

Sept. 26

Below is the makings of a campaign timeline and things to do list.
All this is of course contingent on raising enough money.

See if I am missing something.

CAMPAIGN TIMELINE

Make presentations - NOW
Harold is making appointments.

October 7 - begin door-to-door campaigning (if push cards are ready)

October 7 or 14 - place large signs

October 24 - begin radio ads

October 30 - begin TV ads

November 4 - mail piece hits homes

November 7 - election day

education materials designed + printed by Oct 5.

THINGS TO DO:

Assemble fundraising committee and make assignments to contact:

- Bob Cirtin
- Jim Arnott
- Derick Barnes
- Brian VanFosson
- Cindy Stein
- Justin Hill
- David Burton
- Some members of Financial Task Force
- Anyone else?????

Write and produce radio ads

Write and produce TV ads

Secure sign locations

Get addresses for people who voted in successful tax elections, lest 2 Zip codes 65810, 65807, 65809, 65804.

Have Shockey create TV, radio, mail piece.

Ask people to participate in radio and TV ads - Robert Spence

Trysta Herzog

From: Bob Cirtin
Sent: Thursday, November 02, 2017 3:15 PM
To: Tax Education Group; Juvenile
Subject: Final Round of Tax Education Volunteering

Dear Colleagues:

Volunteers are welcome to take part in our final round of door-to-door tax initiative education this Saturday, Nov. 4.

We will meet on **November 4 at 9:30 a.m.** in the parking lot just north of Krispy Kreme Doughnuts on South Campbell. You may volunteer as much time as you want to.

As I stated in a previous announcement, we will only be contacting people who have voted in at least three of the last four elections. I will provide the address list and a very brief training as to what to say just before we launch out into the neighborhoods.

Bob Cirtin
Presiding Commissioner

"Greene County Works . . ."

Greene County, Missouri
933 North Robberson
Springfield, Missouri 65802
Office Telephone 417.868.4112
Facsimile: 417.868.4818
Website: Greenecountymo.gov



Trysta Herzog

From: Bob Cirtin
Sent: Friday, October 20, 2017 3:32 PM
To: Greene County; Juvenile
Subject: CORRECTION: Volunteer Opportunity - PLEASE DO NOT FEEL COMPELLED TO DO THIS BECAUSE I KNOW IT IS EXTREMELY SHORT NOTICE.

You may have received an email from me earlier this afternoon regarding a door-to-door tax education campaign. This county-wide email was recalled due to some inadvertent errors. I want to apologize for any confusion that may have resulted. Please disregard that email and allow me to clarify.

Friends:

PLEASE DO NOT FEEL COMPELLED TO DO THIS BECAUSE I KNOW IT IS EXTREMELY SHORT NOTICE.

This afternoon I am receiving some data on precinct door-to-door walking lists for our tax initiative. I did not realize we would have it this soon.

Therefore, for anyone available, we will be walking neighborhoods starting tomorrow, distributing the tax education materials developed by the County.

We will meet at the parking lot just north of Krispy Kreme Doughnuts on South Campbell tomorrow, (Saturday), at 9:30 a.m.

PLEASE do NOT feel pressured to do this because I know that many people already have made weekend plans. I also acknowledge that some employees may not be able to participate due to their role in facilitating elections.

If you are able to join us, please reply to this email so I will know how many are coming.

**Bob Cirtin
Presiding Commissioner**

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Springfield, Missouri 65802
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Website: Greenecountymo.gov

Trysta Herzog

From: Bob Cirtin
Sent: Wednesday, October 25, 2017 2:29 PM
To: Tax Education Group
Subject: Tax volunteer education opportunity

Dear Colleagues:

As I mentioned a couple weeks ago in my "save the date" email, we are doing our door-to-door education strategy the next two Saturdays before the election, October 28 and November 4. Personally telling people about a tax initiative is proven to be one of the best ways to get them to vote.

We will meet on **October 28 and November 4 at 9:30 a.m.** on the parking lot just north of Krispy Kreme Doughnuts on South Campbell. You can volunteer as much time as you want to.

We will only be contacting people who have voted in at least three of the last four elections.

I will provide the address list and a very brief training as to what to say just before we launch out into the neighborhoods.

I hope to see you Saturday. It will be fun!

Bob Cirtin
Presiding Commissioner

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Trysta Herzog

From: Bob Cirtin
Sent: Sunday, October 15, 2017 7:33 PM
To: Greene County; Juvenile
Subject: Save the date Volunteers

Colleagues:

For those of you who want to volunteer for the door-to-door tax campaign please keep the following dates open.

We will be leaving literature at specific addresses and don't worry, we will train you on what to do.

Saturday, October 28
Saturday, November 4

Please send me an email indicating your desire to volunteer so I will know how many people we will have working.

More details will follow.

Bob Cirtin
Presiding Commissioner

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Springfield, Missouri 65802
Office Telephone 417.868.4112
Facsimile: 417.868.4818
Website: Greenecountymo.gov



Trysta Herzog

From: Bob Cirtin
Sent: Friday, October 20, 2017 2:00 PM
To: Greene County; Juvenile
Subject: VOLUNTEER OPPORTUNITY - PLEASE DO NOT FEEL COMPELLED TO DO THIS BECAUSE I KNOW IT IS EXTREMELY SHORT NOTICE.

Friends:

PLEASE DO NOT FEEL COMPELLED TO DO THIS BECAUSE I KNOW IT IS EXTREMELY SHORT NOTICE.

This afternoon I am receiving some data on precinct door-to-door walking lists for our tax initiative. I did not realize we would have it this soon.

Therefore, for anyone available we will be walking neighborhoods starting tomorrow.

We will meet at the parking lot just north of Krispy Kreme Doughnuts on South Campbell tomorrow, (Saturday), at 9:30 a.m.

PLEASE do feel pressured to do this because I know that many people already have made weekend plans. If you are able to join us, please reply to this email so I will know how many are coming.

Bob Cirtin
Presiding Commissioner

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933 North Robberson
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Website: Greenecountymo.gov



Archived: Friday, December 29, 2017 10:12:01 AM

From: [Trysta Herzog](#)

Sent: Sunday, December 10, 2017 10:32:17 PM

To: [MO Audit](#)

Subject: Additional info

Importance: Normal

Attachments:

[IMG_5044.PNG](#) 

See below for additional information requested in the Monday meeting.

Here are the letters to the editor referenced. See attached for the corresponding text message.

<http://www.news-leader.com/story/opinion/readers/2017/11/04/vote-yes-county-sales-tax/813223001/>

<http://www.news-leader.com/story/opinion/readers/2017/11/04/county-leaders-show-clarity-issues-accountability-citizens-tax-measure/829091001/>

Jennifer Wilson came to the office to drop off a check to the Invest in Greene County PAC sometime between Oct. 19 and Oct. 25. We had just reordered the push card due to a typo, which I was discussing with the executive assistants when Jennifer came in to drop off the check. She let me know what she was dropping off, and we had a quick discussion about the reprint of the push card.

