

OPINION
46-277

February 7, 1946 (OPINION)

TOWNSHIP

RE: Property - Procedure for Sale of

I am in receipt of your letter of February 2, 1946, in which you say that during the depression years Peterson Township in your county sponsored a C.W.A. project and that a club donated about two-thirds of the money required for materials, and that the township furnished the balance; that the board of supervisors have decided to sell the building thus erected. You desire to be informed as to whether or not the board may sell without first being authorized to do so by the township voters.

A board of supervisors has only the authority conferred by statute. In fact, a board of supervisors largely functions as an agency for carrying out the mandates of the township electors as expressed at the annual township meeting.

It is my opinion that the board of supervisors of Peterson Township does not have the legal authority to sell the township hall without first being authorized to do so by the electors at a township meeting. It makes no difference whether the building was constructed as a C.W.A. project, or whether it was built entirely with township moneys raised by taxation. Before the township hall can be legally sold, the sale must be authorized by the voters of the township at a township meeting or election.

NELS G. JOHNSON

Attorney General