



# Missouri Ethics Commission

Elizabeth L. Ziegler  
EXECUTIVE DIRECTOR

**Final Action: MEC No. 21-0032-I, James Pfeiff**

**Date: August 31, 2021**

The Missouri Ethics Commission took final consideration of the complaint filed against James Pfeiff at its August 31, 2021 meeting.

Mr. Pfeiff is a member of the North Salem Township Board of Trustees. The complaint alleged that Mr. Pfeiff violated State conflict of interest and nepotism laws when he utilized his elected position to profit himself and his son by performing brush clearing services for the township.

Missouri's conflict of interest laws prohibit certain officials from performing services for the political subdivision for additional compensation. For example:

No member of any legislative or governing body of any political subdivision of the state shall [p]erform any service for such political subdivision or any agency of the political subdivision for any consideration other than the compensation provided for the performance of his or her official duties[.]

Section 105.458.1(1), RSMo.

Other conflict of interest laws generally prohibit elected and appointed officials from using their office for a personal gain. Under some circumstances, those prohibitions extend to include spouses, dependent children, and business interests. Section 105.452.1(4), RSMo, says that elected and appointed officials may not:

Favorably act on any matter that is so specifically designed so as to provide a special monetary benefit to such official or his spouse or dependent children . . . by reason of such act.

Similarly, the Missouri Constitution prohibits governmental nepotism:

Any public officer or employee in this state who by virtue of his office or employment names or appoints to public office or employment any relative within the fourth degree, by consanguinity or affinity, shall thereby forfeit his office or employment.

Mo. Const. Art. VII, Section 6. Consanguinity simply refers to blood relations and affinity references those related by marriage.

The MEC investigation determined that Mr. Pfeiff's son is an adult, so the conflict of interest statutes would not encompass any benefit he may have received as a result of his father's official

acts. Even so, the investigation did not find that Mr. Pfeiff took any official actions that resulted in a special monetary benefit to himself or his son.

Furthermore, pursuant to Chapter 263 of the Revised Statutes of Missouri, the county commission is tasked with the removal of brush and the maintenance of easements on county rights-of-way. Accordingly, it was Linn County, not the North Salem Township, that was responsible for bids for clearing brush in the township. To the extent Mr. Pfeiff performed any brush clearing services, those services were not provided to the North Salem Township and therefore would not implicate the State conflict of interest laws.

From the facts presented, the Commission found no reasonable grounds exist to support a violation of Chapter 105, RSMo, or the Missouri Constitution and dismissed the complaint.

Elizabeth L. Ziegler  
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