

METROPOLITAN KNOXVILLE AIRPORT AUTHORITY
CODE OF ETHICS

SECTION 1. **Applicability.** This code of ethics is applicable to all Commissioners, Officers and Employees of the Metropolitan Knoxville Airport Authority (MKAA).

SECTION 2. **Definition of “personal interest.”**

(1) For purposes of Sections 3 and 4, “personal interest” means:

(a) Any financial, ownership, or employment interest in the subject of a vote by the MKAA Board of Commissioners not otherwise regulated by state statutes on conflicts of interests; or

(b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(c) Any such financial, ownership, or employment interest of the Commissioner’s, officer’s or employee’s spouse, parent(s), stepparent(s), grandparent(s), sibling(s), child(ren), or stepchild(ren).

(2) The words “employment interest” include a situation in which a Commissioner, officer or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

(3) 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 code.

SECTION 3. **Disclosure of personal interest by official with vote.** A Commissioner with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the Commissioner’s vote on the measure. In addition, the Commissioner may recuse himself or herself from voting on the measure.

SECTION 4. **Disclosure of personal interest in nonvoting matters.** An officer or employee of MKAA 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 the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the Senior Executive Assistant to the President. In addition, the officer or employee may, to the extent allowed by law, charter, resolution, or policy, recuse himself or herself from the exercise of discretion in the matter.

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

(1) For the performance of an act, or refraining from 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

(2) That might reasonably be interpreted as an attempt to influence his or her action, or reward him or her for past action, in executing MKAA business; provided, however, that a gift or gratuity that is not cash or a cash equivalent (such as a check or gift card), and which has a value of \$50.00 or less, shall not be interpreted as an attempt to influence the action of the Commissioner, officer or employee.

SECTION 6. Use of information.

(1) A Commissioner, officer or employee of MKAA 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.

(2) A Commissioner, officer or employee of MKAA may not use or disclose information obtained in his or her official capacity or position of employment with the intent to result in financial gain for himself or herself or any other person or entity.

SECTION 7. Use of MKAA time, facilities, etc.

(1) A Commissioner, officer or employee of MKAA may not use or authorize the use of MKAA time, facilities, equipment, or supplies for private gain or advantage to himself or herself.

(2) A Commissioner, officer or employee of MKAA may not use or authorize the use of MKAA 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 determined by the Board of Commissioners to be in the best interests of the MKAA.

SECTION 8. Use of position or authority.

(1) A Commissioner, officer or employee of MKAA may not make or attempt to make private purchases, for cash or otherwise, in the name of the MKAA.

(2) A Commissioner, officer or employee of MKAA may not use or attempt to use his or her position to secure any privilege or exemption for himself or herself or others that is not authorized by the charter, general law, Bylaws, resolution or policy of the MKAA.

SECTION 9. Outside employment. A Commissioner, officer or employee of MKAA may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the MKAA position or conflicts with any provision of the MKAA's charter, Bylaws, resolution or policy.

SECTION 10. Ethics complaints.

(1) The MKAA's legal counsel is designated as the ethics officer of the MKAA. Upon the written request of a Commissioner, officer or employee potentially affected by a

provision of this chapter, the legal counsel may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

(2) (a) Except as otherwise provided in this subsection, the legal counsel shall investigate any credible complaint against a Commissioner, officer or employee charging any violation of this code of ethics, or may undertake an investigation on his or her own initiative when he or she acquires information indicating a possible violation and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.

(b) The legal counsel may request that the Board of Commissioners hire another attorney, individual, or entity to act as ethics officer when he or she has or will have a conflict of interests in a particular matter.

(c) When a complaint of a violation of any provision of this Code of Ethics is lodged against a member of the MKAA's Board of Commissioners, the Board of Commissioners shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the Board of Commissioners determines that a complaint warrants further investigation, it shall authorize an investigation by the legal counsel or another individual or entity chosen by the Board of Commissioners.

(3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

(4) When a violation of this code of ethics also constitutes a violation of an MKAA personnel policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel provisions rather than as a violation of this code of ethics.

SECTION 11. Violations. An MKAA Commissioner who violates any provision of this Code of Ethics is subject to disciplinary action or punishment as provided by the MKAA's charter or Bylaws or other applicable law and in addition is subject to censure by the Board of Commissioners.