

**TOWN OF ATLANTIC BEACH
SOUTH CAROLINA
TOWN COUNCIL**

COUNCIL MEETING

Monday, December 2, 2024



CREEL COURT REPORTING, INC.
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APPEARANCES

COUNCIL MEMBERS:

Mr. John David, Mayor Pro Tem
Carla Taylor, Councilwoman
Edward Campbell, Councilman

ALSO PRESENT:

Linda Cheatham, Interim Town Manager
William Booker, Assistant Interim Town Manager
Brad Smith, Attorney
Cheryl Pereira, Town Clerk

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CALL TO ORDER:

COUNCILMAN: Good evening. This meeting is called to order at 6:05 on Monday, December 2nd. We are coming out of Executive Session. Is there a motion to come out of -- I move -- I move, to come out of Executive Session. Is there a second?

COUNCILMAN: Second.

COUNCILMAN: Roll Call?

FEMALE SPEAKER: Councilman Edward Campbell.

MR. CAMPBELL: Yay.

FEMALE SPEAKER: Councilwoman Carla Taylor.

MS. TAYLOR: Yay.

FEMALE SPEAKER: Mayor Pro Tem John David.

MR. DAVID: Yes.

COUNCILMAN: First of all, I'd like to welcome the public and ask that you please turn your telephones off or put them on silent. And then we ask if there's any actions that we'd like to take out of Executive Session. If vote is needed, we do a roll call on the vote. I don't think we currently have anything out of Executive Session. We'll move forward to the agenda.

MOMENT OF SILENCE/PRAYER:



1 **COUNCILMAN:** First of all, we'll stand to have a
2 moment of silence and prayer.

3 **PLEDGE OF ALLEGIANCE:**

4 (Pledge of Allegiance)

5 **COUNCILMAN:** We don't have any ceremonial matters
6 tonight.

7 **COUNCILWOMAN:** Yes, I do want to make note.

8 **COUNCILMAN:** Okay.

9 **CEREMONIAL MATTERS:**

10 **COUNCILWOMAN:** I just wanted to make note that we
11 lost another member of our community last
12 month, Mr. Sherman -- Mr. LaRue Sherman passed
13 away. He was a longtime resident of the Town
14 of Atlantic Beach. He attended First
15 Missionary Baptist Church. He was a very
16 generous member of this town, and he will be
17 missed. So, again, I just wanted to make note
18 of the passing of Mr. LaRue Sherman, who lived
19 off of 29th Avenue on the west side of Atlantic
20 Beach.

21 **COUNCILMAN:** Thank you, Carla. Thank you for
22 reminding us.

23 **APPROVAL OF AGENDA:**

24 **COUNCILMAN:** Next, we'll move on to approval of the
25 agenda. Is there a motion?



1 COUNCILMAN: Second.

2 COUNCILMAN: Roll Call?

3 FEMALE SPEAKER: Councilman Edward Campbell.

4 MR. CAMPBELL: Yay.

5 FEMALE SPEAKER: Councilwoman Carla Taylor.

6 MS. TAYLOR: Yay.

7 FEMALE SPEAKER: Mayor Pro Tem John David.

8 MR. DAVID: Yes.

9 APPROVAL OF MINUTES:

10 COUNCILMAN: Next, we'll have a Town Council
11 Meeting Minutes Approval. We have some minutes
12 from September 23rd, 2024. Is there a motion
13 to approve those minutes?

14 FEMALE SPEAKER: (Inaudible)

15 COUNCILWOMAN: I'm gonna make a motion to approve
16 the minutes from September 23rd, 2024.

17 COUNCILMAN: Without there being a second for that,
18 we'll move past those minutes. Is there a
19 motion to approve the minutes of November 6 and
20 November 8?

21 COUNCILWOMAN: I make a motion that we vote on the
22 approval of minutes from meetings on November
23 6, 2024 and November 8, 2024.

24 COUNCILMAN: Second. Roll call.

25 FEMALE SPEAKER: Councilman Edward Campbell.



1 MR. CAMPBELL: Yay.

2 FEMALE SPEAKER: Councilwoman Carla Taylor.

3 MS. TAYLOR: Yay.

4 FEMALE SPEAKER: Mayor Pro Tem John David.

5 MR. DAVID: Yes.

6 ORDINANCE NO. 6-2024:

7 COUNCILMAN: Next, we have an Ordinance Number 6-
8 2024, an ordinance to amend the land management
9 ordinance to require only one front setback per
10 property. Ms. Cheatham, will you read it off?

