

State of South Carolina  
Executive Department



**FILED**

JUN 12 2018

*Mark Hammond*  
SECRETARY OF STATE

Office of the Governor

EXECUTIVE ORDER NO. 2018-20

Appointment of Commission to Investigate Annexation of Certain  
Areas in Horry County and Georgetown County

**WHEREAS**, due to an apparent misunderstanding between Horry County and Georgetown County regarding the Horry–Georgetown boundary line, there is a small area within the statutory boundary of Horry County that has been treated as being located in Georgetown County, and certain property owners within the affected area erroneously believe that their properties are located in Georgetown County (“Horry County Affected Area”); and

**WHEREAS**, due to the same misunderstanding, there is a small area within the statutory boundary of Georgetown County that has been treated as being located in Horry County, and certain property owners within the affected area erroneously believe that their properties are located in Horry County (“Georgetown County Affected Area”); and

**WHEREAS**, Chapter 5 of Title 4 of the South Carolina Code of Laws, as amended, sets forth a procedure for annexing, merging, or transferring an area from one county to another (“Change of Boundaries Statute”); and

**WHEREAS**, the Change of Boundaries Statute provides that the governing body of a county may by resolution request that a part of such county be merged with one or more adjoining counties; and

**WHEREAS**, pursuant to the Change of Boundaries Statute, the Horry County Council and the Georgetown County Council have presented separate resolutions, copies of which are attached hereto as Exhibit A, requesting, *inter alia*, that that the Horry County Affected Area be merged with, or annexed to, Georgetown County and that the Georgetown County Affected Area be merged with, or annexed to, Horry County; and

**WHEREAS**, upon receipt of an annexation request from a county governing body and presentment of the requisite resolution, the Governor shall appoint a commission of four persons, which shall, *inter alia*, investigate and report all facts pertinent to the potential annexation in accordance with sections 4-5-120 through -160 of the South Carolina Code of Laws; and

**WHEREAS**, it appears to the satisfaction of the undersigned that the requested annexation and corresponding resolutions comply with the procedures set forth in the Change of Boundaries Statute and are consistent with the provisions of the Joint Resolution ratified by the General Assembly on May 14, 2018, and approved by the undersigned on May 18, 2018; and

**WHEREAS**, there is no known opposition to the potential annexation, and Sel Hemingway and Wesley Bryant, Esquire, of Georgetown County, and Chris Eldridge and Arrigo Carotti, Esquire, of Horry County, are fit and proper persons to serve on the commission, which shall appropriately investigate all facts relating to the requested annexation and report in writing to the undersigned the pertinent facts and other relevant matters as requested or required by law; and

**WHEREAS**, upon receipt of the commission's report and satisfactory compliance with sections 4-5-120 through -160 of the South Carolina Code of Laws, the undersigned shall order an election in accordance with section 4-5-170 of the South Carolina Code of Laws.

**NOW, THEREFORE**, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby appoint the following fit and proper persons to investigate all facts related to the requested annexation in Georgetown County and Horry County and report in writing to the undersigned the pertinent facts and other relevant matters in accordance with the Change of Boundaries Statute or otherwise as requested or required by law:

1. Wesley Bryant, Esquire – Georgetown County;
2. Sel Hemingway, Georgetown County Administrator;
3. Arrigo Carotti, Esquire – Horry County; and
4. Chris Eldridge, Horry County Administrator

Pursuant to sections 4-5-140 and 4-5-160 of the South Carolina Code of Laws, the Commission:

- a. may contract for the survey and location of the proposed change of line and for such purpose may employ three competent disinterested surveyors, who are nonresidents of the counties affected, two to be selected by the commission and the third by the two selected by the commission; and
- b. shall carefully investigate all facts relating to the area, population, and assessed property values of the territory proposed to be severed and that remaining, the proximity of the line to any courthouse, and the proper amount of indebtedness of the county losing area to be assessed to the county gaining such area; and

- c. shall report in writing to the Governor upon all such relevant matters as the Governor may direct for his information; and
- d. shall report to the Governor an itemized statement of the expense of the survey and plats; and
- e. shall submit its final report to the Governor no later than August 1, 2018.

This Order is effective immediately.



GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 12th DAY OF JUNE, 2018.