It seems that it was approx. two weeks prior to my conversation with Jennifer that two or three men were meeting with Bob Cirtin in the conference room near his office. Chris Coulter mentioned the men and said he thought they were the union leaders who had promised a contribution to the Invest in Greene County PAC. I assumed he meant the laborers union.



4 People



BC

take our ideas and put it in a computer.

Sat, Nov 4, 6:26 PM

Heads up that the News-Leader letters from Hamra and Spence are now online.

Bob Cirtin

BC

That's good. Sam just submitted his Thursday. Good job Chris!

Mon, Nov 6, 11:30 AM

Angie would like to know if any Commissioners will be at the Huddle tomorrow for Commission Corner. There are no questions she said so we can



iMessage



Archived: Friday, December 29, 2017 10:14:42 AM

From: [Trysta Herzog](#)

Sent: Wednesday, December 6, 2017 4:25:14 PM

To: [MO Audit](#)

Subject: Re: Letters

Importance: Normal

Thank you Brent. One question I do have. If the County elects to bring in a 3rd party auditor rather than allow the state auditor to audit, will you have to give them my name?

Sent from my iPhone

On Dec 6, 2017, at 10:02 AM, MO Audit <moaudit@auditor.mo.gov> wrote:

Trysta-

Here is the news release that just went out from our office with a link to the letter that was delivered to the Commissioners this morning.

Just wanted to keep you in the loop.

Thanks,

Brent

FOR IMMEDIATE RELEASE

Contact: Steph Deidrick

media@auditor.mo.gov

Phone: (573) 522-2358

Follow @MOAuditorNews

Auditor Galloway urges independent review of potential misuse of public resources in Greene County

Information provided through Whistleblower Hotline alleges inappropriate activities to help pass sales tax increase

JEFFERSON CITY, Mo. (Dec. 6, 2017) Missouri State Auditor Nicole Galloway today requested the authority for her office to conduct a thorough, independent audit into allegations that public resources were misused in Greene County to advocate for a sales tax ballot measure. Last month, voters in Greene County approved the 1/2-cent general revenue sales tax increase.

Auditor Galloway said her office recently received credible information through the Auditor's Whistleblower Hotline to indicate public officials conducted inappropriate activities related to the ballot measure. County employees allegedly performed or were asked to perform duties related to the Invest in Greene County Political Action Committee advocating for the measure, including accepting PAC donations in county offices during work hours.

State law prohibits the contribution or expenditure of public funds to advocate, support or oppose any ballot measure or candidate for public office. Such advocacy efforts using public resources are different from efforts to provide information to citizens about a ballot measure.

The Auditor said because of the persons involved in the allegations, there needs to be an independent audit to account for if and how public dollars were used in a political manner.

Auditor Galloway's letter to the Greene County Commission asking the commission to request an audit outlines the allegations and asks that the county not destroy or dispose of any records relating to the ballot measure and any potential advocacy until an independent audit has been conducted. Those records would include emails, recordings and minutes of meetings, and other documents.

Under current Missouri law covering first-class counties, the State Auditor's Office must receive an ordinance or resolution passed by the county commission requesting the State Auditor audit either the county as a whole or a particular officer or office of that county.

The Auditor also said the allegations in Greene County demonstrate the vital role played by public employee whistleblowers in uncovering allegations of the abuse of authority by public officials. Earlier this year, the Governor signed a law limiting legal protections for government workers who blow the whistle on improper or illegal activity in the workplace, putting them at greater risk of being retaliated against or fired.

State and public employees can use the Auditor's Whistleblower Hotline to share information on waste, fraud and mismanagement of taxpayer dollars. Reports are anonymous and protected by law. Individuals may contact the State Auditor's Whistleblower Hotline by emailing moaudit@auditor.mo.gov or by calling 800-347-8597. Concerns may also be submitted anonymously online at auditor.mo.gov/hotline.

A copy of the Auditor's letter to the Greene County Commission is [here](#). Any information substantiating the allegations will be provided to law enforcement, the Missouri Ethics Commission and Secretary of State's Office when applicable.

###

Auditor Nicole Galloway, CPA, is the 38th auditor of the State of Missouri. She is a certified public accountant and certified fraud examiner. Prior to becoming State Auditor, Galloway served as Treasurer of Boone County, and has worked in the private sector as a corporate auditor, accountant and actuarial analyst. She has a Master of Business Administration from the University of Missouri and degrees in Applied Mathematics and Economics from Missouri University of Science and Technology.

From: Trysta Herzog [<mailto:trysta.herzog@gmail.com>]

Sent: Wednesday, December 6, 2017 8:57 AM

To: MO Audit <moaudit@auditor.mo.gov>

Subject: Re: Letters

Thank you for the heads up, Brittany. Does that mean that your office will be initiating an investigation?

Trysta

Sent from my iPhone

On Dec 6, 2017, at 8:45 AM, MO Audit <moaudit@auditor.mo.gov> wrote:

Good Morning Trysta,

Our office just wanted to give you a heads up that letters (3) were delivered this morning to the Commissioner's. There will also be a press release around 10:00 am today to clarify the action of the office. If you have any further concerns or questions please do not hesitate to contact us.

Thanks,

Brittany Paulsmeyer
Office of the Missouri State Auditor
Ph (573)751-4213

Archived: Friday, December 29, 2017 10:16:20 AM

From: [Trysta Herzog](#)

Sent: Wednesday, November 29, 2017 9:30:45 PM

To: [MO Audit](#)

Subject: Whistleblower reporting

Importance: Normal

Attachments:

[Oct31 notes.pdf](#) [Example to include with Oct 17 entry.pdf](#) [Oct17 entry.pdf](#) [Oct25 email.pdf](#) [Sept14 email.pdf](#) [Sept15 email.pdf](#) [Sept15 Legal Opinion.pdf](#)
;Text messages.docx

To whom it may concern:

I am the Director of Communications and Public Engagement for Greene County, Missouri. In November 2017, the County held an election in which it placed a half-cent sales tax on the ballot.

Leading up the election, I feel I faced nearly daily coercion on County campus, through County email and County-paid cell phone from Presiding Commissioner Bob Cirtin to participate in political activities as part of my job, which would be a violation of 36.157 RSMo. He would then compel me to do those activities "off duty," which I repeatedly declined and repeatedly asked not to be included in the requests (I believe his persistence in the latter to be a violation of my First Amendment Rights).

