

**BEFORE THE OREGON GOVERNMENT ETHICS COMMISSION**

In the Matter of )  
 )  
John Lindsey ) **STIPULATED FINAL ORDER**  
 ) **CASE NO. 18-155EHW**  
 )  
 )  
\_\_\_\_\_ )

1. **PURPOSE:** The purpose of this stipulated final order is to settle any and all claims, allegations and charges by the Oregon Government Ethics Commission (Commission) against John Lindsey.
  
2. **JURISDICTION:** At all material times, John Lindsey was a Linn County Commissioner. John Lindsey was a public official subject to the jurisdiction of the Commission pursuant to ORS Chapter 244.
  
3. **STIPULATED FACTS:**
  - A. On June 5, 2017, Commissioner Lindsey sent an email to the County's Planning and Building Director from his County email account, recounting his concerns after visiting a property in his neighborhood the prior day. The email requested that the Director open a complaint file on the property for staff to investigate, because he believed an illegal marijuana operation was on the property.
  
  - B. On June 27, 2017, Commissioner Lindsey sent two emails to the County's Planning and Building Director regarding water laws and zoning ordinances he believed were being violated relevant to the greenhouse on the same neighborhood property.

- C. ORS 244.120 requires public officials to disclose conflicts of interest prior to taking official action, which could or would result in financial impact to the public official, a relative of the public official or a business with which the public official or a relative is associated.
- D. John Lindsey did not disclose a conflict of interest prior to taking the actions described in paragraphs A and B above.
- E. ORS 244.350 authorizes the Commission to assess civil penalties of up to \$10,000 as a result of these violations.
- F. The results of the Commission investigation, if submitted through exhibits and testimony at a contested case hearing, would establish a preponderance of evidence in support of a post-hearing order to find violations of ORS 244.120(2).

4. TERMS OF SETTLEMENT:

The parties agree as follows:

- A. On 1/25/19, the Commission acted to find violation, bring the investigative phase to a close and move to a negotiated settlement or a contested case hearing. The 1/25/19 action was a preliminary finding of violations of Oregon Government Ethics law, as a prelude to a stipulated settlement or a contested case hearing, and not a final conclusion regarding a violation of Oregon Government Ethics law by John Lindsey.

- B. John Lindsey will pay a civil penalty in the amount of \$50 and receive a letter of education, as authorized by ORS 244.350, in order to settle and compromise this matter.
- C. The Commission releases, settles and compromises any and all claims, which have been or could be asserted against John Lindsey within the scope of the above-referenced proceedings.
- D. John Lindsey will initiate no claims, litigation or other action against the Commission as a result of these proceedings.

5. REVIEW BY COUNSEL:

All of the parties hereto acknowledge that this agreement has been entered into by their own free will and with full understanding of the contents herein. Each of the parties further acknowledges that each has had the opportunity to seek the advice of counsel in comparing and reviewing this agreement.

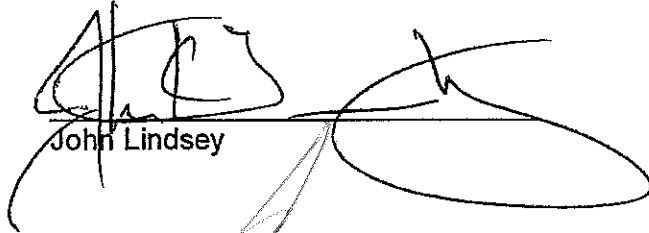
6. EFFECT:

This agreement is subject to the final approval of the Commission. Once approved, this agreement shall be the final disposition of the matter and shall be binding upon all parties.

By signing this agreement, John Lindsey agrees to waive his right to a contested case hearing as provided in ORS Chapter 183 and ORS 244.370. This order shall be the final order and all information in the Commission files on this matter shall become part of the record.

By signing this agreement, John Lindsey agrees to waive his right to obtain judicial review of this order as provided in ORS 183.482.

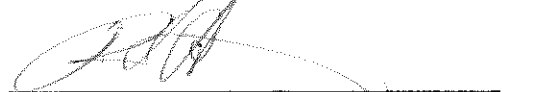
IN WITNESS WHEREOF, the parties have entered into and signed this stipulated final order on the dates set forth below.



Handwritten signature of John Lindsey in black ink, consisting of a stylized 'JL' followed by a long horizontal stroke.

John Lindsey

23 AUG 19  
Date



Handwritten signature of Richard P. Burke in black ink, appearing as a cursive 'R.P.B.' followed by a horizontal line.

Richard P. Burke, Chairperson  
Oregon Government Ethics Commission

10-2-19  
Date