

## **Executive Order 2002-21**

(August 15, 2002)

**WHEREAS**, an annexation petition was filed with the Georgetown County Clerk of Court on November 28, 2001 by more than ten percent of the residents of a portion of Mt. Gilead Development situated in Georgetown County; and

**WHEREAS**, the annexation petition requests that a portion of Mt. Gilead Development situated in Georgetown County be annexed into Horry County, a filed copy of said petition having been transmitted to the Governor's Office on December 6, 2001; and

**WHEREAS**, the petitioners deposited Ten Thousand Dollars (\$10,000.00) with the Georgetown County Clerk of Court to in part pay for the costs of surveying the area proposed to be annexed into Horry County; and

**WHEREAS**, in Executive Order 2002-09, I appointed a four-person Commission, comprised of two annexation advocates and two annexation opponents, to contract for the survey and location of the proposed change of line and to carefully investigate the facts relating to the proposed area to be annexed into Horry County and to provide a written report of its findings pursuant to Sections 4-5-130 through 4-5-160 of the South Carolina Code of Laws; and

**WHEREAS**, in Executive Order 2002-11, I appointed a replacement member to the four-person Commission and extended the time for the Commission to provide a written report of its findings; and

**WHEREAS**, the Commission employed three competent disinterested surveyors, who are nonresidents of the counties affected: to wit, William N. Kellahan, Jr., PLS 5263, selected by the two annexation advocates on the Commission, William F. Cox, Jr., PLS 11363, selected by the annexation opponents on the Commission, and Samuel H. Hanna, III, PLS 11605, selected by the other two surveyors; and

**WHEREAS**, the three surveyors conducted a survey of the area proposed to be annexed into Horry County and determined that the area consists of 18.42 acres as shown on a plat titled "SURVEY OF THAT PORTION OF MT. GILEAD DEVELOPMENT SITUATED IN GEORGETOWN COUNTY FOR THE COMMISSION APPOINTED BY THE GOVERNOR OF SOUTH CAROLINA TO INVESTIGATE PROPOSED ANNEXATION INTO HORRY COUNTY," said plat dated July 9, 2002 and prepared by Lower Florence County Surveying; and

**WHEREAS**, the three surveyors have submitted an invoice for the survey and plat in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00); and

**WHEREAS**, on July 12, 2002, the Commission transmitted to the Governor's Office its written report of findings and unanimously recommended that special elections be held on November 5, 2002 in Horry County and that portion of Mt. Gilead Development situated in Georgetown County for the purpose of approving or disapproving the proposed annexation.

**NOW, THEREFORE**, pursuant to the authority vested in the undersigned by the Constitution and Statutes of this State, I hereby order that special elections be held on November 5, 2002 in Horry County and in that portion of Mt. Gilead Development situated in Georgetown County for the purpose of approving or disapproving the proposed annexation.

Pursuant to Chapter 5 of Title 4 of the South Carolina Code of Laws and as otherwise consistent with the Constitution and Statutes of South Carolina and this Order:

- The Georgetown County Election Commission shall conduct an election on November 5, 2002 open only to those registered voters living in that portion of Mt. Gilead Development situated in Georgetown County, being the same voters in Murrells Inlet No. 4 Precinct who are registered at a Creekside Drive address. This election shall be conducted in conjunction with the General Election being held that day at the regular polling place of Murrells Inlet No. 4 precinct during the same hours as the General Election and in accordance with the applicable constitutional and statutory provisions relating to elections;
- The Georgetown County Election Commission shall compile a list of those qualified electors in Murrells Inlet No. 4 Precinct who are registered at a Creekside Drive address, and shall provide a list of said qualified electors to the Governor's Office on October 8, 2002, said list shall be available to any members of the public requesting a copy;
- The Georgetown County Election Commission shall place the following question on the ballot of those qualified electors in Murrells Inlet No. 4 Precinct who are registered to vote at a Creekside Drive Address: "Shall that portion of Mt. Gilead Development, Murrells Inlet, situated in Georgetown County, consisting of 18.42 acres as shown on a certified plat dated July 9, 2002 filed with the S.C. Secretary of State and the Clerks of Court in Georgetown and Horry Counties, be annexed into Horry County?"
- The Horry County Election Commission shall place the following question on the ballot of all qualified electors in Horry County participating in the November 5, 2002 General Election: "Shall that portion of Mt. Gilead Development, Murrells Inlet, situated in Georgetown County, consisting of 18.42 acres as shown on a certified plat dated July 9, 2002 and filed with the S.C. Secretary of State and the Clerks of Court in Georgetown and Horry Counties, be annexed into Horry County?"
- Pursuant to Section 4-5-190 of the South Carolina Code of Laws, the Georgetown County Election Commission shall canvass the returns from the manager of Murrells Inlet No. 4 Precinct as such returns are tabulated in the General Election and shall certify the results thereof in a tabulated statement of the vote to the S.C. Secretary of State who shall transmit a tabulated statement of the vote to the Senate and House of Representatives at its next session.
- Pursuant to Section 4-5-200 of the South Carolina Code of Laws, the Horry County Election Commission shall canvass the returns of each precinct in Horry County as such returns are canvassed in the General Election and shall certify the results thereof in a tabulated statement of the vote at each precinct to the S.C. Secretary of State who shall

transmit a tabulated statement of the vote at each precinct to the General Assembly for action as provided for in Section 4-5-220 of the South Carolina Code of Laws

- The Georgetown County Clerk of Court shall release Seven Thousand Five Hundred Dollars (\$7,500.00) to Kellahan and Associates Engineers and Surveyors, Inc., Post Office Box 508, Kingstree, SC 29556 as payment for Invoice Number 02762 surveying services for the three surveyors.

This Order shall take effect immediately.