

BEFORE THE  
MISSOURI ETHICS COMMISSION

MISSOURI ETHICS COMMISSION, )  
)  
Petitioner, )  
)  
v. )  
)  
TOWN & COUNTRY CITIZENS TO )  
RE- ELECT MAYOR JON DALTON, )  
)  
and )  
)  
JON DALTON, )  
)  
Respondents. )

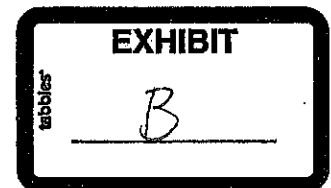
Case No. 18-0099-I, 19-0034-I

JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE MISSOURI ETHICS COMMISSION, AND  
CONSENT ORDER WITH JOINT PROPOSED  
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The undersigned parties jointly stipulate to the facts and consent to the action set forth below.

The undersigned Respondents, Town & Country Citizens to Re-elect Mayor Jon Dalton and Jon Dalton, acknowledge that they have received and reviewed a copy of the Complaint filed by the Petitioner in this case, and the parties submit to the jurisdiction of the Missouri Ethics Commission.

The undersigned Respondents further acknowledge that 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; the right to have all allegations against Respondents be 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 provided to Respondents by operation of law, the undersigned Respondents knowingly and voluntarily waive each and every one of these rights and freely enter into this Joint Stipulation of Facts, Waiver of Hearing before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law, and agree to abide by the terms of this document.

## I.

Based upon the foregoing, the Petitioner and the undersigned Respondents jointly stipulate to the following and request that the Missouri Ethics Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law, as follows:

### **JOINT PROPOSED FINDINGS OF FACT**

1. The Missouri Ethics Commission ("MEC") is an agency of the State of Missouri established pursuant to Section 105.955, RSMo, in part for the purpose of enforcing the provisions of Chapter 130, RSMo.<sup>1</sup>

2. Pursuant to Sections 105.957 and 105.961, RSMo, the Commission's staff investigated two complaints filed with the Commission and reported the investigation findings to the Commission. Both complaints allege only that Respondents were in violation of § 105.465, RSMo, because Respondent Dalton, a registered lobbyist, also maintains a candidate committee.

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<sup>1</sup> Unless noted otherwise, all statutory references are to the Revised Statutes of Missouri 2000 (Supp. 2018).

3. Respondents denied and disputed the allegations in the complaints, asserting that Respondent Dalton, as an attorney who represents clients of a certain nature before state agencies and the Missouri General Assembly, is required by the provisions of § 105.473, RSMo, to annually register as a lobbyist. Similarly, Respondents asserted that Respondent Dalton, as a candidate for public office with total contributions of more than \$1,000 and contributions of more than \$325 from a single contributor, was required by § 130.016.6 and § 130.021.2, RSMo, to form a candidate committee<sup>2</sup> and to deposit all subsequent contributions in the candidate committee depository account.

4. Based on the investigation reports, the Commission determined that there were reasonable grounds to believe that violations of law had occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.

5. Respondent Town & Country Citizens to Re-Elect Mayor Jon Dalton is a candidate committee registered with the MEC, which was originally established in 2004 and subsequently amended as required by law. The committee is still active.

6. Respondent Dalton was elected mayor of Town and Country, Missouri in April 2005, 2009, 2013 and 2017.

7. Respondent Dalton is also a partner with the law firm of Armstrong Teasdale, LLP and serves as the president and CEO of AT Government Strategies, LLC, a subsidiary of Armstrong Teasdale. Based on his practice of law and government affairs, Respondent

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<sup>2</sup> A “candidate committee” is “a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person’s candidacy and which shall continue in existence for use by an elected candidate. . .” § 130.011(9), RSMo.

is required to and did register as a lobbyist on or about January 27, 1994, and maintained that registration through the current date as required by law.

8. Specifically, on December 15, 2016, Respondent Dalton filed his lobbyist registration with the Missouri Ethics Commission for the 2017 calendar year.

9. On December 14, 2017, Respondent Dalton filed his lobbyist registration with the Missouri Ethics Commission for the 2018 calendar year.