11 FEMALE SPEAKER: Ordinance Number 6-2024 was
12 approved by the Planning Commission, and a
13 public hearing was held to indicate that only
14 one setback is required -- only one front yard
15 setback is required when a property abuts
16 multiple rights of way on the oceanfront. Are
17 there any questions?

18 COUNCILWOMAN: So, this just applies to properties
19 on the oceanfront or throughout the town?

20 MALE SPEAKER: Throughout the town.

21 FEMALE SPEAKER: Throughout the town. Throughout
22 the town. Sorry.

23 COUNCILMAN: Is there a motion to approve the
24 second reading of Ordinance 6-2024?

25 COUNCILWOMAN: I move that we approve Ordinance



1 Number 6-2024, an ordinance to amend the land
2 management ordinance to require only one front
3 setback per property.

4 **COUNCILMAN:** Second. Roll call.

5 **FEMALE SPEAKER:** Councilman Edward Campbell.

6 **MR. CAMPBELL:** Yay.

7 **FEMALE SPEAKER:** Councilwoman Carla Taylor.

8 **MS. TAYLOR:** Yay.

9 **FEMALE SPEAKER:** Mayor Pro Tem John David.

10 **MR. DAVID:** Yes.

11 **ELECTION UPDATES:**

12 **COUNCILMAN:** Next, we'll move down to election
13 updates. Mr. Montgomery.

14 **MALE SPEAKER:** (Inaudible)

15 **COUNCILMAN:** No, no, no. You just got straight
16 microphone. You're a superstar today without
17 the podium.

18 **MR. MONTGOMERY:** I don't need -- need my glass.

19 **COUNCILMAN:** Yes, sir.

20 **MR. MONTGOMERY:** I'm doing this report for Kenneth
21 McLeod. He had a prior commitment, so I'm
22 doing it. He did it before. On November 1st,
23 Judge Seale of the Court of Common Pleas
24 ordered Carla Taylor to be seated, and that --
25 that has been done, she has been seated. On



1 April the 3rd, the (inaudible) election, the
2 (inaudible) voted to have a special election
3 for Mayor between Josephine Isom and John
4 David. This decision was affirmed by Judge
5 Seale on November 13. This past Wednesday, we
6 learned that Ms. Isom, through her attorney,
7 has appealed, so, that makes that decision
8 moot. We were getting ready to set a date for
9 the election, but as I said, that's moot now.
10 You have to wait on the appeal. That's the
11 report. Are there questions?

12 **COUNCILMAN:** We did have a date set for the mayor
13 election until we did get the actual appeal on
14 Wednesday. So, we'll wait to hear what the
15 Supreme Court says. Hopefully, they'll work on
16 this forthwith and hopefully deny it. But
17 we'll see how that goes, and then we'll try to
18 set the date for an election as ordered by the
19 Circuit Court. There was a question just on
20 the minutes from September 23rd. None of us
21 were here. We can vote on it, but none of us
22 were actively a part of that meeting on the
23 23rd, so that's why we didn't feel comfortable
24 voting on it. I think if there's any other
25 questions in regards to that or ...



NEW BUSINESS:

1
2 **COUNCILMAN:** Next, we'll move down to New Business,
3 consideration of matters discussed in Executive
4 Session. We don't have any. The next is there
5 a motion to approve Travis Avant for Appraisal
6 Services to spend 38- -- \$3,875 to do appraisal
7 services for lots that the town are seeking to
8 ---

9 **FEMALE SPEAKER:** Yes. Mr. Mayor Pro Tem and
10 members of Council, there are a number of
11 parcels in town that do not have any deeds.
12 And so the town is in the process of -- has
13 ordered an attorney to do a survey to determine
14 the ownership, and we are having appraisal
15 service done by Mr. Avant so that we can file
16 the necessary paperwork to condemn the property
17 and have the property shown as belonging to the
18 town. Any questions?

19 **COUNCILMAN:** If there's no questions, is there a
20 motion to approve -- approve the -- Travis
21 Avant for Appraisal Services to spend 38- --
22 \$3,875 for those services?

23 **COUNCILWOMAN:** I'd like to make a motion for the
24 approval of Travis Avant for the Appraisal
25 Services to spend \$3,875.



