

# COASTAL OBSERVER

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## High court weighs fate of \$26M in county road fees

BY CHARLES SWENSON  
COASTAL OBSERVER

A lawsuit seeking repayment of \$26 million in road user fees collected from Georgetown County property owners in violation of state law is under consideration by the state Supreme Court. The suit seeks 10 times the amount in damages.

In addition to the financial impact that could be felt around the state, the suit has raised questions about the separation of powers between the legislature and the judiciary.

"It's an important case," Chief Justice John Kittredge said at the conclusion of oral arguments earlier this year. "We appreciate the ripple effect and collateral consequences of the

decision."

At issue is the ability of local governments to collect fees. Georgetown County began collecting a \$15 annual road user fee in 2001. It has since increased to \$50. The Supreme Court in 2021 struck down a similar fee in Greenville County saying it was actually an illegal tax because it provided no unique benefit to the people who paid it. Since the general public also benefited, the fee was really a tax.

"Local governments, for obvious reasons, want to avoid calling a tax a tax. I am hopeful that today's decision will deter the politically expedient penchant for imposing taxes disguised as 'service or user fees,'" Kittredge wrote in a concurring

opinion in the Greenville case.

The opinion set off a wave of lawsuits around the state. Richard Butts, a Georgetown resident, filed suit in Circuit Court on behalf of himself and an unknown number of others who had paid the Georgetown County fee seeking to get their money back along with damages.

The following year, the legislature passed an amendment to the law on fees saying local government could collect them if they provide a benefit to the payer even if the general public also benefits. And the bill, Act 236, that was signed into law by Gov. Henry McMaster, made the amendment retroactive to Dec. 31, 1996.

Butts' attorneys - from the Mount Pleasant firm Mc-



Charles Swenson/Coastal Observer

The county started collecting road user fees in 2001. The court called it a tax.

Cullough, Kahn, Appel - asked the Circuit Court to declare that the section of the law making it retroactive was unconstitutional.

In 2024, Judge Roger Young found that Act 236 violated the state Constitution by allowing the legislature to overturn the Supreme Court's decision that the road user fee was illegal.

Citing a series of decisions going back to 1974, Young said that provisions like the one in Act 236 "which seek to retroactively authorize conduct that has been deemed illegal by the Supreme Court, violate the separation of powers clause of the South Carolina Constitution."

Georgetown County's appeal to the high court was **SEE "SUIT," PAGE 4**



Charles Swenson/Coastal Observer

A house that dates to the 1940s is torn down to make way for a new one approved by the Architectural Review Board.

PAWLEYS ISLAND | Preserving the look

## Historic program on fast track

BY CHARLES SWENSON  
COASTAL OBSERVER

Efforts to preserve the beach houses that give Pawleys Island its character are moving into high gear with the goal of creating a certified program

that will unlock incentives for property owners to rehabilitate older homes.

Historic preservation has picked up momentum since the town adopted architectural guidelines for new homes in 2021 to help maintain "the Paw-

leys look." The town Architectural Review Board has now reviewed 20 sets of plans, many replacing older homes that were torn down.

Under the town's current flood ordinance, required to **SEE "PAWLEYS," PAGE 3**

EDUCATION | Standardized tests

## District says midyear data points to rising scores

BY MADISON SHARROCK  
COASTAL OBSERVER

Georgetown County School District officials are optimistic that there will be a rise in scores on the 2025-26 state standardized tests after review of the midyear data.

The district set goals to have 80 percent of first- and second-graders on track for success, 55 percent of grades three to five and 50 percent of grades six to eight meeting or exceeding state assessment standards by 2027.

Deputy Superintendent Sherri Forrest said there is an overall upward trend to meet that goal, which is what the district wants to see from the beginning to the middle of the school year.

"That's exactly what you want because then it'll mirror what they will do on the state assessment," she said.

Materials that tested and graded students at a less rigorous level were removed from the district's schools at the beginning of the year, Forrest said.

"Within the next few months, this data will increase because some of that work was

below grade level," she said. "If we never expose them to grade level standards, they're always going to stay below. Those standards are really, really important."

The district tests students from third to eighth grades three times a year to assess if they are working at grade level. The computer-based iReady program mimics the state assessment format, SCReady, by testing students in math and reading. Science, which is tested by the state, is not tested by iReady.

The state goal is for 75 percent of all students to meet or exceed expectations on the state assessment and 90 percent of students to be approaching those expectations by 2030.

Forrest specialized in school turnarounds in Georgia and Florida prior to being hired at the district. She presented midyear data to the school board last month that compared the national median "typical growth" in proficiency to the district's median typical growth.

The schools were not identified in the data the board members received. **SEE "TESTS," PAGE 2**

ELECTION 2026 | Voting integrity

## Chairman of county board makes case for trusting the results

BY MADISON SHARROCK  
COASTAL OBSERVER

U.S. Rep. John Lewis once said that the vote is precious, it is almost sacred, and it is the most powerful tool we have in our Democratic society.

"We feel like we're stewards of that most powerful tool. We take that stewardship very seriously. I hope I've given you, tonight, a reason to believe we do take it seriously," said Ron Byrd, chairman of the Georgetown County board of Voter Registration and Elections.

Like many people in the room, Byrd said he had little experience with voting before he was appointed to the board in 2019. He graduated from the University of Baltimore School of Law and spent more than 30 years in his legal career.

Byrd let the audience be the judge after talking about elec-

tion integrity and the history of voting in the state at a program hosted by the League of Women Voters of Georgetown County at the Waccamaw Library this week.

"I can't speak for other counties in the state, obviously, I'm not going to try and opine about how much integrity we have. My job, I think, tonight is to lay out the facts and let you all decide as voters whether or not you're satisfied with what we do," Byrd said.

Amy Jones, a member of the league, said she had volunteered as a poll watcher with the county following the 2020 presidential election.

She said Americans have a responsibility to get involved in the voting process.

"I just decided that I couldn't sit on the sidelines any longer, that I needed to be part of our democracy. It was better



Machines that record votes, right, and tabulate them, left, are not connected to the internet.

Charles Swenson/Coastal Observer

to be productive than to complain," she said.

Although she came in with some knowledge of the voting process, Jones said she learned

more about inactive voter status and address changes. She said she has high confidence in the board and the process.

"They do an excellent job

with all things considered, and they do it with pretty limited resources. I'm grateful for their efforts," Jones said. **SEE "VOTING," PAGE 4**

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**Ringin' in:** Waccamaw High team wins 10th district Academic Bowl title. **SECOND FRONT**

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