

**Filed**  
**SEP 28 2012**  
Missouri Ethics  
Commission

**BEFORE THE  
MISSOURI ETHICS COMMISSION**

MISSOURI ETHICS COMMISSION, )  
)  
Petitioner, )  
) Case No. 11E152  
v. )  
)  
JOHN IMPEY, )  
)  
Respondent. )

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

This is the final decision and order of the Missouri Ethics Commission following a hearing on a complaint filed by Petitioner by and through counsel, pursuant to Section 105.961, RSMo, and Chapter 536, RSMo. The hearing was conducted before the following members of the Missouri Ethics Commission: Dennis Rose, Vernon Dawdy, John Munich, William Stoltz, and Charles Weedman.

A closed hearing took place on Monday, September 24, 2012, at the offices of the Missouri Ethics Commission at 3411A Knipp Drive, Jefferson City, Missouri 65109. The Commission was represented by attorney Curtis R. Stokes. Respondent appeared in person with counsel, R. Todd Wilhelmus.

The Commission admitted into evidence Petitioner's Exhibits 1 through 5. Having considered all the competent and substantial evidence upon the whole record, the Commission finds by a vote of 5-0 as follows:

## FINDINGS OF FACT

1. The Missouri Ethics Commission (“the Commission”) 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.
2. Respondent Impey is a citizen of the State of Missouri who opposed “Proposition A,” ballot measure in the August 2011 election for the Houston School District.
3. Pursuant to Section 105.961, RSMo, the Commission’s staff has investigated a complaint filed with the Commission and reported the investigation’s findings to the Commission.
4. Based on the report of the Commission’s staff, the Commission determined that there are reasonable grounds to believe that violations of law occurred, and it therefore authorized a hearing in this matter pursuant to Section 105.961.3, RSMo.
5. Respondent Impey published, circulated, and/or distributed the two flyers attached hereto as Exhibit A and Exhibit B, by passing the flyers around door-to-door.
6. Respondent Impey paid for the two flyers attached hereto as Exhibit A and Exhibit B.
7. The flyers attached hereto as Exhibit A and Exhibit B are relative to “Proposition A,” the ballot measure in the August 2011 election for the Houston School District.
8. Respondent Impey did not place any “paid for by” disclosure on the face of Exhibit A and Exhibit B.
9. In July 2011, Respondent Impey also published, circulated, and/or distributed the mailer attached hereto as Exhibit C, and purchased “Every Door Direct Mail” Retail service from the U.S. Postal Service to deliver the mailer to citizens of Houston, Missouri.
10. In the “Every Door Direct Mail” Retail order form, Respondent Impey placed the name of “Universal Widgets,” as the name of the business ordering the mailers.
11. Respondent Impey does not actually operate a business named “Universal Widgets.” Rather, Respondent Impey used the name “Universal Widgets” in the US Postal Service order form so

that he could distribute the mailers attached hereto as Exhibit C for half the cost of what it would have been for him to purchase the Every Door Direct mail service as an individual.

12. Respondent Impey testified that it would have been “impossible to get out the message if I would have had to spend the money” purchasing the Every Door Direct Mail program as an individual. He also testified that “it’s a crime” to purchase the Every Door Direct Mail program as an individual by purchasing that program at the 50% discounted rate available to businesses.

13. Respondent Impey paid for the mailer attached hereto as Exhibit C.

14. The mailer attached hereto as Exhibit C is relative to “Proposition A,” the ballot measure in the August 2011 election for the Houston School District.

15. Respondent Impey did not place any “paid for by” disclosure on the face of Exhibit C.

#### **CONCLUSIONS OF LAW**

16. “Any person publishing, circulating, or distributing any printed matter relative to ... any ballot measure shall on the face of the printed matter identify in a clear and conspicuous manner the person who paid for the printed matter with the words "Paid for by" followed by the proper identification of the sponsor pursuant to this section.” § 130.031.8, RSMo.