I have included here a narrative of my experiences in the document "Oct 31 notes," which are the notes I shared with the Greene County Human Resources Department on Oct. 31. At that time, I asked HR not to engage Cirtin about the allegations, but merely hoped to establish a record in case I needed to protect my job or reputation.

This narrative is partially backed by emails, texts and other documents which are attached (with the exception of the item referenced in the Sept. 26/Sept. 28 entry. I will email that on 11/30).

Others in my organization warned Cirtin of the risk in his actions. Those individuals I know of are:

- Chris Coulter, County Administrator
- Shane Schoeller, County Clerk
- Lincoln Hough, Commissioner
- Harold Bengsch, Commissioner

Since the election, I had hopes that things would return to normal and we could put this behind us. However, I believe Cirtin has attempted to retaliate, namely in my compensation for 2018. Despite voters having approved an additional \$30 million in revenue to the County, Cirtin is spearheading an effort to eliminate stipends such as car and cell phone allowances. This would enable salary raises across the County to bring employees to market value. That market value would be determined by a salary study in which he has a controlling hand. Based on previous comments to my perceived insolence, I believe he has interfered with that study so that my overall compensation will be decreased between \$1,000 and \$5,000.

I am open to answering any questions you may have.

Thank you for your time in this matter.

Trysta Herzog

417-771-9859

NOTES GIVEN AT HR MEETING ON OCT. 31

Timeline of events

On or around Aug 27 (just before tax campaigning to begin): Bob engaged me in a discussion that I view now as grooming me to be compliant to his demands. He told me that I owe my position to him as he, and he alone, got me the job. I am to be loyal to him above all commissioners; I am not to speak in meetings; and I cannot refuse work assigned to me. In later meetings, he indicated that I must earn my right as director; that I am an overpaid PIO; that he has ousted directors before me and could do it again. I have spoken to Chris and the other commissioners about these statements.

Once tax campaigning began, I was told in numerous open meetings that my expertise does not extend to "this kind of campaign." He told me and others in my presence that I was not capable of producing the materials needed for a tax campaign, and that instead of focusing on efforts to educate, that we should devote our energies to advocacy. We explained over and over again that we cannot advocate in our official roles and that we should not even discuss advocacy on County campus or through County resources. That advice, although given time and time again, has fallen on deaf ears.

At several huddles, Bob has exclusively talked about advocacy efforts, which staff had to counteract to tell the group his speech was about advocacy. (One that comes to mind was possibly on Sept. 5)

At several daily briefings, as well as other open and private meetings, we have been asked to help establish the PAC, organize employee advocacy efforts, raise funds, come up with lists of potential donors, copy edit materials the PAC was developing, etc.

We receive almost daily updates on the PAC's activities while on the clock. We have been told explicitly that education work is not helping with the tax and good, loyal employees would choose an advocacy activity. If we did not, that signifies that we do not want the tax to be successful.

The following is a timeline of documented activity to support the above. This is not a comprehensive list of transgressions, but simply those I remembered to document.

Sept. 14: At Coulter's request, attorney John Housley issued a legal opinion on employee advocacy (copy of email included), looking chiefly at exempt employees. I made my first verbal announcement to Bob that I would choose not engage in advocacy in my off time.

Sept. 15: Bob sent an email saying we "ALL will be involved in fundraising." Copy of email included.

Sept 26: Bob met with Chris and I, insisted we do advocacy. Gave us a list of advocacy campaign activities (see attached) and wanted us to choose which we would engage in. Again, I said I would not engage in advocacy, but would help with the education pushcards mentioned on the list.

Sept. 28: At the officeholders meeting, a list of advocacy to-do items (referenced above) was discussed and distributed.

Oct. 9: Bob texted me, "I need you to write a one minute radio commercial with Harold and the sheriff speaking ..." (See attached for full message). I did not respond. On the same day, he reached out to the other commissioners, Chris and myself to give an update on PAC activities. At this point, I had verbally requested not to be included in on PAC updates. I did not respond.

Oct. 10: Bob met with Chris and me, asking for an accounting of what we are doing versus what he thinks we should be doing. He demanded we do advocacy work, and he pointed out the many hours and the Sheriff have put into the PAC campaign. He indicated he wanted me to write a radio ad and Chris to write pro-tax letters to the editor on behalf of people like Sam Hamra. I pointed out that both of those things are PAC initiatives and not things he can assign to us as his employees per the MEC laws. He then said we could choose to do it on our lunch break or after work or take vacation time. I said again that I did not intend to do advocacy work even on my time off.

Oct. 17: After a contentious email debate over the weekend regarding changes to a tax education piece, Bob engaged in exclusionary behaviors he has exhibited before after I have defended not doing work he has asked of me. (email is included for reference). When being contacted by a reporter asking for an interview, instead of directing the reporter to me (as media relations is my job), he referred her to Chris Coulter. The following day, an error was made on the pushcards that were published. He reached out to Kate Morris via text to ask me to ask the firm to change the mistake. These two examples are an illustration of exclusion that is a hallmark of harassment.

Oct 19: Bob came to my office to once again ask if I could write a radio ad script. I asked who was planning to pay for the ad. He responded the PAC was. I explained again that per Missouri Ethics Commission, I cannot work for the PAC as part of my official capacity as County Communications Director. He response: "So you are saying you are not going to write the ad?" When I answered I was not, he said, "That's all I needed to know." His agitation was clear.

Oct. 25: Bob asked me in an unrelated email: "Also, can you call the news leader and get a cost of a 1/4 and 1/2 page ad in order to post the actual order for a Sunday edition?" It later came to be known that the ad was for the PAC. A contentious discussion followed. I felt I needed to be firm, document my stated position to not engage in advocacy, and once again point out that Bob's actions are illegal under the Missouri Ethics Commission. Bob shared this email with HR Director Mailyn Jeffries, adding to the perceived threat that he can carry out earlier statements of revoking my employment.



Trysta Herzog <trysta.herzog@gmail.com>

FW: Tax initiative

1 message

Trysta Herzog <THerzog@greencountymo.gov>
To: Trysta Herzog <trysta.herzog@gmail.com>

Thu, Nov 9, 2017 at 4:43 PM

From: Trysta Herzog
Sent: Tuesday, October 17, 2017 12:46 PM
To: 'Frances Watson' <fwatson@kspr.com>; Chris Coulter <CCoulter@greencountymo.gov>
Subject: RE: Tax initiative

Frances,

Chris and I will be available after 3 to meet with you here at the Commission Office (933 N. Robberson). Is there a specific time that works best?

Here are some links to materials you might find useful before our meeting:

www.greencountymo.gov/salestax

<https://youtu.be/MYuizXqeIYk>

You may also find it interesting that the temporary jail structure is being erected today in the parking lot just next to the Commission Office. We haven't had any media here to cover that today, so it may be an opportunity to get it first. It will be a couple weeks before the temporary jail is fully operational.

