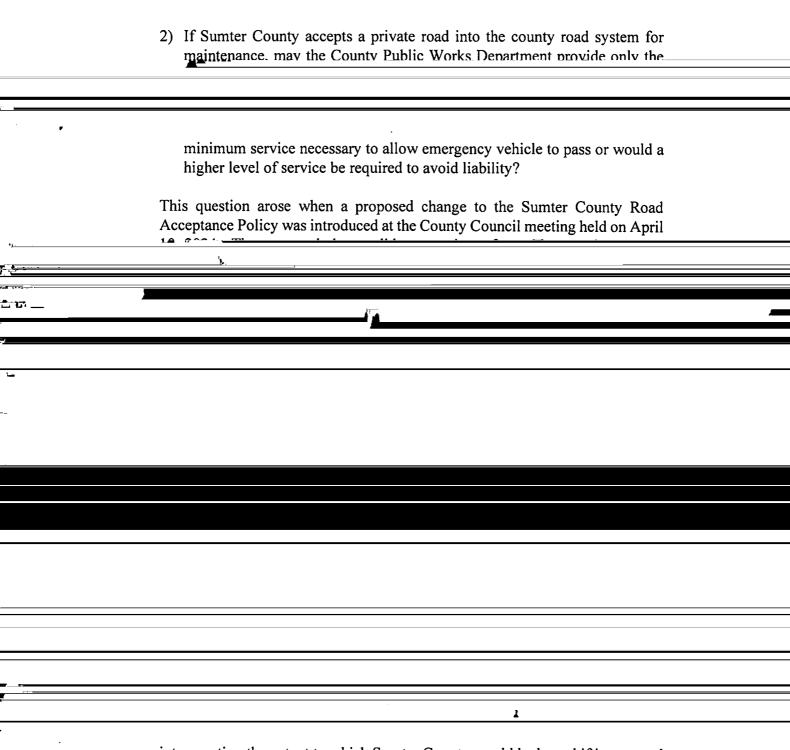


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into question the extent to which Sumter County would be bound if it accepted a private road into its system of roads for maintenance. The County Attorney has taken a position regarding this proposal. However, out of an abundance of caution, we would like to call upon the resources of your good office to render an opinion on this specific proposal as well as the concept of providing "minimal maintenance measures" to repair or maintain private roads that are accepted into the county system of roads for maintenance.

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Carolina Constitution for the proposition that public funds must be spent for a public purpose and Like Children 1 Control of 3 The first question presented asks whether the County may donate public funds to an eleemosynary corporation to be used to maintain and/or improve private roads. It is this Office's priprion that this would still amount to a violation of the same assetitutional susciples disconnections

Page 4 April 30, 2024 It is beyond argument that maintenance of a public road constitutes a public purpose for which public resources (funds, equipment, personnel, etc.) may be expended. I would also note that the ordinance under consideration requires that any scraping must be done for the passage of certain emergency vehicles. addressing the kind of ordinance being considered here, we have located an Order issued by the Honorable Jonathan McKown, dated October 22, 1984, which substantially deals with this question. Judge McKown held that roads should neither

be built, nor maintained, on private property at public expense, unless certain

