



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

OPINION NO.

1995.10.150

314/751-2020
1-800/392-8660

November 6, 1995

COPY

The Missouri Ethics Commission, at its October 21, 1995 meeting, discussed your request for an opinion. The following is in response to your questions: *Is it a conflict of interest for a member of the Spickard City Council to serve on the Board of the Spickard Special Road District? Can an individual employed by the City of Spickard be a member of the Board of the Special Road District?*

From the facts presented in your letter, the Commission stated there appears to be no violation of the conflict of interest laws of the State of Missouri found in Chapter 105, RSMo. However, you may want to assess, with your own counsel, whether the dual service would violate common law conflict of interest. For your assistance, I have enclosed copies of Attorney General Opinions numbered 42-90 and 121-88. The Commission further stated that a conflict of interest may arise when the city official, acting in his official capacity, enters into contracts between the City and the Special Road District.

If you have any other questions, please feel free to contact this office.

Sincerely,

Marion N. Sinnett
Administrative Secretary

MNS:bd
Enclosures

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.