

1974 WL 27914 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

August 13, 1974

*1 R. M. Jefferies, Jr., Esq.
Post Office Box 248
Barnwell, South Carolina 29812

Dear Mr. Jefferies:

Thank you for your letter of July 23, 1974, which was referred by Mr. Colemac to me for reply. You have inquired if the 1969 ?? (Act No. 217) to Act No. 603 of 1937 would now make it necessary only to have the Chairman of the County Board of Commissioners sign deeds relating to selling land owned by the county and leased to Sweetwater Country Club.

According to the acts you have sent me, a 1954 Act (Act No. 774) established the procedure for selling land leased to the Sweetwater Country Club. This act specifically requires that

The sale of the land or any part thereof must be approved in writing by the governing body of the Sweetwater Country Club and Golf Course, the county board of managers, and the Barnwell County Legislative Delegation. Each deed must be signed by the county supervisor and the president of the Sweetwater Country Club and Golf Course.

A 1967 act (Act No. 603) established a system of County Government for Barnwell County. Section 6, subsection 2(b) states that the board has the power

To lease, sell, or otherwise dispose of real and personal property in the name of Barnwell County, including all such property now owned by the county; provided, that no lease or sale shall be effected except upon sealed proposals after notice thereof be given by published advertisement at least once not less than seven days prior to the occasion fixed for the opening of bids.

A 1980 amendment (Act No. 217) deleted the provision requiring scaled bids, therefore, the sentence now ends

To lease, sell, or otherwise dispose of real and personal property in the name of Barnwell County, including all such property now owned by the county.

The cited change in the act would not affect the requirements requiring more detailed approval regarding land leased to the Sweetwater Country Club.

Sincerely,

Treva Ashworth
Assistant Attorney General

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