

1672.

APPROVAL, BONDS OF VILLAGE OF OLMSTED FALLS, CUYAHOGA COUNTY—\$21,000.00.

COLUMBUS, OHIO, March 25, 1930.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

1673.

UNION CEMETERY—BOARD MUST HAVE REPRESENTATIVE FROM TOWNSHIP TRUSTEES AND MUNICIPAL COUNCIL—THIRD MEMBER MAY BE OUTSIDER—VACANCY CREATED IN SUCH BOARD WHEN TERM OF TOWNSHIP TRUSTEE OR COUNCILMAN EXPIRES.

SYLLABUS:

1. *When a union cemetery is established by the council of one municipal corporation and the trustees of one township as provided in Section 4183, et seq., General Code, the board of cemetery trustees must, under Section 4193-1, General Code, be composed of at least one member of such municipal council, one member of such board of township trustees and one member who need not be either a member of council or a member of a board of township trustees.*

2. *If the one member of such board of cemetery trustees who is the representative of the municipal council or who is the representative of the board of township trustees, should cease to be a member of such council or board of township trustees, the office of such member of the board of cemetery trustees would be vacated.*

COLUMBUS, OHIO, March 26, 1930.

Bureau of Inspection and Supervision of Public Offices, Columbus, Ohio.

GENTLEMEN:—Your letter of recent date is as follows:

“You are respectfully requested to render this department your written opinion upon the following:

Section 4183 of the General Code, provides for the establishment of union cemeteries. Section 4193-1, G. C., provides for the election of the board of cemetery trustees, consisting of three members, of which one or more must be a member of each of the separate boards of township trustees and municipal council, comprised in the union cemetery association represented by such joint meeting.

Question 1: In case of the joining of one township and one municipality for the creation of a union cemetery must all three members of the board of trustees be members of council or of the trustees of the township, or may a third member be a member of neither?

Question 2: If the term of office of the township trustee or trustees or the member or members of the municipal council, composing the board