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HENRY MCMASTER  
Governor

ATTEST:

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MARK HAMMOND  
Secretary of State

# **Exhibit A**

**OFFICE OF THE  
COUNTY ADMINISTRATOR**



Horry County  
PO Box 1236  
Conway, SC 29528  
Phone: (843) 915-6510  
[celdridge@horrycounty.org](mailto:celdridge@horrycounty.org)

May 18, 2018

The Honorable Henry McMaster  
State House  
1100 Gervais Street  
Columbia, SC 29201

RE: Appointment of Commission - Georgetown County – Horry County Boundary

Dear Governor:

On behalf of the Horry County Council, I am pleased to present to you Resolution R-52-18, a resolution requesting that, among other things, a commission be appointed to address the change of the boundary between Georgetown County and Horry County. It is our understanding that Georgetown County is presenting a similar resolution, Georgetown County Resolution No. 2018-16, requesting the appointment of a commission. The commission would be appointed pursuant to R. 278, H. 5154 of the 2018 General Assembly and pursuant to Chapter 5, Title 4, Code of Laws of South Carolina 1976, as amended.

We appreciate your consideration of this request. If you have any questions or need additional information, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Eldridge".

Chris Eldridge  
County Administrator

Enclosure

COUNTY OF HORRY )  
STATE OF SOUTH CAROLINA )

RESOLUTION R-52-18

**A RESOLUTION TO REQUEST THE MERGER, AND ANNEXATION, OF CERTAIN PARCELS IN HORRY COUNTY WITH GEORGETOWN COUNTY; TO CONCUR IN THE REQUEST OF GEORGETOWN COUNTY TO THE MERGER, AND ANNEXATION, OF CERTAIN PARCELS IN GEORGETOWN COUNTY WITH HORRY COUNTY; TO REQUEST THE GOVERNOR TO APPOINT AN ANNEXATION COMMISSION AND UPON THE COMPLETION OF THE ANNEXATION COMMISSION'S WORK TO ORDER AN ELECTION AND, WHERE APPLICABLE, CANVASSING; TO AUTHORIZE AND DIRECT THE COUNTY ADMINISTRATOR TO, AMONG OTHER THINGS, PRESENT THIS RESOLUTION TO THE GOVERNOR; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.**

**WHEREAS**, as a result of a misunderstanding by Horry and Georgetown counties regarding the Horry-Georgetown County boundary line, there is a small area within the statutory boundary of Horry County that has been treated as being in Georgetown County and whose owners erroneously believe their properties are located in Georgetown County (the "Horry County Affected Area"), as shown on the attached map marked as Exhibit A hereto; and

**WHEREAS**, as a result of the same misunderstanding, there is an area within the statutory boundary of Georgetown County that has been treated as being in Horry County and whose owners erroneously believe their properties are located in Horry County (the "Georgetown County Affected Area"), also as shown on Exhibit A, and

**WHEREAS**, the General Assembly has provided a procedure for counties to use to merge, transfer, or annex an area from one county to another, codified as Chapter 5, Title 4, Code of Laws of South Carolina 1976, as amended (the "Change of Boundaries Statute"), and

**WHEREAS**, the General Assembly is considering during the 2018 session legislation to alter a portion of the procedure established in the Change of Boundaries Statute (the "2018 Legislation"), and

**WHEREAS**, the Change of Boundaries Statute provides for the initiation of the annexation process by the passage of a resolution by the county from which the area will be transferred and the 2018 Legislation provides for the initiation of the process by passage of a resolution by both the county from which the area will be transferred and the county to which it will be transferred, and

**WHEREAS**, Georgetown County Council and the Horry County Council both seek to have the Georgetown County Affected Area included by law in Horry County and the Horry County Affected Area included by law in Georgetown County, and both councils are passing resolutions to initiate the process for transferring by annexation the Georgetown County Affected Area to Horry County and the Horry County Affected Area to Georgetown County, whether pursuant to the Change of Boundaries Statute or the 2018 Legislation (collectively, the Change of Boundaries Statute and the 2018 Legislation are referred to as the "Annexation Statute"), and

**WHEREAS**, upon presentation of resolutions approved in accordance with the Annexation Statute, the Governor is required to appoint a commission to investigate all facts in relation to the potential annexation and the Commission is to report to the Governor on the potential annexation, and

**WHEREAS**, upon compliance with the requirements of the Annexation Statute, the Governor is required to order an election or elections and, where applicable, a canvassing, and

**WHEREAS**, following an affirmative election or elections and, where applicable, canvassing conducted in accordance with the Annexation Statute, the General Assembly shall alter the boundary line of the affected counties, and