Thanks,

Trysta Herzog

Director of Communications & Public Engagement

Greene County, Missouri

"Greene County Works . . ."[933 North Robberson](#)

[Springfield, Missouri 65802](#)

Office Telephone [417.868.4140](tel:417.868.4140)

Mobile [417.771.9859](tel:417.771.9859)

GreeneCountyMO.gov

facebook.com/greencountymo/

twitter [@GreeneCountyMO](https://twitter.com/GreeneCountyMO)



From: Frances Watson [<mailto:fwatson@kspr.com>]

Sent: Tuesday, October 17, 2017 12:03 PM

To: Chris Coulter <CCoulter@greencountymo.gov>; Trysta Herzog <THerzog@greencountymo.gov>

Subject: Re: Tax initiative

Thanks for your reply.

We often talk to elected officials. I think as county administrator you could speak from a different point of view, what the county budget looks like, what we need, etc.

I'm looking to delve deeper into what the tax is and what it will pay for in hopes of getting the community to fully understand how important it is.

I've reviewed the initiative and know it's much more than a jail tax.

I feel by explaining what it is and why we need it voters will be more likely to vote yes.

I'm hoping you'll be available after 3pm.

Please let me know.

Thank you!

Sent from my Sprint Samsung Galaxy S7.

----- Original message -----

From: Chris Coulter <CCoulter@greenecountymo.gov>

Date: 10/17/17 11:31 AM (GMT-06:00)

To: Frances Watson <fwatson@kspr.com>, Trysta Herzog <THerzog@greenecountymo.gov>

Subject: RE: Tax initiative

Frances

I do have time available this afternoon, however if you would like to have an elected official, Commissioner Bengsch will be back in the office tomorrow.

Just wanted to give you that option.

Also, if you could coordinate with Trysta Herzog, I would appreciate it. Trysta handles all communications for Greene County Commission and staff. I have included her on this reply.

Lastly, would you be able to provide an idea of what questions you might be asking.

Thanks and just let me know what your preference is

Chris

Christopher J. Coulter, AICP

County Administrator

Greene County

Administration Building

933 N. Robberson

Springfield, MO 65802

Phone: (417) 868-4873

Fax: (417) 868-4175

From: Frances Watson [mailto:fwatson@kspr.com]
Sent: Tuesday, October 17, 2017 11:08 AM
To: Bob Cirtin <BCirtin@greenecountymo.gov>
Cc: Chris Coulter <CCoulter@greenecountymo.gov>
Subject: Re: Tax initiative

Thanks!

Hope you're having a great trip!

Chris, would you be willing to do a brief on camera interview this afternoon?

You may call me on my cell, [909-268-9802](tel:909-268-9802).

Thanks!

Sent from my Sprint Samsung Galaxy S7.

----- Original message -----

From: Bob Cirtin <BCirtin@greenecountymo.gov>
Date: 10/17/17 10:37 AM (GMT-06:00)
To: Frances Watson <fwatson@kspr.com>
Cc: Chris Coulter <CCoulter@greenecountymo.gov>
Subject: Re: Tax initiative

That would be great but I'm in Washington DC. Will be back Thursday. If that doesn't work call Chris Coulter. He can help you.

On Oct 16, 2017, at 11:20 PM, Frances Watson <fwatson@kspr.com> wrote:

Hi Bob!

Hope your week got off to a great start.

I am hoping I have get some of your time.

I want to develop a more in depth story about the tax initiative on the ballot this November.

Please let me know if you have a few minutes Tuesday afternoon after 3pm.

I will call your office Tuesday morning or you may call me on my cell, [909-268-9802](tel:909-268-9802).

Thanks!

Frances Watson

KSPR/KY3



Trysta Herzog <trysta.herzog@gmail.com>

FW: Presentation

1 message

Trysta Herzog <THerzog@greencountymo.gov>
To: Trysta Herzog <trysta.herzog@gmail.com>

Thu, Nov 9, 2017 at 4:42 PM

From: Bob Cirtin
Sent: Friday, October 13, 2017 7:53 PM
To: Trysta Herzog <THerzog@greencountymo.gov>
Cc: Harold Bengsch <HBengsch@greencountymo.gov>; Lincoln Hough <LHough@greencountymo.gov>; Chris Coulter <CCoulter@greencountymo.gov>
Subject: Re: Presentation

Since time is of the essence, if you and Chris are satisfied so am I. Especially since Lincoln and I will be somewhat tied up.

I have a printing company to print the piece with a one day turnaround. We need to start the door-to-door campaign next weekend.

On Oct 13, 2017, at 7:36 PM, Trysta Herzog <THerzog@greencountymo.gov> wrote:

I do not feel I am overreacting. I'm sorry you are taking that way. It would help if we could speak in person next week.

I am respectfully offering my perspective of altering another professional's work. I will forward you all the changes I requested they make for your review. I feel this is too important to put forth a lackluster effort, so those changes were extensive.

From: Bob Cirtin
Sent: Friday, October 13, 2017 7:29:34 PM
To: Trysta Herzog
Cc: Harold Bengsch; Lincoln Hough; Chris Coulter
Subject: Re: Presentation

Wow. Redoing anyone's work has nothing to do with a lack of integrity. No one is asking you to do that anyway. Please don't over react. I didn't mention anything about advocacy vs education. We are all very aware of the difference.

I guess I don't understand why their product is so far from correct since they are using what you sent them.

On Oct 13, 2017, at 6:22 PM, Trysta Herzog <THerzog@greencountymo.gov> wrote:

It isn't that I don't want to do the work, but the changes are so numerous that it would not be their design anymore but mine. That isn't fair to them nor is it in the spirit of the agreement we've made with them.

If I remade their work, yes I could keep that a secret and only I would know that I compromised my integrity. But I will not do that.

When I lobby to keep the advocacy and education separate, it isn't because I want to be difficult or obstinate. It is because I have integrity and strongly held ethics. I won't jeopardize that, my reputation or my career. It is my hope that the Commission will continue to respect that I hold myself to such high standards and support me in that decision.

Respectfully,

Trysta

From: Bob Cirtin <bcirtin@greencountymo.gov>
Sent: Friday, October 13, 2017 5:43 PM
Subject: Re: Presentation
To: Trysta Herzog <therzog@greencountymo.gov>

You didn't do the work. I think editing would not constitute work and no one would question it but you.

Also, Ann told me yesterday that they will make the mailer where I can manipulate it to turn it into the mail piece using pretty much the same information. That's the way it's doing me for campaigns.

I will try my best to keep from asking or expecting you to do anything you don't want to do.

On Oct 13, 2017, at 1:12 PM, Trysta Herzog <THerzog@greencountymo.gov> wrote:

I'm not sure they would want to, and then how would we justify to taxpayers that we've paid them thousands of dollars for the work I've done?

