

1474.

APPROVAL, BONDS OF BREMEN VILLAGE SCHOOL DISTRICT, FAIRFIELD COUNTY, \$4,799.00, TO FUND CERTAIN INDEBTEDNESS.

COLUMBUS, OHIO, May 15, 1924.

Department of Industrial Relations, Industrial Commission of Ohio, Columbus, Ohio.

1475.

"STATE AID ROAD LAWS"—DIRECTOR OF HIGHWAYS AND PUBLIC WORKS—AUTHORITY TO SPECIFY TYPE OF ROAD TO BE BUILT—SECTIONS 1200, 1218 and 5660 G. C. CONSTRUED.

COLUMBUS, OHIO, May 15, 1924.

SYLLABUS:

1. *Under the statutes commonly known as "the state aid road laws", it is within the discretion of the Director of Highways and Public Works to determine the policy as to kind or type of road to be built.*

2. *When plans, specifications, profiles and estimates have been endorsed with the approval of the Director of Highways and Public Works and submitted to the county commissioners for their adoption, the authority of such county commissioners, under the provisions of Section 1200 of the General Code, is limited to the adoption of such plans, specifications, profiles and estimates as a whole, or to the refusal to adopt the same as a whole...Such county commissioners are without authority to adopt such plans, specifications, profiles and estimates in part, and to refuse to adopt the same in part.*

3. *A certification of funds by a county auditor in an amount sufficient to cover the most expensive type of a proposed highway improvement, is sufficient to and does meet the requirements of Section 5660 of the General Code in connection with types of such proposed highway improvement of a lesser cost.*

4. *A final resolution appropriating an amount of money sufficient to cover that part of the cost and expense of a proposed highway improvement in the first instance to be assumed by the county, and which final resolution also contains an agreement on the part of the county commissioners to assume in the first instance the share of the cost and expense over and above the amount to be paid by the State, which amount is sufficient to cover the most expensive type of a proposed highway improvement, and such final resolution is sufficient to and does meet the requirement of Section 1218 of the General Code in connection with types of such highway improvement of a lesser cost.*

Department of Highways and Public Works, Division of Highways, Columbus, Ohio.

Gentlemen:—

This will acknowledge receipt of your recent communication, which reads:

"The question has arisen as to the rights of the Director of Highways