1 COUNCILMAN: I second.

2 COUNCILMAN: Roll call.

3 FEMALE SPEAKER: Councilman Edward Campbell.

4 MR. CAMPBELL: Yay.

5 FEMALE SPEAKER: Councilwoman Carla Taylor.

6 MS. TAYLOR: Yay.

7 FEMALE SPEAKER: Mayor Pro Tem John David.

8 MR. DAVID: Yes.

9 COUNCILMAN: And as we move to item C, again, we
10 were prepared to set a date for the election
11 today, but with the appeal that happened on
12 Wednesday, we will defer that until we hear
13 back from the Supreme Court.

14 Next, we'll move to the manager's report.

15 **MANAGER'S REPORT**

16 FEMALE SPEAKER: Good evening.

17 (Good evenings heard.)

18 FEMALE SPEAKER: The budget report, the budget for
19 fiscal '25 was budgeted for the year at \$1.3
20 million. Through the first four months of the
21 year, we spent \$543,000 or almost half of the
22 year's budget. A substantial portion of that
23 has been spent in legal fees. We had a budget
24 for the year of \$59,000. We've already spent
25 \$81,693. And there's several other items that



1 we have spent more than budgeted for the year.
2 I will be giving you a report at the January
3 meeting that will show almost six months of
4 expenditures and projecting where we will end
5 out in June. As you know, there was a
6 reassessment done of all Horry County
7 properties, and so these dollars were not
8 included in the revenue for the town. So, we
9 will be including those revenues. In addition,
10 we've had several buildings which have been
11 built in the town, and we received building
12 fees. Those numbers were also not included in
13 the budget, and we'll be looking at that and
14 possibly reporting some areas where we can cut
15 back on expenditures to remain within the
16 budget. Because, you know, we cannot exceed
17 our budget. That's a big no-no. Are there any
18 questions I can answer?

19 **FEMALE SPEAKER:** Thank you.

20 **MALE SPEAKER:** (Inaudible)

21 **FEMALE SPEAKER:** Yeah. (Inaudible)

22 **MALE SPEAKER:** So, what was the percentage of
23 (inaudible)

24 **FEMALE SPEAKER:** Ask the question again.

25 **MALE SPEAKER:** So, how much of our expenditure



1 (inaudible) on lawyers?

2 **FEMALE SPEAKER:** Our lawyer fees are probably
3 estimated to be five percent of the total
4 budget, \$59,000. We have spent \$81,000 through
5 the month of October. That does not include
6 some expenses that I know are going to be
7 charged to the month of November. So, we will
8 spend a lot of money. We will have to make a
9 lot of adjustments within the budget to account
10 for the lawyer fees.

11 **MALE SPEAKER:** That's June -- that's July, August,
12 and September?

13 **FEMALE SPEAKER:** That's -- that's, yes. October.
14 In four months, we've spent almost \$30,000 more
15 than was budgeted for the entire year.

16 **MALE SPEAKER:** Thank you.

17 **MALE SPEAKER:** Is it possible that we can put a
18 cap, meaning that we could put something in
19 place that once X amount percent of the budget
20 is spent, that we have to try to, especially if
21 the parties, the (inaudible) that we're facing,
22 that we may not -- it's just costing the town
23 money, that if the town is found in the right,
24 that whoever's bringing -- the plaintiff
25 (inaudible) the town those fees?



1 **MALE SPEAKER:** There are things that you can do.

2 (Recording was not active)

3 **COUNCILMAN:** --- Highway 17 this way until 31st,
4 but nothing else. So, you'd have to make U
5 turns going all the way back around, or you'd
6 have to drive over the medians in order to go
7 across to the ocean side, or to come vice-
8 versa. So, we'll see how that goes. But we --
9 we're arguing against it, or we're asking for
10 the same accesses that Myrtle Beach has at a
11 minimum, on 29th and 32nd Avenue, so that we
12 can have a way to transverse the -- our town,
13 especially police access, emergency access and
14 stuff like that. And just driving over medians
15 would be -- I don't know as great for our town.
16 But please come out on the 17th and let's have
17 that discussion. We've had a public forum down
18 in North Myrtle Beach where people have put in
19 comment cards. People have filed comments
20 online. They've written to them. We've
21 written several times to them. Hopefully they
22 can see the light.

23 **FEMALE SPEAKER:** Thank you.

24 **PUBLIC TIME:**

25 **COUNCILMAN:** That will move to public time. I have



1 one card here, Leonard from 609 Atlantic
2 Avenue.

3 **FEMALE SPEAKER:** And then another one from
4 (inaudible)

5 **COUNCILMAN:** Okay. Mr. -- come on, Mr. Hill. Mr.
6 Leonard Hill.