From: Bob Cirtin
Sent: Friday, October 13, 2017 1:10 PM
To: Trysta Herzog <THerzog@greencountymo.gov>
Subject: RE: Presentation

Can they allow you access to make changes?

Bob Cirtin

Presiding Commissioner

"Greene County Works . . ."

[Greene County, Missouri](#)

[933 North Robberson](#)

[Springfield, Missouri 65802](#)

[Office Telephone 417.868.4112](#)

[Facsimile: 417.868.4818](#)

[Website:Greencountymo.gov](#)

<image001.png>

From: Trysta Herzog
Sent: Friday, October 13, 2017 1:07 PM
To: Bob Cirtin <BCirtin@greencountymo.gov>
Subject: RE: Presentation

The numbers are not correct and I believe we'd rather be using different numbers anyway. I've got a list of changes I'm preparing now. I'll reach back out to her today with those and hopefully have a final proof early next week.

Trysta

From: Bob Cirtin
Sent: Friday, October 13, 2017 1:06 PM

To: Trysta Herzog <THerzog@greencountymo.gov>

Subject: RE: Presentation

Ok with me as long as all the numbers are correct.

Bob Cirtin

Presiding Commissioner

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Greene County, Missouri

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Springfield, Missouri 65802

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Facsimile: 417.868.4818

Website:Greencountymo.gov

<image001.png>

From: Trysta Herzog

Sent: Thursday, October 12, 2017 5:33 PM

To: Bob Cirtin <BCirtin@greencountymo.gov>; Harold Bengsch <HBengsch@greencountymo.gov>; Lincoln Hough <LHough@greencountymo.gov>; Chris Coulter <CCoulter@greencountymo.gov>

Subject: Fwd: Presentation

All see attached for the proof of the push card.

I have changes I'll request such as correcting numbers, spelling and grammar, proposing new color scheme, and other things. Let me know your thoughts and Chris and I will connect tomorrow to discuss changes in more detail.

Trysta

From: Ann Frame-Hertzog <ann@shockeyconsulting.com>

Sent: Thursday, October 12, 2017 4:01 PM

Subject: Re: Presentation

11/29/2017

Gmail - FW: Presentation

To: Trysta Herzog <therzog@greencountymo.gov>
Cc: Sheila Shockey <sheila@shockeyconsulting.com>

Here is the push card layout for your review, notes, approvals etc. We used your powerpoint layout as inspiration for the design.

Please call with any questions.

Thanks,

Ann



Trysta Herzog <trysta.herzog@gmail.com>

Fwd: Jail expansion costs

3 messages

Trysta Herzog <THerzog@greenecountymo.gov>
To: Trysta Herzog <trysta.herzog@gmail.com>

Thu, Oct 26, 2017 at 9:27 AM

From: Bob Cirtin
Sent: Wednesday, October 25, 2017 6:47:45 PM
To: Trysta Herzog
Cc: Lincoln Hough; Harold Bengsch; Chris Coulter; Mailyn Jeffries
Subject: Re: Jail expansion costs

Wow.

On Oct 25, 2017, at 6:41 PM, Trysta Herzog <THerzog@greenecountymo.gov> wrote:

Bob,

You saying I'm overreacting insinuates that I have put forth an unnecessary emotional response. I have not, and your comment is offensive to me. I have simply pointed out that I took your original request to be a directive from my supervisor because it came through a work channel. It is not unreasonable for it to be taken in that fashion, which is, I suspect, one of the reasons why the ethically guidelines prohibit the use of county resources in this way. Nor is it unreasonable for me to ask politely not to be included on advocacy discussions as I've stated verbally before.

Respectfully,
Trysta

From: Bob Cirtin
Sent: Wednesday, October 25, 2017 6:27:45 PM
To: Trysta Herzog
Subject: Re: Jail expansion costs

First of all you have again over reacted. At no time did I give you an "order" and any reasonable reading of my email would agree. I would never do that. Any employee can volunteer their time if they wish to do so even to advocate for the initiative.

I will be very careful to not include you. I just thought it was a simple request to help out by getting news leader ad rates so I could make the arrangements to proceed.

On Oct 25, 2017, at 6:15 PM, Trysta Herzog <THerzog@greenecountymo.gov> wrote:

Bob,

You're using County resources to give me an order as my boss to work on behalf of the PAC. Is this not a clear violation of the ethical guidelines set forth by the Ethics Commission?

I would be calling the newspaper about a specific ad size and date using my name to do so and then an ad on behalf of the PAC will appear at that size and date. I think a news reporter and the Ethics Commission could easily put that together and then my career and reputation will be at risk.

I believe I need to remain impartial and not engage in any advocacy efforts. That is my choice as a private citizen. I have worked tirelessly to do my job as Communications Director to educate about our initiative. I will continue to do so and I hope that my employee review is reflective of that. However, I will kindly ask that you not include me in on discussions of advocacy from this point forward.

Trysta

From: Bob Cirtin
Sent: Wednesday, October 25, 2017 6:02:54 PM
To: Trysta Herzog
Subject: Re: Jail expansion costs

You can do it on your own time such as lunch break, vacation, etc.

On Oct 25, 2017, at 5:52 PM, Trysta Herzog <THerzog@greenecountymo.gov> wrote:

I cannot work for the PAC in any capacity in my official role as a county employee.

From: Bob Cirtin
Sent: Wednesday, October 25, 2017 5:51:43 PM
To: Trysta Herzog
Subject: Re: Jail expansion costs

The ad would be paid for by the PAC.

On Oct 25, 2017, at 2:53 PM, Trysta Herzog <THerzog@greenecountymo.gov> wrote:

I would be concerned about giving out numbers that are not in the resolution, but if it is your directive to Jeff to get that number, I'll defer to him and Chris on that.

For the News-Leader ad, is this an ad paid for by Greene County?

From: Bob Cirtin
Sent: Wednesday, October 25, 2017 2:51 PM
To: Trysta Herzog <THerzog@greenecountymo.gov>
Subject: Re: Jail expansion costs

Good information.

The order says "up to" 1407 beds. Can Jeff give us an estimate of what 1200 or so beds cost. Chris would have the exact number we're doing.

Also, can you call the news leader and get a cost of a 1/4 and 1/2 page ad in order to post the actual order for a Sunday edition?

On Oct 25, 2017, at 2:39 PM, Trysta Herzog

<THerzog@greencountymo.gov> wrote:

Bob,

We've been asked a few times in interviews about the cost of jail expansion, so I checked with Jeff about the numbers provided in the resolution. Here's a link to the resolution for reference: <https://greencountymo.gov/files/PDF/file.pdf?id=31368>

The budget plan in the resolution anticipates that we will spend **\$95,875,118** over 20 years. That includes interest, but not staffing, and it would build out to 1,407 beds. Given recent discussions, we may not build out to 1,407. If that's the case, it would cost less, but as far as what we've told the media thus far, we estimate it will cost about \$96 million in bond and construction costs to expand the jail.