10. On December 30, 2018, Respondent Dalton filed his lobbyist registration with the Missouri Ethics Commission for the 2019 calendar year.

#### **JOINT PROPOSED CONCLUSIONS OF LAW**

11. Candidates for municipal offices in cities of one hundred thousand or less are required to form and register a candidate committee with the MEC if the aggregate of contributions received or expenditures made exceeds one thousand dollars. § 130.016.6, RSMo. Town and Country is a municipality of approximately 11,000 residents, and Respondent received contributions and made expenditures in support of his campaign in excess of one thousand dollars. Accordingly, as a candidate for Mayor in Town & Country, Respondent Dalton is required to have and did maintain a candidate committee registered with the MEC.

12. Section 105.473.1, RSMo, requires lobbyists to file standardized registration forms “not later than January fifth of each year or five days after beginning any activities as a lobbyist.”

13. A lobbyist is “any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist” as those terms are defined in § 105.470, RSMo. § 105.470(6), RSMo.

14. Pursuant to § 105.465.1, RSMo, “Any person who registers as a lobbyist shall dissolve his or her candidate committee. In the course of dissolving such committee, such person shall not disburse moneys from such committee, except for the purpose of:

- (1) Returning a contribution made to the candidate committee to the entity responsible for making the contribution to the committee;
- (2) Donating moneys to a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; or
- (3) Transferring moneys to a political party committee.

15. “No person who registers as a lobbyist, as defined under section 105.470, shall transfer funds from any candidate committee, exploratory committee, debt service committee, or continuing committee under his or her control to any such committee controlled by a candidate or public official, as defined under section 105.470.” § 130.097, RSMo.

16. There is probable cause to believe that Respondents violated Section 105.465.1, RSMo, by failing to dissolve the Town & Country Citizens to Re-elect Mayor Jon Dalton candidate committee after Respondent Dalton registered as a lobbyist in 2017, 2018, and 2019.

## II.

Based on the foregoing, the parties hereto mutually agree and stipulate that the following shall constitute the order entered by the Missouri Ethics Commission in this

matter. This order will be effective immediately upon the issuance of the Consent Order of the Missouri Ethics Commission without further action by any party:

1. The parties understand that the Petitioner will maintain this Joint Stipulation as an open and public record of the Missouri Ethics Commission.

2. The Commission shall issue its Consent Order in the form attached hereto as Exhibit A.

a. Within ninety (90) days following entry of the Consent Order, Respondents shall dissolve the candidate committee, Town & Country Citizens to Re-elect Mayor Jon Dalton, having distributed those contributions consistent with the provisions of Sections 105.465.1 and 130.097.2, RSMo.

b. It is the order of the Missouri Ethics Commission that having dissolved the candidate committee and distributed contributions, a letter be issued that no further action shall be taken.

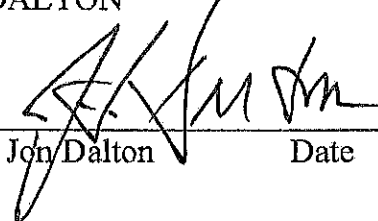
3. The parties consent to the entry of record and approval of this Joint Stipulation and to the termination of any further proceedings before the Commission based upon the Complaint filed by the Petitioner in the above action.

4. Respondents, together with their heirs, successors, and assigns, do hereby waive, release, acquit and forever discharge the Missouri Ethics Commission and its attorneys of or from any liability, claim, actions, causes of action, fees, costs and expenses, and compensation, including but not limited to, a claim for attorney's fees whatsoever

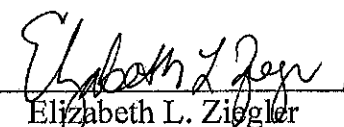
which Respondents or Respondents' attorney may now have or which they may hereafter have, which are based upon or arise out of the above cases.

