

**TOWN OF ATLANTIC BEACH
TOWN COUNCIL
SPECIAL SESSION MEETING**

Monday, December 11, 2023

10:03 a.m.

The Town of Atlantic Beach Town Council Special Session meeting was held and recorded at Atlantic Beach Community Center, 1010 32nd Avenue South, Atlantic Beach, South Carolina, on the 11th day of December, 2023, and transcribed by Amanda Godfrey, Court Reporter and Notary Public in and for the State of South Carolina.



CREEL COURT REPORTING, INC.
1230 Richland Street / Columbia, SC 29201
(803) 252-3445 / contact@creelreporting.com

APPEARANCES

COUNCIL MEMBERS:

Mayor Jake Evans, Chairman
Mayor Pro Tem Josephine Isom
Councilwoman Jacqueline Gore

ADMINISTRATION:

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

INDEX

| | <u>PAGE:</u> |
|-----------------------------|---------------------|
| Call to Order | 3 |
| Executive Session | 4 |
| Special Session | 4 |
| Old Business | 5 |
| New Business | 7 |
| Public Time | 14 |
| Certificate | 21 |



1 Call to Order:

2 **MAYOR EVANS:** This Special Session meeting is called
3 to order this Monday, December 11th, year 2023
4 at 10:03 a.m. Roll call.

5 **CLERK:** Councilman Edward Campbell? Mayor Pro Tem
6 Josephine Isom?

7 **MAYOR PRO TEM ISOM:** Here.

8 **CLERK:** Councilwoman Jacqueline Gore?

9 **COUNCILWOMAN GORE:** Here.

10 **CLERK:** Mayor Jake Evans?

11 **MAYOR EVANS:** Here.

12 **MR. QUATTLEBAUM:** For the record, Councilman Campbell
13 indicated he could not make the meeting today
14 due to a scheduling conflict.

15 **MAYOR EVANS:** Okay. Council, seek a motion to go
16 into Executive Session for -- to receive legal
17 advice and update related to pending Supreme
18 Court legal matters and this is the other --
19 it's legal, motion to adjourn general meeting
20 and enter Executive Session pursuant to Section
21 30-4-70. Council, seek a motion to go into
22 Executive Session.

23 **MAYOR PRO TEM ISOM:** So moved.

24 **COUNCILWOMAN GORE:** Second.

25 **MAYOR EVANS:** Motion and a second on the table to go



1 into Executive Session. Any other questions or
2 comments? Roll call.

3 **CLERK:** Mayor Pro Tem Josephine Isom?

4 **MAYOR PRO TEM ISOM:** Yea.

5 **CLERK:** Councilwoman Jacqueline Gore?

6 **COUNCILWOMAN GORE:** Yea.

7 **CLERK:** Mayor Jake Evans?

8 **MAYOR EVANS:** Yea. Motion's granted.

9 **Executive Session:**

10 **(Executive Session.)**

11 **MAYOR EVANS:** Council, seek a motion to come out of
12 the Executive Session into the Special Session.

13 **COUNCILWOMAN GORE:** So moved.

14 **MAYOR PRO TEM ISOM:** Second.

15 **MAYOR EVANS:** Motion and second on the floor to come
16 out of the Executive Session into the Special
17 Session. Any other questions or comments? If
18 not, roll call.

19 **CLERK:** Mayor Pro Tem Josephine Isom?

20 **MAYOR PRO TEM ISOM:** Here.

21 **CLERK:** Councilwoman Jacqueline Gore?

22 **COUNCILWOMAN GORE:** Here.

23 **CLERK:** Mayor Jake Evans?

24 **MAYOR EVANS:** Here. The motion's granted.

25 **Special Session:**



1 **MAYOR EVANS:** We're down into the Special Session of
2 the meeting. I would like to take this time
3 out to welcome the general public and ask at
4 this time if you have any devices that may
5 disturb the proceedings, that you put those on
6 silence for us at this moment. And if you
7 would, stand for a moment of silence.

8 **(Moment of Silence.)**

9 **MAYOR EVANS:** Pledge of Allegiance.

10 **(Pledge of Allegiance recited in unison.)**

11 **MAYOR EVANS:** We're down to the approval of the
12 agenda. Council, seek a motion for the
13 approval of the agenda.

14 **COUNCILWOMAN GORE:** So moved.

15 **MAYOR PRO TEM ISOM:** Second.