Let me know I can check on anything else!

Trysta Herzog

Director of Communications & Public Engagement

Greene County, Missouri

"Greene County Works . . ."

[933 North Robberson](#)

[Springfield, Missouri 65802](#)

Office Telephone [417.868.4140](#)

Mobile [417.771.9859](#)

[GreeneCountyMO.gov](#)

[facebook.com/greencountymo/](#)

[twitter @GreeneCountyMO](#)

<image001.png>

Trysta Herzog <trysta.herzog@gmail.com>
To: megan.applegate2008@gmail.com

Thu, Oct 26, 2017 at 9:29 AM

Sent from my iPhone

Begin forwarded message:

From: Trysta Herzog <THerzog@greencountymo.gov>
Date: October 26, 2017 at 9:27:31 AM CDT
To: Trysta Herzog <trysta.herzog@gmail.com>
Subject: Fwd: Jail expansion costs

[Quoted text hidden]

Trysta Herzog <THerzog@greencountymo.gov>
To: Trysta Herzog <trysta.herzog@gmail.com>

Thu, Nov 9, 2017 at 4:42 PM

From: Bob Cirtin
Sent: Wednesday, October 25, 2017 6:48 PM
To: Trysta Herzog <THerzog@greencountymo.gov>
Cc: Lincoln Hough <LHough@greencountymo.gov>; Harold Bengsch <HBensch@greencountymo.gov>; Chris Coulter <CCoulter@greencountymo.gov>; Mailyn Jeffries <MJeffries@greencountymo.gov>

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[Quoted text hidden]



Trysta Herzog <trysta.herzog@gmail.com>

FW: A SCAN FROM COMMFP

1 message

Trysta Herzog <THerzog@greencountymo.gov>
To: Trysta Herzog <trysta.herzog@gmail.com>

Thu, Nov 9, 2017 at 4:42 PM

From: Chris Coulter**Sent:** Thursday, September 14, 2017 9:11 AM**To:** Bob Cirtin <BCirtin@greencountymo.gov>; Harold Bengsch <HBengsch@greencountymo.gov>; Lincoln Hough <LHough@greencountymo.gov>; Chris Mericle <CMericle@greencountymo.gov>; Jeff Scott <JScott@greencountymo.gov>; Jess Kerr <JKerr@greencountymo.gov>; Kate Morris <KCMorris@greencountymo.gov>; Kevin Barnes <kbarnes@greencountymo.gov>; Larry Woods <lwoods@greencountymo.gov>; Mailyn Knight <mknight@greencountymo.gov>; Rick Artman <rtartman@greencountymo.gov>; Trysta Herzog <THerzog@greencountymo.gov>**Subject:** FW: A SCAN FROM COMMFP

Everyone

Attached is a legal opinion we received from John Housley regarding exempt employees and the Missouri Ethics Commission laws related to campaigns.

Thanks

Chris

Christopher J. Coulter, AICP**County Administrator****Greene County****Administration Building****933 N. Robberson****Springfield, MO 65802****Phone: (417) 868-4873****Fax: (417) 868-4175**

11/29/2017

Gmail - FW: A SCAN FROM COMMFP

From: Kate Morris

Sent: Thursday, September 14, 2017 9:10 AM

To: Chris Coulter <CCoulter@greenecountymo.gov>

Subject: A SCAN FROM COMMFP



SKM_C284e17091408100.pdf

1137K



Trysta Herzog <trysta.herzog@gmail.com>

FW: Education meeting

2 messages

Trysta Herzog <THerzog@greencountymo.gov>
To: Trysta Herzog <trysta.herzog@gmail.com>

Thu, Nov 9, 2017 at 4:42 PM

From: Bob Cirtin**Sent:** Friday, September 15, 2017 7:25 PM**To:** Harold Bengsch <HBengsch@greencountymo.gov>**Cc:** Trysta Herzog <THerzog@greencountymo.gov>; Chris Coulter <CCoulter@greencountymo.gov>; Jim Arnott <JArnott@greencountymo.gov>; Phil Corcoran <PCorcoran@greencountymo.gov>; Kevin Spaulding <KSpaulding@greencountymo.gov>; Justin Hill <JRHill@greencountymo.gov>; Dan Patterson <DPatterson@greencountymo.gov>; Chris Mericle <CMericle@greencountymo.gov>; Tina Phillips <CPhillips@greencountymo.gov>; Kate Morris <KCMorris@greencountymo.gov>; Megan Applegate <MApplegate@greencountymo.gov>; Mailyn Knight <mknight@greencountymo.gov>; Rick Artman <rtartman@greencountymo.gov>; Jess Kerr <JKerr@greencountymo.gov>; Kevin Barnes <kbarnes@greencountymo.gov>; Tom Barr <Tom.Barr@courts.mo.gov>; Shane Schoeller <sschoeller@greencountymo.gov>; Bill Prince <Bill.Prince@courts.mo.gov>; ehedlun@greencountyoem.gov; lwoods@greencountyoem.gov; Lee Ann Walker <LAWalker@greencountymo.gov>; Cheryl Dawson-Spaulding <CDawson@greencountymo.gov>; Richard Kessinger <rkessinger@greencountymo.gov>; Cindy Stein <CStein@greencountymo.gov>**Subject:** Re: Education meeting

Friends:

If we have a meeting with two or more commissioners present we would have to post it as an open meeting. This would NOT be a good idea because we cannot run the risk of media attending. We can't have our sausage making appear in the News Leader.

It may provide a little comfort to you for me to tell you what me, the Sheriff and others have been working on.

1. We have been discussing our strategy with various campaign strategists and planning accordingly. More to come on this.
2. This week I asked Chris and Harold to begin making a list of various groups that we will ask to support the tax. Having said that, I talked to a friend of mine on the school board today who is sending me an exhaustive list of groups. This will save us a lot of time.
3. I am creating the PAC committee this weekend. This will allow us to begin raising money. We will ALL be involved in raising money. For those of you who have not done this before, we will teach you how.
4. I have created a list of campaign committee members and started calling them. As I have said several times, if anyone has any suggestions of people who have worked on a campaign previously, let me know and I will add them to the list. I have some fantastic prospects.

5. We will have campaign meetings every Thursday at 5:00 pm. I will advise of the location and when they will begin when I can.

6. I have forwarded all of the materials created by Trysta this week to Sheila Shockey and Ann Hertzog. They are working on messaging. I agree with Harold that Trysta is creating a great product to be used in the campaign. Nicely done, Trysta!

