

**Opinion No. 19-2329**

July 15, 1919

**BY:** O. O. ASKREN, Attorney General

**TO:** Mr. George McLean, County Road Superintendent, Curry County, Texico, New Mexico.

Jurisdiction of County Road Superintendents.

**OPINION**

In reply to your letter of July 10th, advise that section 4 of House Bill 238, provides, among other things, as follows:

"The County Road Superintendent shall have full control of all the county road work, the purchasing of supplies and the employment of labor."

Therefore, it seems that the repair and maintenance of roads already established, he has full and complete control of the same without interference of the Board of County Commissioners, but in the event the roads are altered, changed or discontinued, or new roads created or established, the same must be done with the approval of the County Commissioners.

If, at any time, the majority of the Board of County Commissioners become convinced that you are paying excessive salaries, excessive prices for supplies or materials, or in any way that you are managing the affairs of the county in a manner detrimental to the best interests of the county, then and in that case the remedy of the County Commissioners is to advise the Governor of the State of their conclusion, such communication to be submitted in writing to him, and which should contain specific statements of facts upon which the conclusions are based.

So far as the repairing of roads, therefore, I am of the opinion that you have complete control.