16 **MAYOR EVANS:** Motion and a second on the floor for
17 the approval of the agenda. Any other
18 questions or comments? Roll call.

19 **CLERK:** Mayor Pro Tem Josephine Isom?

20 **MAYOR PRO TEM ISOM:** Yea.

21 **CLERK:** Councilwoman Jacqueline Gore?

22 **COUNCILWOMAN GORE:** Yea.

23 **CLERK:** Mayor Jake Evans?

24 **MAYOR EVANS:** Yea. The motion's granted.

25 **Old Business:**



1 **MAYOR EVANS:** We're down to Old Business, Town
2 Council meeting minutes, there are none. We do
3 have Ordinance Number 10-2023 and this will be
4 the second reading, amending the Business
5 License Ordinance of the Town of Atlantic Beach
6 to update the class schedule as required by Act
7 176 of 2020 and this will be the second
8 reading. Seek a motion, counsel.

9 **COUNCILWOMAN GORE:** So moved.

10 **MAYOR PRO TEM ISOM:** Second.

11 **MAYOR EVANS:** Motion and a second on the floor.

12 **MR. QUATTLEBAUM:** Mayor, Council and public, this is
13 the second reading of the Act to -- business
14 license has to be updated every two years in
15 terms of the classification of businesses
16 statewide and this basically -- each year,
17 amendments of the Act to all standardized
18 businesses that are assessed business licenses
19 in the State of South Carolina and in the Town
20 of Atlantic Beach.

21 **MAYOR EVANS:** Any questions or comments, Council?
22 If not, roll call.

23 **CLERK:** Mayor Pro Tem Josephine Isom?

24 **MAYOR PRO TEM ISOM:** Yea.

25 **CLERK:** Councilwoman Jacqueline Gore?



1 COUNCILWOMAN GORE: Yea.

2 CLERK: Mayor Jake Evans?

3 MAYOR EVANS: Yea. The motion's granted and this
4 was the second reading.

5 New Business:

6 MAYOR EVANS: We're down to 5., New Business, and
7 this is Ordinance Number 11-2023 and this is an
8 amendment to Ordinance Number 6-2022, an
9 ordinance establishing and adopting the
10 operational procedures for the 2023 (sic)
11 Atlantic Beach Memorial Day Black Pearl
12 Cultural Heritage and Bike Festival, and this
13 will be the first reading. Council, seek a
14 motion to adopt Ordinance Number 11-2023.

15 COUNCILWOMAN GORE: So moved.

16 MAYOR PRO TEM ISOM: Second.

17 MAYOR EVANS: Motion and second's on the floor for
18 first reading.

19 MR. QUATTLEBAUM: Mayor, just one modification, you
20 said 2023, it's 2024.

21 MAYOR EVANS: Did I?

22 MR. QUATTLEBAUM: Yes.

23 MAYOR EVANS: Okay.

24 MR. QUATTLEBAUM: Mayor, Council and public, each
25 year, the Town of Atlantic Beach approves by



1 ordinance Bike Fest for the upcoming Bike Fest
2 celebration and Memorial Day weekend. This is
3 the ordinance. There are three modifications,
4 changes on the dates which will be starting May
5 24th through the 27th from Friday 3:00 p.m. to
6 3:00 p.m. on Monday. Also, the fee schedule
7 has remained the same, 675 for food, 2,000 for
8 alcohol, beer and wine 750, retail 650 on 30th
9 back to the main avenue, exhibitors 100 (ph),
10 but basically the same amount, no increases, no
11 modifications. Deadline for submission of
12 payment March 31st, 2024 then a late fee of
13 \$100 will go into effect if vendors have not
14 registered by that time. Everything else
15 remains the same and in effect as the previous
16 years of Bike Fest. Any questions? This is
17 the first reading.

18 **MAYOR EVANS:** Okay. Questions, Council? Comments?
19 Roll call.

20 **CLERK:** Mayor Pro Tem Josephine Isom?

21 **MAYOR PRO TEM ISOM:** Yea.

22 **CLERK:** Councilwoman Jacqueline Gore?

23 **COUNCILWOMAN GORE:** Yea.

24 **CLERK:** Mayor Jake Evans?

25 **MAYOR EVANS:** Yea. The motion's granted. We're



1 down to B. under New Business, 15th Judicial
2 Circuit Traffic Enforcement Mutual Aid
3 Agreement for 2023 to 2025, need an approval.

