

METROPOLITAN KNOXVILLE AIRPORT AUTHORITY
AMENDED AND RESTATED ETHICS POLICY

SECTION 1. **Applicability.** This policy is applicable to all members of the Board of Commissioners (each a “Commissioner”), 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 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), stepchild(ren), or spouse(s) of 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 policy.

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 staff secretary of MKAA. 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 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 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 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 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 MKAA position or conflicts with any provision of the charter, bylaws or any resolution or policy of MKAA.

SECTION 10. Ethics complaints.

(1) MKAA's legal counsel is designated as the ethics officer of 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 is otherwise provided in this subsection below with respect to a complaint against a Commissioner, the legal counsel shall investigate any credible complaint charging any violation of this policy, 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 policy.

(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 interest in a particular matter.

(c) When a complaint of a violation of any provision of this policy is lodged against a Commissioner, 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. The Board of Commissioners may also designate a committee of Commissioners to investigate and evaluate any complaint and to make a report to the Board of Commissioners relating to such complaint prior to the Board taking any action as is described above.

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

(4) When a violation of this policy 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 policy.

SECTION 11. Violations. A Commissioner who violates any provision of this policy may be subject to disciplinary action or punishment as provided by applicable law or MKAA's charter or bylaws and in addition may be subject to censure by the Board of Commissioners.

SECTION 12. Review and Certification. When a person becomes a commissioner, officer, or employee of the Metropolitan Knoxville Airport Authority, and annually thereafter, he or she must provide a written and signed certification to the Airport Authority that he or she has been provided a copy of the foregoing Policy and that he or she has read and understands the provisions of the Policy and has not violated any provision thereof, and asserting with respect to that person either the existence of or the absence of any conflict of interest as defined in the Policy. Any person who is unable to so certify shall be required to furnish a written explanation.

SECTION 13. Amendment and Restatement. This policy amends and restates the Code of Ethics of the MKAA last amended on July 20, 2016 by Resolution 16-05 of the Board of Commissioners.

Adopted September 22, 2021.