**WHEREAS**, it is the purpose of this resolution is to initiate the process for the merger or annexation of the Georgetown County Affected Area from Georgetown County to Horry County and the Horry County Affected Area from Horry County to Georgetown County

**NOW, THEREFORE**, Horry County Council resolves that

1 Pursuant to the Annexation Statute, Council requests that the Horry County Affected Area, as described in the recitals above and as depicted on the map attached to this resolution as Exhibit A, be merged with, or annexed to, Georgetown County

2 Pursuant to the Annexation Statute, Council concurs in the request of Georgetown County, and requests itself, that the Georgetown County Affected Area, as described in the recitals above and as depicted on Exhibit A, be merged with, or annexed to, Horry County

2 Pursuant to the Annexation Statute, Council requests the Governor to appoint an annexation commission and, upon satisfactory compliance with the Annexation Statute, to order the statutorily required election or elections and, where applicable, canvassing

3 The County Administrator, or his designee, is authorized and directed to take any and all actions necessary to accomplish the purposes of this resolution including, but not limited to, (i) filing this resolution in the office of the Horry County Clerk of Court, (ii) presenting this resolution to the Governor, (iii) depositing with the Horry County Clerk of Court the amount of money sufficient to cover the expenses of surveys and plats and of the annexation commission and the election or elections and, where applicable, canvassing to be held to determine whether the proposed annexation shall be effected, and (iv) providing a copy of this resolution to the appropriate officials of Georgetown County

**AND IT IS SO RESOLVED** this 15th day of May, 2018.

**HORRY COUNTY COUNCIL**

  
\_\_\_\_\_  
Mark Lazarus, Chairman

Harold G. Worley, District 1  
Dennis DiSabato, District 3  
Tyler Servant, District 5  
Harold Phillips, District 7  
W. Paul Prince, District 9  
Al Allen, District 11

Bill Howard, District 2  
Gary Loftus, District 4  
Cam Crawford, District 6  
Johnny Vaught, District 8  
Danny Hardee, District 10

Attest:

  
\_\_\_\_\_  
Patricia S. Hartley, Clerk to Council

**Exhibit A to the Resolution**

**Map of Affected Area**

[Insert Map]

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**Georgetown/ Horry County Boundary**



County Boundaries  
Water Area



*Founded 1769*

May 17, 2018

The Honorable Henry McMaster  
State House  
1100 Gervais Street  
Columbia, SC 29201

RE: Appointment of Commission - Georgetown County – Horry County Boundary

Dear Governor:

On behalf of the Georgetown County Council, I am pleased to present to you Resolution No. 2018-16, a resolution requesting that, among other things, a commission be appointed to address the change of the boundary between Georgetown County and Horry County. It is our understanding that Horry County is presenting a similar resolution, Horry County Resolution R-52-18, requesting the appointment of a commission. The commission would be appointed pursuant to R. 278, H. 5154 of the 2018 General Assembly and pursuant to Chapter 5, Title 4, Code of Laws of South Carolina 1976, as amended.

We appreciate your consideration of this request. If you have any questions or need additional information, please contact me.

Sincerely,

Sel Hemingway  
County Administrator

Enclosure

**Georgetown County**  
**County Administrator**  
Post Office Box 421270  
Georgetown, South Carolina 29442  
Phone (843) 545-3006

COUNTY OF GEORGETOWN )  
 )  
STATE OF SOUTH CAROLINA ) RESOLUTION NO. 2018-16

**A RESOLUTION TO REQUEST THE MERGER, AND ANNEXATION, OF A CERTAIN PARCELS IN GEORGETOWN COUNTY WITH HORRY COUNTY; TO CONCUR IN THE REQUEST OF HORRY COUNTY TO THE MERGER, AND ANNEXATION OF CERTAIN PARCELS IN HORRY COUNTY WITH GEORGETOWN COUNTY; TO REQUEST THE GOVERNOR TO APPOINT AN ANNEXATION COMMISSION AND UPON THE COMPLETION OF THE ANNEXATION COMMISSION'S WORK TO ORDER AN ELECTION AND, WHERE APPLICABLE, CANVASSING; TO AUTHORIZE AND DIRECT THE COUNTY ADMINISTRATOR TO, AMONG OTHER THINGS, PRESENT THIS RESOLUTION TO THE GOVERNOR; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.**