7 **MALE SPEAKER:** (Inaudible) How you all doing?

8 **COUNCILMAN:** Very good. Good to see you, sir.

9 **MALE SPEAKER:** How you all doing?

10 **COUNCILMAN:** Very good. Good to see you, sir.

11 **MALE SPEAKER:** Thank you, sir. I used to make
12 these meetings often, but I don't do -- any --
13 anyway. I have one comment before I get to
14 what I was going to say. Because I'm familiar
15 with the situation, Mayor Montgomery and Mr.
16 Skeeter and others, to the best of my
17 remembrance, you all mentioned something about
18 lots not having a deed. Atlantic Beach went
19 through this before in which we brought it to
20 the administration's attention. The end of 29
21 is a right-of-way. That's not -- I just hope
22 ---

23 **COUNCILMAN:** Yes.

24 **MALE SPEAKER:** Okay. I'll -- I'll be quiet.

25 **COUNCILMAN:** Yes, yes.



1 **MALE SPEAKER:** They tried to sell it before.

2 **COUNCILMAN:** Yes.

3 **MALE SPEAKER:** And we just don't want to lose that
4 right-of-way.

5 **COUNCILMAN:** Yes, sir.

6 **MALE SPEAKER:** Needs to be developed.

7 **COUNCILMAN:** Yes, sir.

8 **MALE SPEAKER:** Now, the reason I'm here, I was here
9 earlier, and the gentleman said, you're Diane's
10 husband.

11 (Laughter)

12 **MALE SPEAKER:** I had to correct him and say, no,
13 Diane is my wife.

14 (Laughter)

15 **MALE SPEAKER:** I just thought I would come publicly
16 and express appreciation to the citizens of
17 Atlantic Beach, Council Members and all for the
18 consideration that you all have paid toward our
19 family during this time. I wanted to say it so
20 anybody, everybody will know we really
21 appreciate your prayers, your thoughts, your
22 travel. We're so proud and thankful for the
23 number of citizens from this community to
24 travel to Fayetteville to show their support
25 for the family. I just want to tell you we



1 appreciate it, and thank you a lot. Mr.
2 Montgomery has told me that there's a writing
3 in the paper. I'd like to be able to get a
4 copy of it. I just want to say thank you.
5 This -- this is very difficult still for me,
6 but I'm not going to cry on your shoulder.

7 (Laughter)

8 **MALE SPEAKER:** Just wanted to say thank you. Thank
9 you for coming. Thank you for your prayers.
10 Thank you for your support. I appreciate it
11 (inaudible) and my family. (Inaudible)

12 **COUNCILMAN:** We appreciate you, Mr. Hill, or Mrs.
13 Hill's husband.

14 (Applause)

15 **COUNCILMAN:** If there's any other comments, or
16 anybody else that has anything we have -- Mr.
17 Skeeter, you have some comments, Mr. Skeeter?

18 **MALE SPEAKER:** (Inaudible)

19 **COUNCILMAN:** Okay.

20 **MALE SPEAKER:** Thank you.

21 **COUNCILMAN:** I've never seen you turn down a chance
22 at the microphone. So, I'm astonished.

23 **MALE SPEAKER:** Better take advantage.

24 **ADJOURNMENT:**

25 **COUNCILMAN:** Yes, sir. Yes, sir. With that, if



1 there's no further items, we will move to
2 adjourn the meeting at 6:29. I move -- move
3 for a motion to adjourn.

4 **COUNCILMAN:** Second.

5 **COUNCILMAN:** Roll call.

6 **FEMALE SPEAKER:** Councilman Edward Campbell.

7 **MR. CAMPBELL:** Yay.

8 **FEMALE SPEAKER:** Councilwoman Carla Taylor.

9 **MS. TAYLOR:** Yay.

10 **FEMALE SPEAKER:** Mayor Pro Tem John David.

11 **MR. DAVID:** Yes, ma'am. Yes. With that, meeting
12 adjourned 6:29.

13 **(The meeting was adjourned at 6:29 p.m.)**

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CERTIFICATE

This is to certify the transcript of the Atlantic Beach Town Meeting consists of nineteen (19) pages. This transcript was prepared by me without the benefit of my being present during the meeting. Additionally, this transcript was prepared from a audio recording provided to me.

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 this December 31, 2024.



Amanda J. Creel Godfrey
Court Reporter

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

