stepchild.

c. "Employment Interest" includes situations in which a county official or employee or a Family Member is negotiating possible employment with a person or organization that is the subject of the vote of a county official or who will be regulated or supervised by a county official or employee.

d. In any situation in which a Personal Interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this resolution.

e. Nothing herein shall be deemed to repeal or supercede the provisions of any other county regulation of conflicts of interest of county officers and employees, but the provisions of this resolution shall be deemed to be in addition and supplementary thereto.

SECTION 3. Disclosure of Personal Interest by official with vote. A county official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place before the vote is taken, so that it appears in the minutes, any Personal Interest that affects or would lead a reasonable person to infer that it affects the vote on the measure. The county official may recuse himself or herself from voting on the measure.

SECTION 4. Disclosure of Personal Interest in nonvoting matters. A county official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a Personal Interest in the matter that affects or that would lead a reasonable person to infer that

it affects the exercise of such discretion, before the exercise of the discretion, when possible, shall disclose his or her interest in writing which shall be filed with the County Executive or in the case of the County Executive with the County Clerk. In addition, the official or employee may, to the extent allowed by law, resolution, or policy, recuse himself or herself from the exercise of discretion in the matter.

SECTION 5. Acceptance of gratuities, etc. A county official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the county:

(a) For performing an act or refraining from performing an act expected or required to be performed in the regular course of his or her duties; or

(b) That might reasonably be interpreted as an attempt to influence his or her action or reward him or her for past action in executing county business.

SECTION 6. Use of information. (a) A county official or employee may not disclose any information obtained in his or her official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

(b) A county official or employee may not use nor disclose information obtained in his or her official capacity or position of employment with intent to result in financial gain for himself or herself or any other person or entity.

SECTION 7. Use of county time, facilities, etc. (a) A county official or employee may not use nor authorize the use of county time, facilities, equipment or supplies for private gain or advantage to

himself or herself or to a FamilyMember.

(b) A county official or employee may not use nor authorize the use of county time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is found to be in the best interests of the county and duly authorized by appropriate authority.

SECTION 8. Use of position or authority. (a) A county official or employee may not make nor attempt to make private purchases, for cash or otherwise, in the name of the county.

(b) A county official or employee may not use nor attempt to use his or her position to secure any privilege or exemption for himself or herself or others which is not authorized by general law or by resolution or policy of the county.

SECTION 9. Outside employment. A county official or employee may not accept nor continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of his or her county position or conflicts with any provision of county personnel resolution or policy.

SECTION 10. Ethics complaints. (a) The County Attorney is designated as the Ethics Officer of the county. Upon the written request of a county official or employee who is potentially affected by a provision of this resolution, the County Attorney may render an oral or written advisory ethics opinion based upon this resolution and other applicable law.

(b) (1) Except as otherwise provided in this subsection, the County Attorney shall investigate credible complaints against appointed county officials and employees charging violation of this resolution, or undertake an investigation on his or her own initiative when information indicates a possible violation. The County Attorney shall make recommendations for

action to end or seek retribution for any activity which in his or her judgment constitutes a violation of this resolution.

The County Attorney may request that another attorney, individual, or entity be engaged to act as ethics officer when he or she has or will have a conflict of interest in a particular matter.

(2) When a complaint of a violation of any provision of this resolution is lodged against a member of the Board of County Commissioners and it determines the complaint has merit or sufficient appearance of merit to warrant further investigation, the Board of County Commissioners shall authorize and direct an investigation by the County Attorney or by such other individual or entity designated by the Board of County Commissioners.

(c) In interpreting and enforcing this resolution the standard shall be what a reasonable county official or employee would do in the same or similar circumstances.

(d) When a violation of this resolution also constitutes a violation of a personnel policy, rule, or regulation of the county, the violation shall be dealt with as a violation of such provisions in addition to a violation of this resolution.

SECTION 11. Violations. An elected or appointed official or appointed member of a separate board, commission, committee, authority, corporation, or other instrumentality of the county who violates any provision of this resolution shall be punished as provided by applicable law and in addition shall be subject to removal as provided by law and/or to censure by the Board of County Commissioners. Any county employee who violates any provision of this resolution is subject to disciplinary action as provided by law.

BE IT FURTHER RESOLVED, that this resolution take effect immediately.

EMPLOYEE ACKNOWLEDGMENT  
PERSONNEL POLICIES OF HUMPHREYS COUNTY GOVERNMENT

By signing this form, I acknowledge that I have received a copy of the personnel policies, including all referenced addenda, which are currently in effect for my office as of this date, and I understand that it is my responsibility to read and comply with the policies and Addendums Nos. 1 and 2. These policies cannot and are not intended to answer every question about my employment with Humphreys County. I understand that I should consult my Department Head regarding any part of the policies that I do not understand, or any question I may have about my employment with Humphreys County which is not answered in the policies. The current policies will always be on file in the office of the Humphreys County Clerk, and I may examine them there at any time during normal business hours.

The policies are necessarily subject to change at any time, and I acknowledge that revisions may occur from time to time. I understand that all changes to the policies will be filed in the office of the Humphreys County Clerk. Although my employer will usually provide me with notice of changes, I understand that changes will apply to me regardless of whether I receive actual notice. I understand that revised information may supersede, modify, or eliminate any or all of the policies at any time. All information contained in the policies is subject to applicable state and federal laws, rules and regulations, and I understand that to the extent that any such laws may conflict with any provision of the policies, such laws, rules, and regulations will control.

I have entered into my employment relationship with Humphreys County voluntarily, and I acknowledge that there is no specific length of employment and that my employment may be terminated by me or by my employer at will, without cause or prior notice, at any time.

I acknowledge that none of the said policies may be construed to create a contract of employment or any other legal obligation, express or implied, and that any policy may be amended, revised, supplemented, rescinded, or otherwise altered, in whole or in part, at any time, in the sole and absolute discretion of my employer.

I further acknowledge that I have received from my employer a copy of T.C.A. Section 39-16-504, relative to falsifying, destroying, or tampering with governmental records.

\_\_\_\_\_  
EMPLOYEE NAME (TYPE OR PRINT)

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE