

1980 WL 120933 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 17, 1980

*1 William E. Whitney, Jr., Esquire
Union County Attorney
Post Office Box 266
Union, South Carolina 29379

Dear Billy:

You have requested an opinion as to the means by which the members would be appointed to the governing commission of the Union Recreation District and to the Board of Trustees of the Union Hospital District. With respect to the Union Recreation District, it would appear that the members would continue to be appointed by the Governor upon recommendation of the delegation. The Home Rule Act does not grant the authority to county councils to appoint members to the governing bodies of special purpose districts. [§ 4-9-170, Code of Laws of South Carolina, 1976](#). The Union Recreation District is a body politic. [§ 3, Act No. 343, Acts and Joint Resolutions of South Carolina, 1971](#), and otherwise has the indicia of a special purpose district. Therefore, it would appear that the members of that governing commission would continue to be appointed as provided in the act creating the district. [§ 4-9-170, Code of Laws of South Carolina, 1976](#).

As to the Union Hospital District, it was created as a body politic and corporate. [§ 1, Act No. 848, Acts and Joint Resolutions of South Carolina, 1946](#). It has the power to condemn property, [§ 9, Act No. 848](#), and issue bonds, [§ 10, Act No. 848](#). In that it also has the indicia of a special purpose district it would appear that the county council does not have the authority to appoint members to the Union Hospital District Board of Trustees, and that those members would continue to be appointed by the Governor upon the recommendation of the delegation. [§ 4-9-170, supra](#).

Sincerely yours,

David C. Eckstrom
Assistant Attorney General

1980 WL 120933 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.