

AMBROZIAK & ASSOCIATES

550 W. Woodstock Street
Crystal Lake, IL 60014

Denise M. Ambroziak
Mike Smith – Administrative Assistant
Carlos Arteaga - Paralegal

Phone: (815) 459-4949

Edgar County Board Chairman Jeff Voigt
115 W. Court St.
Room J
Paris, IL 61944

Dear Mr. Voigt,

This communication is to inform you of certain actions being contemplated by your Emergency Telephone System Board (ETSB) that are inconsistent with current law as it relates to their limited powers of employment.

As I understand the current situation, your ETSB Chairman Troy Eades has placed on their meeting agenda an action item pertaining to a contract for the single staff member employed by the board. Enclosed you will find our written legal opinion pertaining to the limited powers of the ETSB as it relates to the hiring of staff.

Please be advised I am informing you as to why such action is inappropriate for the purpose of stopping the action being contemplated in order to avoid costly litigation that the County may face on this matter.

The County is the governing authority for ETSB and is the governmental entity and its members that would be named in any lawsuit pertaining to your ETSB.

I have copied your State's Attorney and Chairman of the ETSB of this communication and ask that you consult with your legal counsel on this matter.

If you concur with the legal foundation presented I would ask that you take appropriate steps to stop the action being contemplated. The very power to take such action was provided in a recent legislative amendment to the ETSB statute that resulted from past actions of your ETSB and their hired staff member. Specifically, the corporate authorities of a county or municipality may, by a vote of the majority of the members elected, remove an Emergency Telephone System Board member for misconduct, official misconduct, or neglect of office. (50 ILCS 750/15.4)

I am of the opinion that any ETSB member that takes action that they are informed is inconsistent with law is misconduct and grounds for their removal from the ETSB.

Primarily, your ETSB cannot tie the hands of the future Board with this proposed employment contract. This action clearly has the appearance of impropriety and cronyism. There is no rational basis to extend a multi year contract for this individual. This individual is not so valuable that the ETSB has to entice her to continue her employment with this multi-year contract. This proposed contract offers no benefit to the ETSB and only serves to secure the future employment of the individual in question.

If you have any questions on this matter or wish to discuss further please feel free to give me a call.

Sincerely,
Denise M. Ambroziak

Cc: Mark Isafe – Edgar County State’s Attorney
Cc: Troy Eades – Edgar County Emergency Telephone System Board Chairman

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550 W. Woodstock Street
Crystal Lake, IL 60014
Ph 815-459-4949
Email: ambroziaklaw@comcast.net