

MINUTES OF THE ATTORNEY-CLIENT SESSIONS OF THE BOARD OF COUNTY
COMMISSIONERS
HELD JANUARY 21, 2016, AT 3:30 P.M. AND 4:00 P.M.
BOARD CHAMBERS, FIRST FLOOR, ERNIE LEE MAGAHA GOVERNMENT BUILDING
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(3:32 p.m. – 4:48 p.m.)

Present: 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

Absent: Commissioner Grover C. Robinson, IV, Chairman, District 4

AGENDA NUMBER

1. Call to Order

Vice Chairman Robertson called the Attorney-Client Session advertised for 3:30 p.m. to order at 3:32 p.m.

The 3:30 p.m. Session adjourned and the 4:00 p.m. Session was called to order in the Shade.

MINUTES OF THE ATTORNEY-CLIENT SESSIONS – Continued

AGENDA NUMBER – Continued

2. Session

Vice Chairman Robertson advised that the County Attorney requests that the Board retire to the BCC Conference Room for the Attorney-Client Session regarding the Cases of Colony Insurance Co., et al. v. Escambia County, Fla., Case No.: 3:15-cv-00431-MCR/EMT; Bitco National Insurance Co. and Bitco General Insurance Corp. v. A.E. New, Jr. and Escambia County Florida, et al., Case No.: 3:15-cv-00444-MCR/CJK; and Clarke, Allen et al. v. A.E. New, Jr., Inc., Caldwell and Associates, Inc. and Escambia County, Fla., Case No.: 2015 CA 000722; and the 4:00 p.m. Attorney-Client Session regarding the Case of Elizabeth Born v. Escambia County Road Department, which were both advertised in the Saturday, January 9, 2016, 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 attorneys to discuss pending litigation in the case of *Colony Insurance Co., et al. v. Escambia County, Fla.*, Case No.: 3:15-cv-00431-MCR/EMT, *Bitco National Insurance Co. and Bitco General Insurance Corp. v. A.E. New, Jr. and Escambia County, Florida, et al.*, Case No.: 3:15-cv-00444-MCR/CJK and *Clarke Allen, et al., v. A.E. New Jr., Inc., Caldwell Associates Architects, Inc. and Escambia County, Fla.*, Case No.: 3:15-cv-000722 in accordance with Section 286.01(8), Fla. Stat. Such attorney/client session will be held on Thursday, January 21, 2016 at 3:30 p.m., in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Wilson B. Robertson, Douglas B. Underhill, Lumon J. May, Grover C. Robinson, IV, and Steven Barry, County Administrator Jack R. Brown, County Attorney Alison P. Rogers, Attorneys representing Escambia County Edward K. Cheffy, Debbie S. Crockett, David A. Zulian, J. Lawson Hester, Charles V. Pepler, Deputy County Attorney and a certified court reporter will attend the attorney/client session.

(Continued on Page 3)

MINUTES OF THE ATTORNEY-CLIENT SESSIONS – Continued

AGENDA NUMBER – Continued

2. Continued...

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 case of Elizabeth Born v. Escambia County Road Department, in accordance with Section 286.01(8), Fla. Stat. Such attorney-client session will be held on Thursday, January 21, 2016 at 4:00 p.m., in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Wilson B. Robertson, Douglas B. Underhill, Lumon J. May, Grover C. Robinson, IV, and Steven Barry, County Administrator Jack R. Brown, County Attorney Alison P. Rogers, Attorney representing Escambia County Charles V. Pepler and a certified court reporter will attend the attorney-client session.

RECESS: 3:33 P.M.

RECONVENE: 4:46 P.M.

2. Continued...

Motion made by Commissioner Barry, seconded by Commissioner May, and carried 4-0, with Commissioner Robinson absent, authorizing the County's representation to accept the mediation offer on the property insurance.

Motion made by Commissioner Barry, seconded by Commissioner May, and carried 4-0, with Commissioner Robinson absent, authorizing the County's representation, related to the liability claims, to move forward as directed.

Motion made by Commissioner Barry, seconded by Commissioner Underhill, and carried 4-0, with Commissioner Robinson absent, regarding the second Shade Meeting, authorizing the County Attorney's Office to move forward with the direction as stated in the Shade Meeting.

MINUTES OF THE ATTORNEY-CLIENT SESSIONS – Continued

ADJOURNMENT

There being no further business to come before the Board, Vice Chairman Robertson declared the Attorney-Client Session of the Board of County Commissioners adjourned at 4:48 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: February 2, 2016