



MISSOURI ETHICS COMMISSION

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Julie A. Allen
Executive Director

April 2, 2009



Opinion No: 2009.04.CI.003



At the April 1, 2009 meeting of the Missouri Ethics Commission, your request for an opinion was discussed. The following is the Commission's response to your questions:

I have been on an ambulance district board for a number of years; however, I recently accepted a position with a local fire protection district which, by law, disqualifies me from serving on an ambulance board, RSMo 321.017. I am resigning my position on the board effective this month.

The board wishes to hire me as a secretary treasurer so that I may continue taking the minutes and managing the finances of the district. It is my understanding, based on what our district attorney has told us, that the secretary treasurer need not be a member of the board. RSMo 190.055. Further state law provides that a person may not "perform any service for consideration, during one year after termination of his or her office...by which performance he or she attempts to influence a decision of any...political subdivision in which he was an officer. RSMo 105.454.

My duties would be to prepare an agenda and take minutes of the meetings; reconcile bank statements, pay bills and invest funds as directed by the board. I would not be participating in board discussion or advising the board on investments in any way.

The Commission takes no position as to whether or not a secretary or treasurer of an ambulance district must be a member of the board. Assuming that a non-board member may serve in that capacity, Section 105.454. RSMo prohibits the performing of any service for consideration, for one year by which you attempt to influence a decision of the board. To the extent that you will be performing duties which are purely ministerial, there is no violation of the statute. The Commission also directs you to MEC Opinion Numbers 2009.01.CI.001, 2008.09.CI.008, 2008.03.CI.001 and 2003.01.101.

Sincerely,

A handwritten signature in cursive script that reads "Julie A. Allen".

Julie A. Allen, CPA, PMP
Executive Director

JAA:ss