

**OPINION NO. 70-018****Syllabus:**

A board of county hospital trustees may contract for the construction of intern and resident housing under a lease-purchase agreement.

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**To: Harry Friberg, Lucas County Pros. Atty., Toledo, Ohio**  
**By: Paul W. Brown, Attorney General, February 25, 1970**

I have before me your request for my opinion as to whether a board of county hospital trustees may contract for the construction of intern and resident housing under a lease-purchase agreement.

The authority of a board of county hospital trustees to construct permanent improvements is contained in Sections 339.03 and 339.06, Revised Code. Section 339.03, Revised

Code, provides, in pertinent part, as follows:

"The board of county hospital trustees shall have complete charge of the selection and purchase or lease of a site for a county hospital, \* \* \* the selection of plans and specifications, the determination and erection of all necessary buildings on such site, and of the selection and installation of all necessary and proper furniture, fixtures, and equipment.

"\* \* \* \* \*"

Section 339.06, Revised Code, provides in pertinent part as follows:

"The board of county hospital trustees has control of the property of the hospital, and all funds used in its operation. \* \* \* The board of trustees shall not expend such funds until its budget for that calendar year is submitted to and approved by the board of county commissioners. Thereafter such funds may be disbursed by the board of county hospital trustees for the uses and purposes of such hospital, for the replacement of necessary equipment, or for the acquiring of, leasing, or construction of permanent improvements to county hospital property, \* \* \*."

Under the authority contained in the above sections, the board of county hospital trustees has authority to select and purchase or lease the site for a county hospital; to determine the necessary buildings on such site; and to acquire, lease, or construct permanent improvements thereon. The grant of authority under the above statutes is sufficiently broad to permit the board to enter into a contract for the construction of intern and resident housing under a lease-purchase agreement, which requires the above-mentioned powers to lease and acquire for proper execution.

It is, therefore, my opinion and you are hereby advised that a board of county hospital trustees may contract for the construction of intern and resident housing under a lease-purchase agreement.