TOWN OF ATLANTIC BEACH
TOWN COUNCIL
EMERGENCY CALLED SPECIAL SESSION
TELECONFERENCE MEETING

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Monday, February 9, 2021
5:06 p.m.

The Town of Atlantic Beach Town Council Emergency Called Special Session meeting was held and recorded via teleconference at Atlantic Beach, South Carolina, on the 9th day of February, 2021.
APPEARANCES

COUNCIL MEMBERS:
Mayor Jake Evans, Chairman
Councilwoman Josephine Isom
Councilwoman Jacqueline Gore
Councilwoman Glenda Williams

ADMINISTRATION:
Benjamin Quattlebaum Jr., Town Manager
Cheryl Pereira, Town Clerk

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Call to Order:

Mayor Evans called the meeting to order at 5:06 p.m. Present by roll call were Councilwoman Josephine Isom, Councilwoman Jacqueline Gore, Councilwoman Glenda Williams and Mayor Jake Evans.

Mayor Evans made a motion to go into Executive Session for legal matters -- a settlement. Motion was seconded by Councilwoman Williams. Motion was approved by roll call of Councilwoman Isom, Councilwoman Gore, Councilwoman Williams and Mayor Evans.

Executive Session:

(Executive Session.)

MAYOR EVANS: Council, seek a motion to come out of Executive Session into the General Session.

COUNCILWOMAN GORE: So moved.

COUNCILWOMAN WILLIAMS: Second.

MAYOR EVANS: There's a motion on the floor to come out of Executive Session into the General Session. If there are no other questions, comments, roll call.

CLERK: Councilman Lenearl Evans? Councilwoman Josephine Isom?

COUNCILWOMAN ISOM: (No audible response.)

CLERK: Councilwoman Jacqueline Gore?
COUNCILWOMAN GORE: Yea.

CLERK: Councilwoman Glenda Williams?

COUNCILWOMAN WILLIAMS: Yea.

CLERK: Mayor Jake Evans?

MAYOR EVANS: Yea.

General Session:

MAYOR EVANS: So we are out of our Executive Session and we're into the General Session. I want to take time to welcome the public and ask that you remain silent. At this time, Council, we're seeking a motion for the approval of the agenda as it is outlined.

COUNCILWOMAN GORE: So moved.

COUNCILWOMAN WILLIAMS: Second.

MAYOR EVANS: There is a motion and a second for the approval of the agenda as it is outlined. If there are no other questions or comments, roll call for approval of the agenda.

CLERK: Councilwoman Josephine Isom? Councilwoman Josephine Isom?

COUNCILWOMAN ISOM: (No audible response.)

CLERK: Councilwoman Jacqueline Gore?

COUNCILWOMAN GORE: Yea.

CLERK: Councilwoman Glenda Williams?

COUNCILWOMAN WILLIAMS: Yea.
CLERK: Mayor Jake Evans?

MAYOR EVANS: Yea. Motion is granted for the approval of the agenda.

New Business:

MAYOR EVANS: We don't have any Old Business and we're down to our New Business, the ...

(Inaudible background noise.)

COUNCILWOMAN ISOM: Yes, it kept kicking me out. I'm in ---

MAYOR EVANS: That's quite all right. We're down to New Business on the agenda.

