

1981 WL 158128 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 4, 1981

*1 Peter D. Hyman, Esquire
Florence County Attorney
Box G, City-County Complex
Florence, South Carolina 29501

Dear Mr. Hyman:

In response to your request for an opinion from this Office regarding the Florence City-County Airport Commission (Commission), I am enclosing copies of earlier opinions directed to Senator Thomas E. Smith, Jr., which discuss, *inter alia*, the recommendatory powers of the Florence County Council with respect to the Commission. As you will note, inasmuch as there is a question as to whether or not the Commission is purely a county board to which [Section 4-9-170, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, and Act No. 27 of 1975 [59 STAT. 23 (1975)] are applicable, and inasmuch as the legislation creating the Commission may not be a law 'relating to' Florence County within the meaning of SECTION 3 of Act No. 283 of 1975, the 'home rule' legislation, I would recommend that a declaratory judgment pursuant to [Sections 15-53-10 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, be sought in order to reach a definitive resolution.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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