

MINUTES OF THE ATTORNEY-CLIENT SESSION OF THE BOARD OF COUNTY  
COMMISSIONERS  
HELD DECEMBER 10, 2015  
BOARD CHAMBERS, FIRST FLOOR, ERNIE LEE MAGAHA GOVERNMENT BUILDING  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(3:34 p.m. – 4:52 p.m.)

Present: Commissioner Grover C. Robinson IV, Chairman, District 4  
Commissioner Wilson B. Robertson, Vice Chairman, District 1  
Commissioner Steven L. Barry, District 5  
Commissioner Lumon J. May, District 3  
Commissioner Douglas B. Underhill, District 2  
Jack R. Brown, County Administrator  
Alison Rogers, County Attorney  
Lizabeth Carew, Administrative Specialist, Clerk and Comptroller's Office  
Judy H. Witterstaeter, Program Coordinator, County Administrator's Office

AGENDA NUMBER

1. Call to Order

Chairman Robinson called the Attorney-Client Session to order at 3:34 p.m.

2. Session

Chairman Robinson advised that the County Attorney requests that the Board retire to the BCC Conference Room for the Attorney-Client Session regarding the cases of Allen, Clarke et al. v. A.E. New, Jr., Inc., Caldwell and Associates, Inc. and Escambia County, Florida, Case No.: 2015 CA 000722, Bitco National Insurance Co., et al. v. A.E. New, Jr., Inc., Escambia County Fla., et al. (all plaintiffs in above case), Case No.: 3:15-cv-00444-MCR/CJK, and Colony Insurance Co., et al. v. Escambia County, Fla., Case No.: 3:15-cv-00431-MCR/EMT, which session was advertised in the Saturday, November 28, 2015, edition of the Pensacola News Journal, as follows:

**PUBLIC NOTICE**

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorney to discuss pending litigation in the cases of Allen, Clarke et al. v. A.E. New, Jr., Inc., Caldwell and Associates, Inc. and Escambia County, Florida, Case No.: 2015 CA 000722, Escambia County Circuit Court; Bitco National Insurance Co., et al. v. A.E. New, Jr., Inc., Escambia County Fla., et al. (all plaintiffs in above case), Case No.: 3:15-cv-00444-MCR/CJK, U.S. District Court, Northern District of Florida; Colony Insurance Co., et al. v. Escambia County, Fla., Case No.: 3:15-cv-00431-MCR/EMT, U.S. District Court, Northern District of Florida, in accordance with Section 286.011(8), Florida Statutes.

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MINUTES OF THE ATTORNEY-CLIENT SESSION – Continued

AGENDA NUMBER – Continued

2. Continued...

**PUBLIC NOTICE – Continued**

Such attorney-client session will be held at 3:30 p.m., on Thursday, December 10, 2015, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Grover C. Robinson, Wilson B. Robertson, Douglas B. Underhill, Lumon J. May, Steven L. Barry, County Administrator Jack Brown, County Attorney Alison P. Rogers, Attorney representing Escambia County in Case No.: 2015 CA 000722, Lawson Hester, Charles V. Pepler, Deputy County Attorney, and a certified court reporter will attend the attorney-client session.

RECESS: 3:36 P.M.

RECONVENE: 4:51 P.M.

Motion made by Commissioner Barry, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), authorizing the County Attorney to negotiate settlements, within the insurance limits, and bring any proposed settlements back to the Board for authorization.

ADJOURNMENT

There being no further business to come before the Board, Chairman Robinson declared the Attorney-Client Session of the Board of County Commissioners adjourned at 4:52 p.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

ATTEST: 

Pam Childers  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Grover C. Robinson, IV, Chairman

\_\_\_\_\_  
Deputy Clerk

Approved: January 7, 2016