SO AGREED:

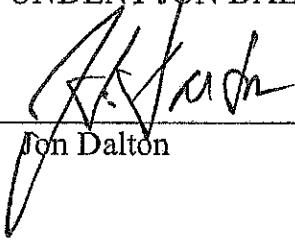
RESPONDENT TOWN & COUNTRY  
CITIZENS TO RE-ELECT MAYOR  
JON DALTON

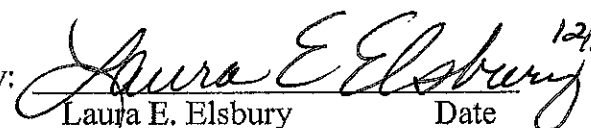
By:  12.19.2019  
Jon Dalton Date

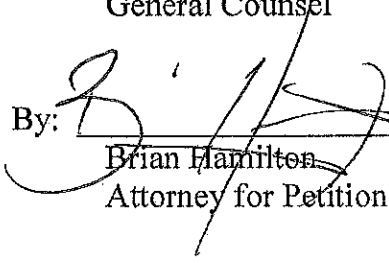
PETITIONER MISSOURI ETHICS  
COMMISSION

By:  12/19/19  
Elizabeth L. Ziegler Date  
Executive Director

RESPONDENT JON DALTON

By:  12.19.2019  
Jon Dalton Date

By:  12/19/19  
Laura E. Elsbury Date  
General Counsel

By:  12/19/19  
Brian Hamilton Date  
Attorney for Petitioner



BEFORE THE  
MISSOURI ETHICS COMMISSION

**Filed**  
DEC 19 2019  
Missouri Ethics  
Commission

MISSOURI ETHICS COMMISSION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
TOWN & COUNTRY CITIZENS TO RE-ELECT MAYOR JON DALTON,	)	Case No. 18-0099-I, 19-0034-I
	)	
and	)	
	)	
JON DALTON,	)	
	)	
Respondents.	)	

**CONSENT ORDER**


The parties have filed a Joint Stipulation of Facts, Waiver of Hearing, and Proposed Consent Order with the Missouri Ethics Commission. Accordingly, the Missouri Ethics Commission accepts as true the facts stipulated and finds that there is probable cause to believe that Respondents violated Section 105.465, RSMo. The Commission directs that the Joint Stipulation be adopted.

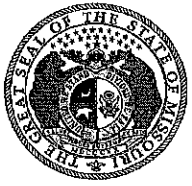
- a. Within ninety (90) days following entry of the Consent Order, Respondents shall dissolve the candidate committee, Town & Country Citizens to Re-elect Mayor Jon Dalton, having distributed those contributions consistent with the provisions of Sections 105.465.1 and 130.097.2, RSMo.

**EXHIBIT**  
tabbles     A

b. It is the order of the Missouri Ethics Commission that having dissolved the candidate committee and distributed contributions, a letter be issued that no further action shall be taken.

SO ORDERED this 19<sup>th</sup> day of December, 2019

By:   
Don Summers, Chair  
Missouri Ethics Commission



**MISSOURI ETHICS COMMISSION**

P.O. Box 1370  
Jefferson City, MO 65102  
[www.mec.mo.gov](http://www.mec.mo.gov)  
(573) 751-2020 / (800) 392-8660

Elizabeth L. Ziegler  
Executive Director

December 20, 2019

Jon Dalton  
Town & Country Citizens to Re-Elect Mayor Jon Dalton  
12801 Tundra Court  
Town & Country, MO 63131

**RE: Case Number 18-0099-I & 19-0034-I**

Dear Mr. Dalton:

A Letter of No Further Action is issued to you pursuant to the authority granted to the Missouri Ethics Commission in Section 105.961.4(5).

The Commission has accepted the submission of the Joint Stipulation of Facts, Waiver of Hearings Before the Missouri Ethics Commission, and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law in this matter, a copy of which is marked as Exhibit B and incorporated herein by reference.

The Commission has found probable cause to believe that you violated Section 105.465, RSMo, by failing to dissolve the Town & Country Citizens to Re-Elect Mayor Jon Dalton candidate committee after registering as a lobbyist in 2017, 2018, and 2018. You must dissolve your candidate committee within ninety (90) days following entry of the Consent Order.

The Commission hereby issues this letter that it will take no further action for violation of Section 130.046.1, RSMo.

Sincerely,

A handwritten signature in black ink that reads "Don Summers". The signature is written in a cursive, slightly slanted style.

Don Summers, Chair  
Missouri Ethics Commission