

**BY-LAWS  
OF  
THE ARCADIAN SHORES SPECIAL TAX DISTRICT**

**ARTICLE I**

**Purpose**

These by-laws are published for the express purpose of establishing rules and regulations for the operation of the Arcadian Shores Special Tax District in accordance with the provisions of Horry County Ordinance 11-00.

**ARTICLE II**

**Identity**

**Section 1. Name:** The name of the District is The Arcadian Shores Special Tax District, which was created under the provisions of South Carolina State Law and Horry County Ordinance 11-00.

**Section 2. Location:** The principal office of the Commission shall be located at the residence or business address, in Horry County, South Carolina, of the then Chairman of the Commission.

**ARTICLE III**

**Definitions**

**Section 1. District:** As used herein, "District" refers to that area defined by Exhibit "A" of Horry County Ordinance 11-00 (also referred to as ASSTD, which is an acronym for Arcadian Shores Special Tax District)

**Section 2. Freeholder:** Section 5-3-240 of the South Carolina Code of Laws defines "freeholder". "Freeholder" as defined herein refers further to those persons owning real estate within the boundaries of the Tax District.

**Section 3. Resident Freeholder:** Defined as a freeholder (see above) who maintains his/her primary residence within the Tax District.

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ARTICLE IV

Membership

**Section 1. Members: All freeholders of property within the tax district defined by Horry County Ordinance 11-00 are members of the district, without regard to their place(s) of residence.**

ARTICLE V

Meeting of members

**Section 1 Conduct of Meetings:** Except as otherwise provided in these By-laws, all meetings shall be conducted in accordance with the latest authorized edition of Robert's Rules of Order.

**Section 2. Annual Meeting:** An annual meeting of the members shall be held during the month of June each year, on a date to be determined by the Tax District Commission.

**Section 3. Special Meetings:** Special Meetings of the members may be called at any time by the Chairman of the Tax District Commission or by a majority of the Tax District Commission.

**Section 4. Notice of Meetings:** Written notice of each meeting of the members shall be given by, or at the direction of, the Secretary of the Commission. Such written notice will be by 1<sup>st</sup> Class mail, postage paid, addressed to the member's address as listed in the current Horry County Tax Assessor's listing. Members desiring notification at an address other than that in the tax listing, may request same by providing an address in writing to the Secretary of the Commission. It shall be the responsibility of any member to immediately notify the Secretary of the Commission of any change of address. Notice of annual or special meetings of members will specify the place, day and hour of the meeting and, in the case of a special meeting, the purpose of the meeting. Notice of member meetings will be given at least 15 days but no more than 30 days prior to the meeting.

**Section 5. Quorum:** The presence at a meeting of a majority of the members in person or by proxy shall constitute a quorum for the transaction of business.

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ARTICLE VI

Tax District Commission

**Section 1. Composition of Commission.** The tax district shall be governed by a Commission of five members elected by the freeholders and appointed by the Horry County Council for terms of four years.

**Section 2. Initial appointments to the Commission.** The Horry County Council made initial appointments to the Commission on September 5, 2000. These appointments provided for staggered terms; three Commissioners were appointed for terms of two years, to expire on June 30<sup>th</sup>, 2002 and the other two were appointed for terms of four years, to expire on June 30<sup>th</sup>, 2004.

**Section 3. Powers and duties of the Commission:**

- a.** The District Commission shall have the powers and duties as set forth in Horry County Ordinance 11-00.
- b.** The Horry County Council may remove any Commissioner from office. By a majority vote of the Commission, a recommendation may be made to the Council for such action.

**Section 4. Nominees for appointment to the Commission.** Nominees for appointment by the Horry County Council shall be by an election at a duly called meeting held for that purpose.

**Section 5. Eligibility for appointment as a Commissioner.** The five (5) Commissioners shall be resident freeholders within the boundaries of the District.

**Section 6. Officers.** At the first meeting of each fiscal year (July 1-June30) the Commissioners shall select a Chairman, Vice-Chairman, Secretary and Treasurer. These officers shall serve for the remainder of the fiscal year in which selected and may be re-selected by the Commission, should their terms as Commissioner extend beyond the end of the fiscal year.

In the event of death or resignation of any Commission member, the remaining members shall, subject to County Council approval, have power of nomination of a successor who shall serve the remainder of the term. All official documents shall be signed by the Chairman and attested by the Secretary, except that the Chairman and the Treasurer shall sign authorization for expenditure of District funds. (See also ARTICLE VII Administration).

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**Section 7. Meetings of the Commissioners:** The Commissioners will meet as needed, but not less than once per quarter. Notice of meetings will be posted in the legal section of the local newspaper not less than one week prior to the scheduled meeting.

**Section 8. Duties of Officers:** The officers of the Commission shall, as a minimum, perform the following duties:

- Chairman:**
- (1) Preside over all meetings of the Commission and of members and represent the Commission when the Commission is not in session.
  - (2) Appoint Committees as necessary and appropriate to assist in the proper execution of the powers and duties as outlined in Article VI, Section 3 of these By-laws.
  - (3) Set the date of regular annual meetings of the district members.
  - (4) Call special meetings of the district members as necessary.

**Vice Chairman:** Perform the duties of the Chairman in his/her absence.

- Secretary:**
- (1) Ensure that accurate records of each meeting are kept and all correspondence originated by the Commission is properly disseminated.
  - (2) Attest to all correspondence signed by the Chairman, except for those documents related to funds disbursement, which will be attested by the Treasurer.
  - (3) Maintain a file of all documents originated by the Commission or directed to the Commission.
  - (4) Post an agenda of Commission or member meetings at the proposed site of the meeting at least 24 hours in advance of the scheduled meeting.
  - (5) Draft responses to inquiries received by the Commission.

- Treasurer:**
- (1) Maintain an accurate internal account of District funds.
  - (2) Countersign with the Chairman all contracts, invoices, financial statements and budgets executed on behalf of the District.
  - (3) Draft an annual budget on behalf of the District for submission and approval to the County Finance Office.
  - (4) Draft and countersign requests for budget item re-allocation as required.

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**ARTICLE VII**

**Administration**

The District Commission has the authority to administer the funds of the District, which are primarily received from tax revenues, donations and funds transferred from the Arcadian Shores Homeowners Association. The Commission, however, has entered into an agreement with Horry County, which provides that the District may receive various administrative services including, but not limited to, funds management and procurement services. This agreement was dated March 20<sup>th</sup>, 2001.

**ARTICLE VIII**

**Method of termination of the Tax District**

The Tax District may be terminated in accordance the provisions of Horry County Ordinance 11-00

**ARTICLE IX**

**Effective Date**

These by-laws shall be effective upon adoption by a majority vote of the members present or by proxy at a duly called meeting of the members held for that purpose.

**ARTICLE X**

**Amendments**

These by-laws may be amended at a regular or special meeting of the members, by a two-thirds (2/3) vote of the members present in person or by proxy.

*Adopted 8-22-01  
Original  
[Signature]*