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North Texas Tollway Authority adopts new ethics policy

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North Texas Tollway Authority board members will be required to share more details of their personal incomes with the authority and are not allowed to participate in discussions of matters in which they have even an apparent conflict of interest.

Those are parts of a new ethics policy approved unanimously Wednesday by the nine-member board.

"When people trust each other in organizations, they work more productively and the business thrives," agency general manager John Bamonte said during a presentation of the new rules.

The board also named Bamonte its permanent ethics officer. He will help determine when a board member should abstain from discussion or a vote or should report income from a company with tollway authority ties.

The new policy encourages board members to report possible conflicts of interest to the ethics officer, board chairman and general manager -- and empowers those officials to informally rule whether enough of a conflict exists to restrict the member's involvement.

If those officials and the board member can't informally agree on whether there's a conflict, the full board can vote on it.

Several board members applauded the policy and said they're eager to move forward after last year's prickly conflict-of-interest case. In October, the agency disclosed in a Chisholm Trail Parkway bond report that the FBI was investigating possible conflicts of interest involving tollway authority officials.

"I think it's going to help us shine a bright light on the entire operation of the agency," said agency Chairman Kenneth Barr. "We will be discussing this in the next few weeks as the board meets and we try to get started on training. I think it's important to quickly in extending these items to the senior staff, too."

Prior relationships

In October, the *Star-Telegram* reported several potential conflicts of interest involving board members. Barr, for example, had prior business relationships with lawyers hired to perform legal work related to the Chisholm Trail Parkway project.

Early last year, Barr made a motion that the minority-owned firm Newby-Davis -- made up of Gov. Rick Perry's former chief of staff Newby, who is African-American, and state Sen. Wendy Davis, D-Fort Worth -- be hired to handle right-of-way legal matters for the Chisholm Trail Parkway, which is now under construction.

Newby and Davis are lawyers at the Cantey Hanger firm. Barr keeps an office in Cantey Hanger's building in downtown Fort Worth. Barr, Newby and Cantey Hanger attorney David Chappell formed a partnership named Barr Newby Chappell Consulting. The partnership's records are public.

Nearly two years later, when the tollway board voted unanimously to hire Newby-Davis, Barr said it was an oversight that he did not ask the agency's legal counsel whether he should abstain because of his past relationship with Newby and Chappell. He said he did not disclose about the 2009 partnership, which was dissolved after a business opportunity never materialized.

Also, Barr's brother Andrew Barr is employed by the agency's longtime outside legal firm, Locke Lord, although Andrew Barr worked on tollway-related business.

Another board member, David Denison of Lewisville, disclosed last year that he had a prior business relationship with a company that sold property for the Chisholm Trail Parkway, which will run from Fort Worth to Cleburne.

The tollway authority's legal counsel determined that Barr and Denison had no conflicts of interest under the agency's

More disclosure

But critics said those rules didn't go far enough and didn't require nearly as much financial disclosure as other state ar
Board member Victor Vandergriff of Arlington said the importance of appearances can't be overstated.

For example, in 2007-08, then-Chairman Paul Wageman of Plano often recused himself from board votes involving its
remote tie to his law firm, Winstead. Yet during that time, Wageman did participate in discussions about how to get the
Parkway project over the Union Pacific Railroad's Davidson Yard in west Fort Worth -- even though Winstead had rep

Technically, the new policy would not have prohibited Wageman from participating, Vandergriff said. But it would have
leadership to discuss the matter and understand how Wageman's continued participation might look to the public, and
members a chance to object.

"I don't necessarily believe our directors have done an improper action," Vandergriff said. "It's just the way we handle
didn't have to report the appearance, and we addressed that today."

The new policy will require board members to fill out financial disclosure forms every January. They were given until F
forms this year.

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