4 **MR. QUATTLEBAUM:** Need a motion.

5 **MAYOR EVANS:** Oh. Council, seek a motion for the
6 approval of the 15th Judicial Circuit Traffic
7 Enforcement Mutual Aid Agreement for 2023 to
8 2025.

9 **MAYOR PRO TEM ISOM:** So moved ---

10 **COUNCILWOMAN GORE:** So moved. Second.

11 **MAYOR EVANS:** Motion and a second on the floor.

12 **POLICE CHIEF ROBINSON:** Good afternoon -- good
13 morning, Council, Mayor and public. We just --
14 we've got a mutual aid agreement between the
15 15th Judicial Circuit, Traffic Court 15, which
16 is -- consists of Horry County and Georgetown
17 County. Mutual agreement basically gives us
18 authority to have assistance when we need help
19 with anything in town and vice versa if Horry
20 County needs help from us then we could go help
21 them, and we just need approval from the
22 Council.

23 **MAYOR EVANS:** Okay, motion and second's on the
24 floor, Council. Any other questions or
25 comments? Roll call.



1 **CLERK:** Mayor Pro Tem Josephine Isom?

2 **MAYOR PRO TEM ISOM:** Yea.

3 **CLERK:** Councilwoman Jacqueline Gore?

4 **COUNCILWOMAN GORE:** Yea.

5 **CLERK:** Mayor Jake Evans?

6 **MAYOR EVANS:** Yea. The motion's granted. We're
7 down to Item D. under New Business -- okay.
8 I'm sorry, we're down to Item C., and this is
9 the report on November 7, 2023 municipal
10 election process and status.

11 **(Inaudible background noise.)**

12 **MR. DICKEY:** Thank you, Mayor. Today I'm here to
13 kind of give Council and public an update on
14 what's happened regarding the November 7th
15 election. Obviously, last meeting, the Council
16 and Town took action to reaffirm and reconvene
17 the Election Commission as well as to remove
18 one member in -- who was sitting in violation
19 of state law. Since that time, obviously, it
20 is pressing that we move forward, that the Town
21 moves forward in a legal and ethical manner to
22 try to get this election certified and get that
23 finalized. In doing so, I've been in contact
24 with the two mayoral candidates, the actual
25 position is in dispute. I've been in contact



1 with their respective counsel in trying to
2 schedule the appropriate hearings as we go
3 forward, we -- into certification meetings and
4 possible canvass and hearings. In doing so, I
5 have not had a response from Mr. David's
6 attorney but I have gotten a response from Ms.
7 Isom's attorney and so we will -- we will try
8 to lock down a date on -- to get that done asap
9 so we can have the appropriate hearings on this
10 matter. In doing so, I've been in contact with
11 Mr. David's counsel who provided -- who has,
12 you know, raised some concerns about the
13 composition of the Commission; although you can
14 have two people sit on Commission as a quorum,
15 there have been concerns about there not being
16 three and, a lot of that, I have recommended to
17 the Council that you seek to fill that vacant
18 spot out of respect to Mr. David and out of
19 respect to Mr. David's attorney. With regards
20 to in the interim of things that have been
21 going on, in reviewing things, documentation
22 that has been provided and transcripts
23 regarding the hearing, out of an abundance of
24 caution and as well as looking at the Town
25 itself, trying to make sure the Town is



1 operating in a legally compliant manner and
2 moving forward ethically, I have been in
3 contact with local and -- local, state and
4 federal law enforcement regarding any concern
5 as to -- regarding this election. I think it's
6 prudent for the Town and it's out of respect
7 and concern for the public with regard to what
8 has been going on and that we can make contact
9 with the appropriate authorities to at least
10 show -- demonstrate what's been going on and
11 also to -- to make contact with the appropriate
12 commissions, if any, to just seek some guidance
13 or at least have a third party involved if
14 necessary. These are serious concerns
15 regarding this election and just out of an
16 abundance of caution from a legal perspective
17 and protection of the Town and protection to
18 the respective Council members and Town
19 officials, you know, it seems to be the most
20 prudent and most responsible and ethical way to
21 go forward in doing so. So that's where the
22 Town is on the November 7 election, trying to
23 move forward -- trying to move forward to get
24 a certification and appropriate hearings and --
25 so this can be finalized, and hopefully the



1 Town can do that and we can have a result for
2 this election. Mayor.

3 **MAYOR EVANS:** Thank you. Thank you very much.
4 Council, I guess we're -- I'm seeking
5 nominations for the appointment -- for an
6 appointment to the Atlantic Beach Municipal
7 Election Commission.

