

**OPINION
49-206**

August 4, 1949 (OPINION)

WELFARE

RE: Mileage of Members of County Board

Your letter of August 8, re mileage of members of the county welfare, board, has been received and referred to my desk.

It seems clear to us that Chapter 50-01 makes members of the county welfare board county officials. There is no doubt of this in our minds. Chapter 297 of the Laws of 1949 provides that members shall be paid legal mileage for necessary travel. This is an amendment to the prior law which merely authorized payment to them of their actual expenses. Under the new law they are entitled not only to actual expenses, but to mileage. Chapter 121 of the Laws of 1949 provides that the mileage of all county officers whether elective or appointive shall be 7 1/2 cents per mile of actual travel.

The mere fact that section 11-1002 of the Revised Code does not include members of this board in the list of county officers does not in our opinion detract from the fact that they are county officials. They certainly are not officials of the state, or the city, or township. They are clothed with executive duties which formerly were fulfilled by the board of county commissioners.

Therefore, it is our opinion that a member of the county welfare board is entitled to be paid his actual expenses while performing official duties and also mileage for actual and necessary travel, at the rate of 7 1/2 cents per mile.

When a county commissioner is a member of the county public welfare board and acting as such, it is our opinion that for his service as a member of the board he is entitled to the same pay and the same mileage as other members of the board.

WALLACE E. WARNER

Attorney General