

1981 WL 157799 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 28, 1981

*1 Mr. Dolphus C. Medley
County Administrator
Cherokee County Council
Post Office Box 866
Gaffney, South Carolina 29340

Dear Mr. Medley:

In response to your request for an opinion from this Office regarding the authority of the Cherokee County Council to appropriate general county funds to various agencies, some of which are private in nature, I can advise you as follows:

1. Appropriations to the Cherokee County Development Board, the Cherokee County Historical Commission, a water and soil conservation district and the Thicketty Creek Watershed Conservation District would be authorized because they are public entities created by State law. See, 58 STAT. 1098 (1973); 50 STAT. 200 (1957); § 48-9-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, as amended; § 48-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, as amended.

2. I am enclosing copies of two earlier opinions to the effect that appropriations to the Boys' Club and to State Foresters would most probably be unauthorized for the reasons stated in those opinions respectively.

3. Regarding PLEA, the Cherokee County Services to the Aging and the Habilitation Services, I do not know the origin of their creation, i.e., whether or not they are public or private in nature and, for that reason, I am unable to advise you as to those entities.

4. Regarding appropriations to the National Guard, I know of no statute which would prevent the Cherokee County Council from appropriating county funds to the National Guard to assist in the maintenance of the local armory.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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