COUNCILWOMAN ISOM: Oh, you all ---

MAYOR EVANS: Yes, we're that far. But anyway, New Business, Item A, a settlement agreement in the hospitality fee litigation and to authorize execution of said agreement. Council, I seek a motion to adopt Resolution Number 1-2021, and I can go ahead and read this resolution. Resolution Number 1-2021, the resolution to approve a settlement agreement in the hospitality fee litigation and to authorize execution of said agreement; whereas, the Town of Atlantic Beach is a member of a proposed class of plaintiffs in that certain civil action styled City of Myrtle Beach, For Itself
and a Class of Similarly Situated Plaintiffs versus Horry County, brought in the Court of Common Pleas for Horry County and Civil Action Number 2019-CP-26-01732 Class Action; and whereas, the City of Myrtle Beach and Horry County have, by public vote taken by their governing bodies on February 5th, 2021, reached a settlement of COMB claims pertaining to the County's imposition of a 1.5 percent uniform service charge on prepared food and beverage, accommodations, and admissions within the corporate limits of COMB and the other six affected municipalities, including the Town; and whereas, the settlement agreement is also contingent upon the written consent of the Town, the Town of Aynor, the City of Conway, the City of Loris, the Town of Surfside Beach, and the City of North Myrtle Beach, in addition to Conway and COMB; and whereas, the Town is willing to give its written consent to the settlement agreement; now, therefore, be it resolved the Town Council hereby approves the settlement agreement. The Town Council hereby authorizes written consent to the settlement agreement, the delivery and effectiveness of
same being conditioned upon the execution by
the County, COMB and the other municipalities
as specified herein. This resolution is made
to South Carolina Code Ann. §5-7-260. Done in
Council, assembled this 9th day of February,
2021. Council, seek a motion to adopt that
resolution.

COUNCILWOMAN GORE: So moved ---

COUNCILWOMAN ISOM: So moved, Mr. Mayor.

COUNCILWOMAN WILLIAMS: Second.

MAYOR EVANS: There's a motion and a second on the
floor to adopt Resolution Number 1-2021. If
there are no other questions or comments, roll
call.

CLERK: Councilwoman Josephine Isom ---

MR. QUATTLEBAUM: Can I -- let me just say for the
record that this settlement for the Town of
Atlantic Beach, there are $19 million in total
aggregate in this settlement agreement between
all of the municipalities. Should this
settlement be approved by all of the towns that
are party to the settlement, the Town of
Atlantic Beach will receive .22 percent of the
total amount of the $19 million spread out over
two payments, $9 million initially and $9
million in six months after claims can be made by -- overpayment by individuals for the hospitality fee over the time period of the settlement. So the Town of Atlantic Beach is slated to receive initially approximately (inaudible) dollars in the second installment after six months that claims are made, approximately $9,000. After the settlement is agreed upon, the County will resume the collection of the hospitality fees and be paid the 1 percent administrative fee and the 1.5 hospitality fee percentage will be paid to the Town of Atlantic Beach collected by the County.

MAYOR EVANS: Okay. So Council, the motion is on the floor, just need to go ahead and call the roll, Cheryl.

CLERK: Councilwoman Josephine Isom?

COUNCILWOMAN ISOM: Yea.

CLERK: Councilwoman Jacqueline Gore?

COUNCILWOMAN GORE: Yea.

CLERK: Councilwoman Glenda Williams?

COUNCILWOMAN WILLIAMS: Yea.

CLERK: Mayor Jake Evans?

MAYOR EVANS: Yea. The motion is granted.

Public Time:
TELECONFERENCE MEETING

MAYOR EVANS: We're down to public time. Have we got any public comment cards, Cheryl?

CLERK: Yes, we have one, Mr. John Sketers.

MAYOR EVANS: Mr. Sketers?

MR. SKETERS: Yes, this is John Sketers.

MAYOR EVANS: You can go ahead.

MR. SKETERS: Okay, yeah, you've done a great job and you cleared that up in your opening statement, opening up the meeting here, so it's all clear with me now. Thank you.

COUNCILWOMAN ISOM: Okay.

MAYOR EVANS: Thank you. If there's no other public comment cards, Council, seek a motion to adjourn.

COUNCILWOMAN ISOM: So moved, Mr. Mayor.

COUNCILWOMAN GORE: Second.

MAYOR EVANS: Motion and a second (inaudible) set to adjourn. Roll call.

CLERK: Councilwoman Josephine Isom?

COUNCILWOMAN ISOM: Yea.

CLERK: Councilwoman Jacqueline Gore?

COUNCILWOMAN GORE: Yea.

CLERK: Councilwoman Glenda Williams?

COUNCILWOMAN WILLIAMS: Yea.

CLERK: Mayor Jake Evans?
MAYOR EVANS: Yea. Motion is granted. The meeting is adjourned at 5:41 p.m. Thank you.

(There being nothing further, the meeting was adjourned.)