8 (Inaudible background noise.)

9 **MAYOR EVANS:** Okay, Council, Mayor Pro Tem Josephine
10 Isom has recused herself from anything to do
11 with Items C. and D. on -- actually, Item D. on
12 the agenda. Council, seek a nomination for the
13 appointment.

14 **COUNCILWOMAN GORE:** I would like to make a
15 nomination, I would nominate ---

16 (Inaudible background noise.)

17 **MALE SPEAKER:** Sir, you're out of order.

18 **MAYOR EVANS:** Go ahead, Jacqui.

19 **COUNCILWOMAN GORE:** I would like to nominate Derrick
20 Stevens for this position ---

21 (Inaudible background noise.)

22 **MAYOR EVANS:** And I support that nomination.
23 Actually, we'll go ahead and make that
24 appointment.

25 **MALE SPEAKER:** You don't have a quorum.



1 **MAYOR EVANS:** Okay, Council, I make a motion -- or
2 seek a motion that we appoint Derrick Stevens
3 to the Atlantic Beach Election Commission.

4 **COUNCILWOMAN GORE:** So moved.

5 **MAYOR EVANS:** Okay there's a -- I second to that
6 motion. If there are no other questions or
7 comments, roll call.

8 **CLERK:** Councilwoman Jacqueline Gore?

9 **COUNCILWOMAN GORE:** Yea.

10 **CLERK:** Mayor Jake Evans?

11 **MAYOR EVANS:** Yea. The motion's granted.

12 **Public Time:**

13 **MAYOR EVANS:** We're down to Public Time. And I have
14 John David.

15 **MR. DAVID:** I think if we're operating in ethics and
16 the law, I'm just curious how you vote on
17 something and not have a quorum, and how do you
18 vote on a boyfriend who lives in the same house
19 with them who's in said election to be the
20 person on the Election Commission that's --
21 also has their mother on the -- on the
22 Municipal Election Commission so I hope you all
23 have fun proving this in court and working it
24 out ethically and legally so I will go on with
25 the other parts that I had. So, I'm quite sure



1 that that won't hold up. I was gonna ask
2 whether the process for legally seeking or
3 applying for the vacated Municipal Election
4 Commission seat, when will notice be posted and
5 when will the general public actually have time
6 to apply for said (inaudible) instead of
7 letting someone's live-in boyfriend apply for
8 the said position. This is very rich. Since
9 the violation of the state code on 11/10,
10 removing the Election Commission, what have
11 been the legal fees accrued by this illegal
12 action by the members to -- by the said two
13 members of Council that are on the ballot and
14 we'd like to know the cost, I think the public
15 is entitled to know the cost that we had to
16 pay. I'd also like to say when is the
17 transcript from the 11/9 MEC (ph) meeting would
18 be published. Things happened at that meeting,
19 people represented -- presented driver's
20 licenses, they presented voter registration
21 cards. I'd like to know when that -- those
22 meeting minutes will be presented. Also, per
23 state code, members who -- cannot vote on a
24 subject which they are a party of and two
25 members on this Council, Jacqui Gore and



1 Josephine Isom, you know, she withdrew herself
2 this time, she did not exclude herself from
3 11/10 on so every vote that was done was
4 illegal per state code. What will be the
5 Atlantic Beach government whenever the Mayor
6 and two Council seats expire on 12/31 since the
7 current election has been illegally halted, not
8 contested by Town (inaudible). How many
9 special meetings will be held the rest of this
10 month? I'm figuring one'll be every other day
11 or every other week so hopefully you all would
12 stop acting illegally and try to proceed
13 forward. And again, I know I mentioned twice
14 before that Attorney Dickey is -- there was a
15 letter filed and it said that Attorney Dickey
16 was appointed by the Election Commission to
17 seek for all activities for the Supreme Court.
18 One case that's coming up on the 13th, which is
19 against Michael Isom and Josephine Isom for a
20 Council position that was done back in February
21 which was dually elected twice and won with the
22 majority of the votes twice, that person is --
23 the -- that -- the attorney is handling that
24 case and representing the three officials for
25 the Town now so he can't ---



1 **MAYOR EVANS:** You need to wind up it up, your time's
2 up.