**WHEREAS**, as a result of a misunderstanding by Horry and Georgetown counties regarding the Horry-Georgetown County boundary line, there is an area within the statutory boundary of Georgetown County that has been treated as being in Horry County and whose owners erroneously believe their properties are located in Horry County (the "Georgetown County Affected Area"), as shown on the attached map marked as Exhibit A hereto; and

**WHEREAS**, as a result of the same misunderstanding, there is a small area within the statutory boundary of Horry County that has been treated as being in Georgetown County and whose owners erroneously believe their properties are located in Georgetown County (the "Horry County Affected Area"), also as shown on Exhibit A; and

**WHEREAS**, the General Assembly has provided a procedure for counties to use to merge, transfer, or annex an area from one county to another, codified as Chapter 5, Title 4, Code of Laws of South Carolina 1976, as amended (the "Change of Boundaries Statute"); and

**WHEREAS**, the General Assembly is considering during the 2018 session legislation to alter a portion of the procedure established in the Change of Boundaries Statute (the "2018 Legislation"); and

**WHEREAS**, the Change of Boundaries Statute provides for the initiation of the annexation process by the passage of a resolution by the county from which the area will be transferred and the 2018 Legislation provides for the initiation of the process by passage of a resolution by both the county from which the area will be transferred and the county to which it will be transferred; and

**WHEREAS**, Georgetown County Council and the Horry County Council both seek to have the Georgetown County Affected Area included by law in Horry County and the Horry County Affected Area included by law in Georgetown County, and both councils are passing resolutions to initiate the process for transferring by annexation the Georgetown County Affected Area to Horry County and the Horry County Affected Area to Georgetown County, whether pursuant to

the Change of Boundaries Statute or the 2018 Legislation (collectively, the Change of Boundaries Statute and the 2018 Legislation are referred to as the "Annexation Statute"); and

**WHEREAS**, upon presentation of resolutions approved in accordance with the Annexation Statute, the Governor is required to appoint a commission to investigate all facts in relation to the potential annexation and the Commission is to report to the Governor on the potential annexation; and

**WHEREAS**, upon compliance with the requirements of the Annexation Statute, the Governor is required to order an election or elections and, where applicable, a canvassing; and

**WHEREAS**, following an affirmative election or elections and, where applicable, canvassing conducted in accordance with the Annexation Statute, the General Assembly shall alter the boundary line of the affected counties; and

**WHEREAS**, it is the purpose of this resolution is to initiate the process for the merger or annexation of the Georgetown County Affected Area from Georgetown County to Horry County and the Horry County Affected Area from Horry County to Georgetown County.

**NOW, THEREFORE**, Georgetown County Council resolves that:

1. Pursuant to the Annexation Statute, Council requests that the Georgetown County Affected Area, as described in the recitals above and as depicted on the map attached to this resolution as Exhibit A, be merged with, or annexed to, Horry County.
2. Pursuant to the Annexation Statute, Council concurs in the request of Horry County, and requests itself, that the Horry County Affected Area, as described in the recitals above and as depicted on Exhibit A, be merged with, or annexed to, Georgetown County.
2. Pursuant to the Annexation Statute, Council requests the Governor to appoint an annexation commission and, upon satisfactory compliance with the Annexation Statute, to order the statutorily required election or elections and, where applicable, canvassing.
3. The County Administrator, or his designee, is authorized and directed to take any and all actions necessary to accomplish the purposes of this resolution including, but not limited to, *(i)* filing this resolution in the office of the Georgetown County Clerk of Court, *(ii)* presenting this resolution to the Governor, *(iii)* depositing with the Georgetown County Clerk of Court the amount of money sufficient to cover the expenses of surveys and plats and of the annexation commission and the election or elections and, where applicable, canvassing to be held to determine whether the proposed annexation shall be effected, and *(iv)* providing a copy of this resolution to the appropriate officials of Horry County.

**AND IT IS SO RESOLVED**

Dated this 24<sup>th</sup> day of April, 2018.

SIGNATURES FOLLOW ON NEXT PAGE.

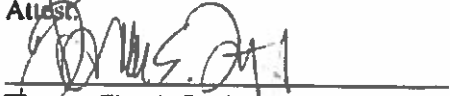


**GEORGETOWN COUNTY COUNCIL**



**Johnny Morant, Chairman**

Attest:



**Theresa Floyd, Clerk to Council**

**Exhibit A to the Resolution**

**Map of Affected Area**

[Insert Map]

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**Georgetown/ Horry County Boundary**

