

OPINION NO. 69-167

Syllabus:

The office of township trustee and member of the board of a county health department are incompatible.

To: Roy H. Huffer, Jr., Pickaway County Pros. Atty., Circleville, Ohio
By: Paul W. Brown, Attorney General, December 31, 1969

Your request for my opinion reads, in part, as follows:

"Can a duly elected, qualified and acting township trustee serve simultaneously as a member of the county board of health to run the general health district?"

Section 301.24, Revised Code, permits the electors of a county to establish, by charter provision, a county health department. If such health department is established, all other health districts are abolished and the county succeeds to all the rights and powers of the abolished districts.

The syllabus of Opinion No. 65-88, Opinions of the Attorney General for 1965, reads as follows:

"The offices of township trustee and member of the board of health of a general health district are incompatible."

The rationale of Opinion No. 65-88, supra, was that funds nec-

essary to operate a general health district were derived in part from townships and that one serving in both positions might be influenced by the needs of one at the expense of the other. The same rationale is equally applicable here. The position of township trustee is incompatible with a member of the board of a county health department as well as a member of the board of a general health district.

It is, therefore, my opinion and you are accordingly advised that the office of township trustee and member of the board of a county health department are incompatible.