

"The board of county commissioners may appoint the county surveyor, * * * ."

The reasoning and holding of said opinion is adhered to.

The earlier section, in substance, made provision, where the commissioners were authorized, within their discretion, to appoint the county surveyor as a county tax map draftsman; the later section provides that the county surveyor shall be the county tax map draftsman. To this extent, under the rules of construction hereinbefore referred to, the earlier section is, by the later enactment, repealed by implication. It follows that, in answer to your second question, it is not necessary that the board of county commissioners appoint the county surveyor as county tax map draftsman, for the reason that by the above provision of section 7181 of the General Code the county surveyor is specifically made the county tax map draftsman.

Respectfully,
C. C. CRABBE,
Attorney General.

230.

APPROVAL, BONDS OF CITY OF BARBERTON, SUMMIT COUNTY,
\$4,200.00, TO PAY PROPERTY OWNERS' PORTION OF STREET IM-
PROVEMENT.

COLUMBUS, OHIO, April 12, 1923.

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

231.

VILLAGE—BOARD OF TRUSTEES OF PUBLIC AFFAIRS NOT AUTHORIZED TO ENTER INTO CONTRACT FOR MORE THAN \$500.00 WITHOUT ACTION OF COUNCIL—MANAGEMENT OF WATER WORKS—BONDS ISSUED UNDER SECTION 1259 G. C. REQUIRE AFFIRMATIVE VOTE OF MAJORITY OF COUNCIL.

SYLLABUS:

1. *The Board of Trustees of Public Affairs of a village are not authorized to enter into a contract involving an expenditure of more than \$500.00 without the action of the council authorizing such expenditures. It follows that the preparation of plans, employment of engineers, adoption of plans and acquirement of lands for water works purposes would necessarily be under the control of council.*

2. *The management and control of such water works after established is in the hands of the Board of Trustees of Public Affairs, subject to the limitations of section 4328 with reference to contracts involving more than \$500.00.*

3. *Bonds issued under the provisions of section 1259 of the General Code are not subject to requirements of section 3939 of the General Code and require only an affirmative vote of a majority of the members of council.*