3 **MR. DAVID:** What, which one?

4 **MAYOR EVANS:** It's up. The alarm just went off.

5 **MR. DAVID:** Okay (ph).

6 **MAYOR EVANS:** Okay. Linda Cheatham.

7 **MS. CHEATHAM:** Good morning ---

8 **IN UNISON:** Good morning.

9 **MS. CHEATHAM:** I have two things I'd like to talk
10 about. I'm not understanding who Mr. Dickey is
11 representing, and that's just me. Is -- I --
12 is he representing the Municipal Election
13 Commission or is he representing the Town
14 Council of Atlantic Beach. Could someone tell
15 me who he's representing?

16 **MAYOR EVANS:** That's a question you want -- you're
17 asking him that question?

18 **MS. CHEATHAM:** I'm -- I don't -- anyone who would
19 like to answer ---

20 **(Inaudible background noise.)**

21 **MR. DICKEY:** I represent the Town of Atlantic Beach.
22 The Town of Atlantic Beach and Town of Atlantic
23 Beach Municipal Election Commission are not two
24 separate entities.

25 **MS. CHEATHAM:** So that's a change that has occurred



1 ---

2 **MR. DICKEY:** That's not a change that has ever
3 occurred ---

4 **MS. CHEATHAM:** In the past -- I'm just -- in the
5 past, there have been two different
6 representations. That's fine, you answered the
7 question. This other thing I'd like to talk
8 about is the fact there's an old African
9 proverb that talks about if the lion doesn't
10 tell his or her history then the hunter will
11 and, as some of you know, we've been doing the
12 scanning part that -- to begin to preserve the
13 rich history of Atlantic Beach. We have a lot
14 of collectibles and artifacts and pictures and
15 things in everybody's attics and closets and
16 cars, I mean, whatever, and Ms. Alice Graham is
17 the point person and so I really would
18 appreciate it if the people who have things --
19 we are going to have a museum, I'm gonna speak
20 it. We're gonna have a museum where we begin
21 to expand on our tourist industry and we really
22 want to start doing that, and so everybody
23 knows Alice Graham and so if anyone has
24 anything that they would like seeing, we have
25 scanners, have portable scanners, we've been



1 doing Mr. (inaudible), he has about 50 videos
2 that we've been doing. I don't know if
3 anyone's been to the African-American museum in
4 Charleston but it's a marvelous place, and we
5 can prepare ourselves to do that. And I just
6 wanted to reiterate, Mr. Mayor came to the --
7 one of the meetings that we had for the oral
8 history and it was delightful and so I just
9 want to -- that's the project that we're
10 working on and we want to make it succeed.
11 Thank you.

12 **MAYOR EVANS:** Thank you. That is the end of the
13 agenda, Council, seek a motion to adjourn.

14 **COUNCILWOMAN GORE:** So moved.

15 **MAYOR PRO TEM ISOM:** Second.

16 **MAYOR EVANS:** Motion and a second on the floor to
17 adjourn. Roll call.

18 **CLERK:** Mayor Pro Tem Josephine Isom?

19 **MAYOR PRO TEM ISOM:** Yea.

20 **CLERK:** Councilwoman Jacqueline Gore?

21 **COUNCILWOMAN GORE:** Yea.

22 **CLERK:** Mayor Jake Evans?

23 **MAYOR EVANS:** Yea. The motion's granted. The
24 meeting is adjourned at 10:50 a.m.

25 **(There being nothing further, the meeting was**



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

adjourned.)



CERTIFICATE

This is to certify that the Town of Atlantic Beach Meeting was held on the 11th of December, 2023. Said meeting consisting of twenty(20) pages, is a true and correct transcript of the record given at the meeting; said meeting was reported by the method of Stenomask with Backup.

I further certify that I am neither employed by nor related to any of the parties in this matter or their counsel; nor do I have any interest, financial or otherwise, in the outcome of same.

IN WITNESS WHEREOF I have hereunto set my hand and seal on December 28, 2023.



Amanda J. Creel Godfrey
Court Reporter

Notary Public for South Carolina
My Commission Expires: May 27, 2031



CREEL COURT REPORTING, INC.
1230 Richland Street / Columbia, SC 29201
(803) 252-3445 / contact@creelreporting.com