17. “For the purposes of this section, "printed matter" shall be defined to include any ... pamphlet, circular, handbill, ... or other imprinted or lettered material; but "printed matter" is defined to exclude ... any sign personally printed and constructed by an individual without compensation from any other person and displayed at that individual's place of residence or on that individual's personal motor vehicle.” § 130.031.8, RSMo.

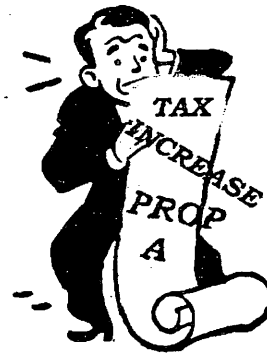
18. “In regard to any printed matter paid for by an individual or individuals, it shall be sufficient identification to print the name of the individual or individuals and the respective mailing address or addresses.” § 130.031.8(4), RSMo.

19. Respondent Impey should have identified any printed matter paid for by himself with the following disclosure: "Paid for by John Impey, 1102 August Street, Houston, MO 65483," but he failed to do so.

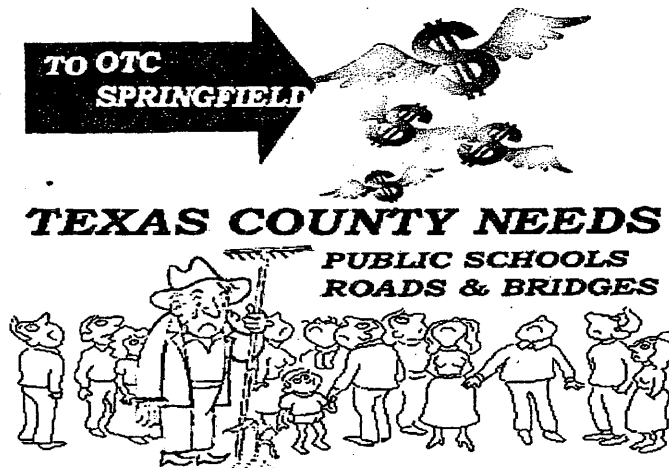
20. There is probable cause to believe that Respondent Impey violated Section 130.031.8, RSMo, by publishing, circulating, and/or distributing the flyers and mailers attached hereto as Exhibits A, B, and C, respectively, and failing to place "Paid for by John Impey, 1102 Augusta, Houston, MO 65483," on the face of those flyers and mailers.

**PLEASE VOTE NO TO A PERMANENT  
PROPERTY TAX INCREASE ! PLEASE  
VOTE NO TO PROP. A ON TUES. AUG.2 -  
FOR EVERYONE'S SAKE !!!**

⊗ PROP.A WOULD INCREASE  
YOUR PROPERTY TAX  
FOREVER IN ORDER TO PAY  
FOR A JUNIOR COLLEGE  
(OTC) PROGRAM IN TEXAS  
COUNTY.



⊗⊗ THIS WOULD DRAIN TEXAS  
COUNTY OF THOUSANDS PER  
YEAR IN TAX MONEY WHICH SHOULD HAVE  
GONE TO MAINTAINING PUBLIC SCHOOLS &  
ROADS & BRIDGES. IN HARD TIMES, IMMEDIATE  
LOCAL NEEDS MUST COME FIRST !  
OTC OF SPRINGFIELD WOULD CONTROL THIS  
MONEY, NOT YOUR ELECTED COUNTY  
OFFICIALS.



EXHIBIT

tabbies

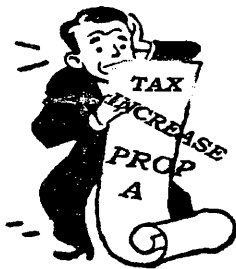
A

**PLEASE VOTE NO TO A PERMANENT  
PROPERTY TAX INCREASE ! VOTE  
NO TO PROP.A ON TUES. AUG. 2-  
FOR EVERYONE'S SAKE !!!**

☺ Three Rivers Community College plans to open a new branch in Willow Springs in Jan. A real hands-on vocational school will be within a few minutes' drive - without raising your property tax to pay for it !