7. I also provided Sheila and Ann information that we have been hearing from people. Such as "Since I live in the city, why would I vote for a County tax?" If anyone has additional voter comments please send them to me.

8. I have told employees that we have implemented our campaign strategy and we will provide them information when the time is right. I know they are getting impatient but we are not ready for them to begin campaigning. I know they are eager but they will have to understand that we know what we are doing.

9. I'm meeting with Derrick Barnes next week to collect \$10,000 from his union. This will go towards Shockey Consulting.

10. I have created a list of people who have routinely contributed to past campaigns. This list will continually grow. This will be handed out to people to state who they will call for a contribution.

I'm sure I'm forgetting something so I will send additional emails to keep you informed.

Next week will begin the "full court press." Everyone who is supporting the tax will have plenty to do.

But obviously, as those of us who have been involved in campaigns know, people who are NOT supporting the tax will NOT be on the campaign committee or involved in any way. That's just common sense. Additionally, it is IMPERATIVE that we not share campaign strategy with anyone who is not supporting the tax.

Of course, we welcome anyone at any time who would like to support the tax and join our team.

Friends, we cannot afford any missteps. So let's be very diligent as well as careful of how we discuss our strategy.

Be assured that although no campaign is perfect, we know what needs to happen. Don't forget, some of us has been working on this for more than a year. We've just not been talking about it.

ON TO VICTORY!

On Sep 15, 2017, at 4:51 PM, Harold Bengsch <HBengsch@greenecountymo.gov> wrote:

To All Above:

I think Trysta has done a superb job of getting us moving on an information/education track for the tax initiative. At the same time and maybe I am alone in my feeling but here it is. Time is growing short for us in strategizing how we intend to move forward on the sales tax issue. Hardly a day goes by that I am not ask by a County employee or for that matter a citizen at large, "when are you going to and how will you promote information on the County's need?" In that regard we must strategize how we will build employee support for this tax. It has been said "one supports what they own." The question is, do our employees really see themselves as owning a stake in this initiative. In a very short period of time Trysta has done a magnificent job in developing graphics which depicts an educational message voters need to see/hear. What I don't know is when and how that messaging is to be used. I know we are building a list of those entities we want to speak to but are we being placed on their calendars for speaking? The City has already begun scheduling their presentations.

The purpose of this memo is to request a meeting of those above for next week to discuss these and other concerns that I may have not listed. If I am alone in my feeling then please excuse a melancholy personality for getting a little worried. In past successful campaigns, we were already having regular meetings to discuss issues as they arose and our calendars were loaded with speaking engagements. I think we need to quickly develop a crack team of rumor control/response individuals to rapidly develop a response when needed to counter misinformation as it occurs. Just one example:---"If the Public Defenders are a major bottleneck in the justice system, why are you not budgeting any money to help address that issue but are budgeting dollars for the Prosecuting attorney?" This question has already been ask. Time is no longer on our side and I am quite concerned.

I respect so much the input from each and every one of you. Now I feel we need to pull our team together to begin a targeted educational focus for success. If I am out of step here then I apologize to all. I am suggesting we try to get together Tuesday the 19th at 1:00 PM reconvening our 9:00 AM study session with MU.

Well, It looks like it's time to go home so I will close and send this on. Have a good week end all.

Harold

Trysta Herzog <THerzog@greencountymo.gov>
To: Trysta Herzog <trysta.herzog@gmail.com>

Thu, Nov 9, 2017 at 4:42 PM

[Quoted text hidden]



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September 7, 2017

Christopher J. Coulter, AICP
Greene County Historic Courthouse
940 Boonville Ave., Room 303C
Springfield, MO 65802

RE: **Political Action Committees**

Dear Chris:

This opinion letter is in response to the second question you posed in your email of August 29, 2017 which asked:

“In regards to exempt employees, what are the limits of involvement during or after normal business hours working on a tax proposal or a tax proposal campaign? The concern that has been brought up is that exempt employees are “always on the clock” and working on a tax proposal or campaign might violate Missouri Ethics Commission laws.”

Initially I would note that certain types of employees, often classified as “exempt” employees, are not entitled to overtime pay as guaranteed by the Fair Labor Standards Act. Instead, an exempt employee must be paid a salary (not hourly) and must perform executive, administrative, or professional duties.

Technically, the Fair Labor Standards Act looks at the goal of employees working 40 hours per week. If that number is exceeded, an exempt employee is entitled to take time off under a flex time policy. If they are a non-exempt employee, they are paid overtime or comp-time for time worked beyond 40 hours per week. Exempt employees are not considered “on duty” at all times for purposes of calculating an entitlement to time off.

I have reviewed the Missouri Ethics Commissions opinions and cannot find any addressing your specific question. However, I attach hereto an April 26, 2001 opinion of the MEC which addressed the question of whether it was a conflict of interest for a state employee to work at a political consulting business during vacations, holidays, weekends, or at nights? The MEC stated that so long as the work performed by the state employee was allowed by the policy or procedure of the appointing authority and the work is not performed while the individual is on “state time,” there appears to be no conflict of interest. A copy of the Opinion is attached.

Assuming the exempt employee is merely working on a county sales tax campaign when they are not on “county time” but during their off-duty hours, it is

my opinion that such activities would be permitted and not violate the Missouri Revised Statutes. The only analogous statutes I could find pertained to state employees serving in the executive branch under its merit system. These exempt employees were permitted to participate in political activities with certain restrictions. Section 36.155 and 36.157 RSMo outlines the prohibited political activities of state employees. Section 36.155 RSMo. states: "An employee may take part in the activities of political parties and political campaigns." It does not make a distinction between exempt and non-exempt employees, but provides in essence that any state employee may take part in political activities. This section goes on to delineate certain activities that are prohibited by a state employee in the context of taking part in a political campaign, none of which apply to your question herein.

Section 36.157 states in pertinent part:

"An employee may not engage in political activity: (1) while on duty; (2) in any room or building occupied in the discharge of official duty; (3) by utilizing any state resources or facilities; (4) while wearing a uniform or official insignia identifying the officer position of the employee; or (5) when using any vehicle owned or leased by the state or any agency or instrumentality of the state."

As you can see, these statutes prohibit a state employee from engaging in political activity "while on duty." This presumes that state employees, albeit exempt or not, are not on duty at all times, but have normal office hours. They are allowed to participate in political activity, such as supporting a tax initiative, as long as they did not engage in any of the prohibited activities set forth in Section 36.157 RSMo, one of which is "while on duty."

My research has not revealed any corresponding statutes applicable to county employees who may wish to participate in political activities. However, it is my opinion that the limitations placed on state employees engaged in political activities should be followed by county employees, including those that are considered "exempt" for purposes of overtime.

