

1977 S.C. Op. Atty. Gen. 86 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-97, 1977 WL 24439

Office of the Attorney General

State of South Carolina

Opinion No. 77-97

April 6, 1977

*1 Under the council-administrator form of government the chairman is selected by the council and his salary is set by the council.

TO: J. Archie Lee
Chairman
Horry County Election Commission

QUESTION PRESENTED:

Whether or not under the council-administrator form of government the people elect a chairman and who sets his salary?

STATUTE INVOLVED:

Act No. 283 of 1975

DISCUSSION:

Section 14-3708 states in part:

The council shall select one of its members as chairman, except where the chairman is elected as a separate office, one as vice chairman and such other officers as are deemed necessary for such terms as the council shall determine, unless otherwise provided for in the form of government adopted.

Under the council-administrator form of government the chairman is not elected as a separate office; therefore, the council should themselves designate a chairman of the council.

Section 14-3707 states in part:

After adoption of a form of government as provided for in this chapter, council shall by ordinance prescribe the salary and compensation for its members. After the initial determination of salary, council may by ordinance adjust such salary . . .

CONCLUSION:

Therefore, under the council-administrator form of government, the chairman is selected by the council and his salary is set by the council.

Treva G. Ashworth
Assistant Attorney General

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