☺ This tax to start an OTC in Texas County is therefore no

longer needed. It would cost each taxpayer from \$30 (residential) to \$100 + (commercial, farm) more a year - forever !!!

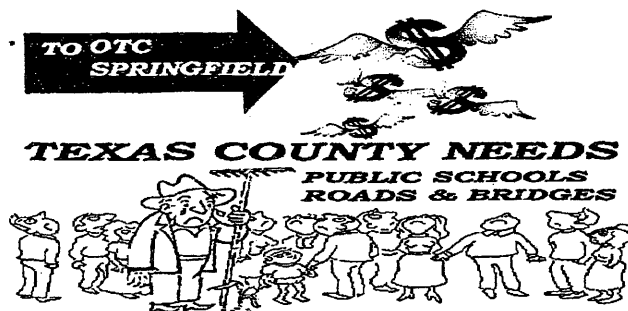


☹☹ Since on-line jr. college courses are already available at Cabool and now tech courses at Willow Springs,

why vote to raise taxes for an OTC building ?

☹☹☹ The cost in increased property tax over 30 yr. (\$900 + per individual) is greater than the 30% tuition break advertised (\$700 for two years) ! What sense does that make ? The cost to Houston alone would be \$1.2 million in 20 years !

**VOTE NO ON  
PROP. A ON  
AUG. 2 !!!!**



**EXHIBIT**

B

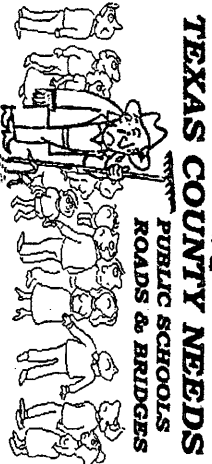
tabbles



☹️ This tax is to subsidize a junior college (OTC) but you are already being taxed to support tuition at West Plains and Cabool through A+ programs !

☹️ This tax would take money from Texas County and send it to Springfield OTC !

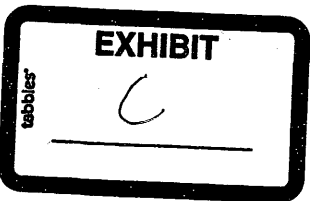
☹️☹️ This tax threatens more foreclosures but will not generate jobs in Texas County !



☹️☹️☹️ OTC branches do not offer tech training only on-line courses.

☹️☹️☹️☹️ Prop. A benefits only OTC of Springfield not Texas County ! The tax would remain forever even if OTC faded away.

☹️☹️☹️☹️☹️ Next year's re-assessment means this tax will be higher yet !!



**PLEASE VOTE**  
**NO PROPERTY**  
**TAX INCREASE!**  
**VOTE NO ON**  
**PROP. A TUES.**  
**AUG. 2!!**



**This Tax is permanent !**  
**This tax would cost our**  
**community \$1.2 million**  
**in twenty years: a loss**  
**to maintaining roads,**  
**bridges, public schools !**

\*\*\*\*\*ECRWSS\*\*

**Local  
Postal Customer**

PRST STD  
ECRWSS  
U.S. Postage  
PAID  
EDDM Retail

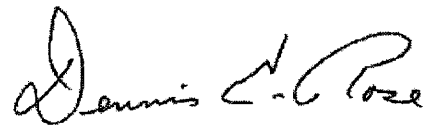
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Commission

**ORDER**

The Missouri Ethics Commission finds probable cause that Respondent Impey violated, and has knowingly violated, Section 130.031.8, RSMo.

The Missouri Ethics Commission orders a fee be imposed against Respondent Impey in the amount of \$100 pursuant to Section 105.961.4(6), RSMo. The fee shall be due within 45 days of the date of this order.

SO ORDERED this 28<sup>th</sup> day of September, 2012.



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Dennis Rose, Chairman  
MISSOURI ETHICS COMMISSION