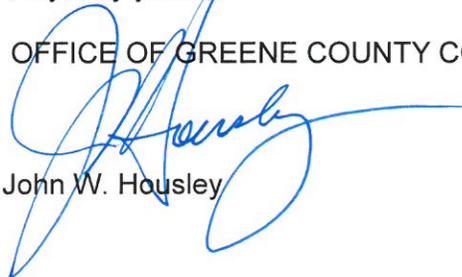
Based upon the forgoing, it is my opinion a county exempt employee may be involved in political activities such as supporting a sales tax ballot initiative, attend any event, or voice their opinion about the ballot proposition in so long as it is during non-work hours on their own time wherein they are not on duty, and they are not using any public resources, equipment, vehicle or other county facility to do so.

If you have any questions, please call me.

Very truly yours,

OFFICE OF GREENE COUNTY COUNSELOR

John W. Housley





MEC
OPINION NO.

2001.04.104

COPY

STATE OF MISSOURI
MISSOURI ETHICS COMMISSION
P. O. BOX 1254
JEFFERSON CITY, MISSOURI 65102

573/751-2020
1-800/392-8660

April 26, 2001

At the April 24, 2001 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is the Commission's response to your question:

Is it a conflict of interest for a state employee to work at a political consulting business during vacations, holidays, weekends or at night?

The Commission stated that so long as the work performed by the state employee is allowed by the policy or procedure of the appointing authority and the work is not performed while the individual is on "state time", there appears to be no conflict of interest. The individual cannot use any confidential information obtained from his state employment to further this outside work.

Sincerely,

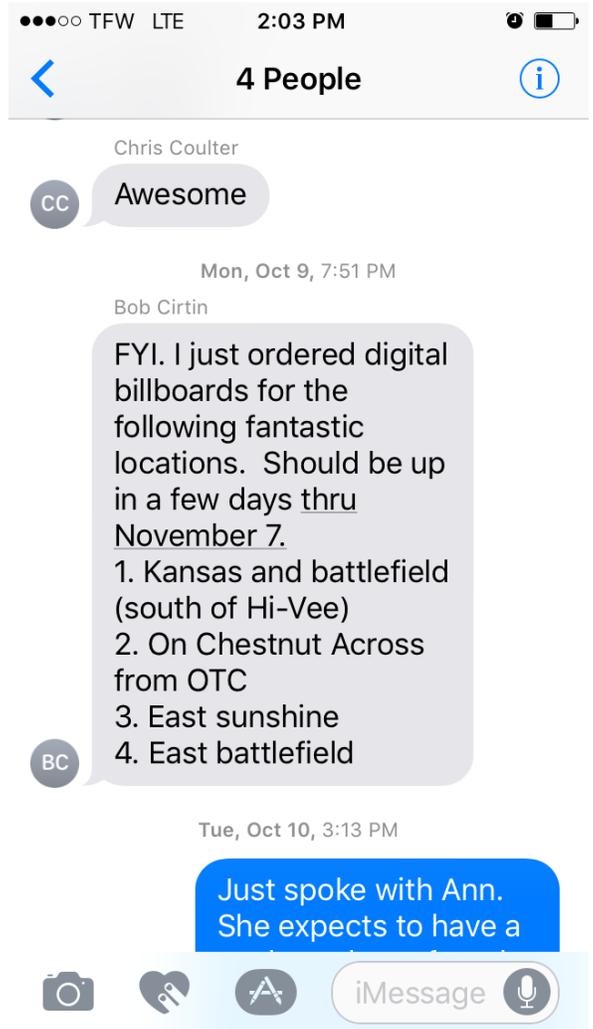
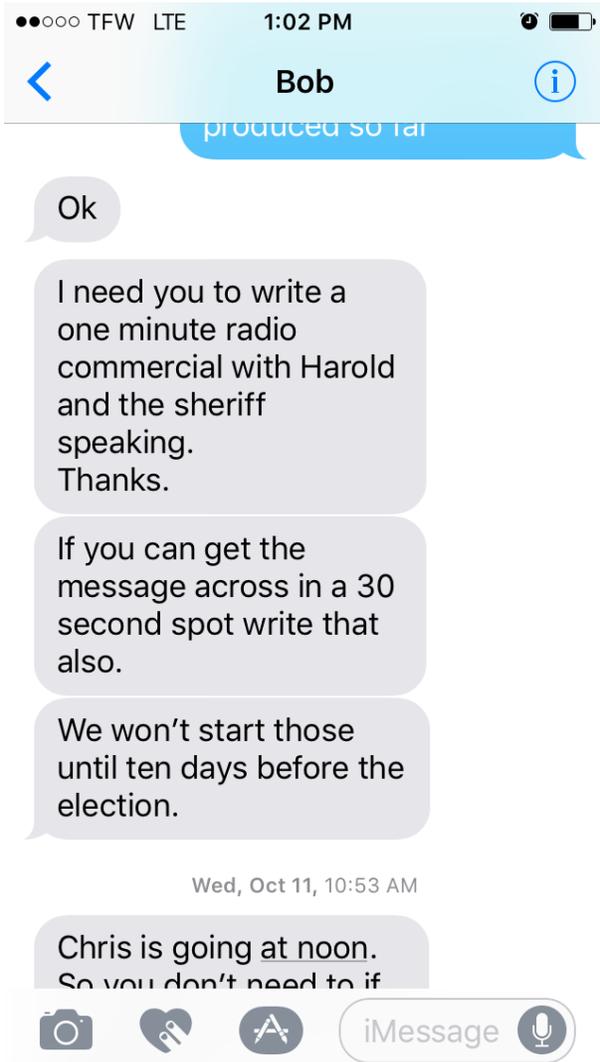

Charles G. Lamb, Ph.D.
Executive Director

MCR:bd

NOTICE

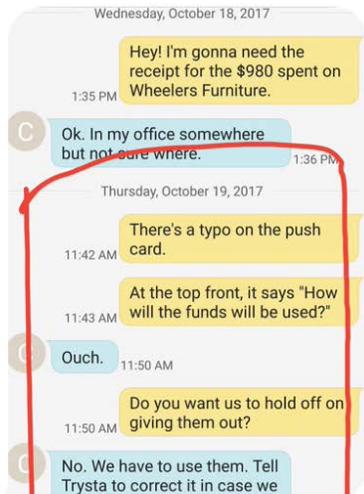
Anyone examining this advisory opinion should be careful to note that an opinion of the Missouri Ethics Commission deals only with the specific request to which the opinion responded and only as to the law as it existed at the date of the response and cannot be relied upon for any other purpose or in any other manner.

Oct. 9



The four people included in on this message were: me, Chris, Harold and Lincoln

Thu, Oct 19, 12:13 PM



Thanks. I'm on it

Is that msg from Bob?

Yes

Does he not have my #?