

Mark Robert Isaf
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**EDGAR COUNTY STATE'S
ATTORNEY**

Edgar County Courthouse
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Kyle P. Hutson
Assistant State's Attorney

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May 12, 2014


Honorable Lisa Madigan
Illinois Attorney General's Office
500 South 2nd Street
Springfield, Illinois 62706

Dear Attorney General Madigan:

Please provide a status on the opinion requested May 16, 2012 regarding whether or not service on the Emergency Telephone System Board (ETSB) by the Sheriff of Edgar County, as well as a Deputy Sheriff is incompatible with their service as county law enforcement officers.

I have enclosed the original letter sent to your office on May 16, 2012 as well as a status request that was sent to your office on September 27, 2012.

Sincerely,


Mark R. Isaf
Edgar County State's Attorney

MRI/ab

enclosure

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ATTORNEY GENERAL

MAY 16 2014

**OPINIONS
BUREAU**

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September 27, 2012

Honorable Lisa Madigan
Illinois Attorney General's Office
Opinions Bureau
500 South 2nd Street
Springfield, Illinois 62706

Facsimile: 1-217-782-7046

Dear Attorney General Madigan:

Can you please provide a status on the opinions requested on May 16, 2012 regarding the Emergency Telephone System Board and the opinion requested on August 21, 2012 regarding whether a county State's Attorney's Office is a "public body" for purpose of FOIA.

Sincerely,



Mark R. Isaf
Edgar County State's Attorney

MRI/ab

cc: Jim Keller, Edgar County Board Chairman
August Griffin, Edgar County Clerk and Recorder

Mark Robert Isaf

State's Attorney

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May 16, 2012

Honorable Lisa Madigan
Illinois Attorney General's Office
500 South 2nd Street
Springfield, Illinois 62706

Facsimile: 217-782-7046

Dear Attorney General Madigan:

I have been asked to seek an opinion as to whether or not service on the Emergency Telephone System Board (ETSB) by the Sheriff of Edgar County as well as a Deputy Sheriff of Edgar County is incompatible with their service as county law enforcement officers. The ETSB routinely votes on financial contributions to the Edgar County Sheriff's Department for dispatching service provided by the Edgar County Sheriff's Department. Neither the Sheriff nor the Deputy Sheriff benefit individually or independently.

There are many financial votes (authorized expenditures) cast by ETSB members at its periodic meetings. If in fact the service on the ETSB is not incompatible with their employment, does the fact that their department receives financial aid from ETSB create a conflict of interest? If so does abstaining from voting on a particular issue resolve the conflict?

ETSB is made up of individuals representing Paris Fire Department, Hume/Metcalf Police Department, Vermilion Fire Service, Paris Police and Fire Board as well as the two previously mentioned Edgar County Sheriff's Department members. If the ETSB were to provide financial assistance or equipment benefitting any of the organizations represented on the ETSB would this create a conflict of interest? The policy often followed by the ESTB is that if one county public safety agency is to receive a benefit, then all agencies are to receive the same benefit. If a conflict of interest exists, an ETSB member abstaining from a vote that would benefit his or her department or agency would essentially prevent a vote on the benefit to all as a quorum would not exist.

May 16, 2012
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Please provide an opinion on incompatible service described above as well as whether a conflict of interest is recognized for an ETSB member only if it is an individual or independent personal gain to be received from an item to be voted upon by the board rather than one's agency receiving a benefit.

Sincerely,

A black rectangular redaction box covering the signature of Mark R. Isaf.

Mark R. Isaf
Edgar County State's Attorney

MRI/ab