

**MINUTES OF THE ATTORNEY-CLIENT SESSION OF THE  
ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS**

**OCTOBER 25, 2018**

Present: Commissioner Lumon J. May, Vice Chairman, District 3  
Commissioner Steven L. Barry, District 5  
Commissioner Grover C. Robinson IV, District 4  
Commissioner Douglas B. Underhill, District 2  
Alison Rogers, County Attorney  
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office  
Judy H. Witterstaeter, Program Coordinator, County Administrator's Office

Absent: Commissioner Jeffrey W. Bergosh, Chairman, District 1

Location: Ernie Lee Magaha Government Building, Board Chambers, First Floor, 221 Palafox Place, Pensacola, Florida

Minutes prepared by: DeLana Allen-Busbee

**AGENDA NUMBER**

1. Call to Order ■

Acting Chairman May called the Attorney-Client Session to order at 9:05 a.m.

2. Session ■

Acting Chairman May advised that:

- A. County Attorney requests that the Board retire to the BCC Conference Room for the Attorney/Client Session regarding the case of Allen, Clarke, et al. v. A.E. New, Jr., Inc., Caldwell and Associates, Inc., Escambia County, Florida, et al., Case No. 2015 CA 000722, Escambia County Circuit Court., which session was advertised in the Saturday, October 13, 2018, and October 20, 2018, editions of the *Pensacola News Journal* as follows:

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AGENDA NUMBER – Continued

2. Session – Continued

A. Continued...

**PUBLIC NOTICE**

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a Special Board meeting for the sole purpose of conducting a private meeting with its attorneys to discuss pending litigation in the case of Allen, Clarke, et al. v. A.E. New, Jr., Inc., Caldwell and Associates, Inc., Escambia County, Florida, et al., Case No. 2015 CA 000722, Escambia County Circuit Court, in accordance with Section 286.01(8), Florida Statutes. The Special Board meeting in which to conduct an attorney/client session will be held at 9:00 a.m., on Thursday, October 25, 2018, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Jeff Bergosh, Doug B. Underhill, Lumon J. May, Grover C. Robinson, IV, Steven L. Barry, Acting County Administrator Amy Lovoy, County Attorney Alison P. Rogers, Deputy County Attorney Charles V. Peppler, Lawson Hester, attorneys representing Escambia County in the foregoing litigation and a certified court reporter will attend the attorney/client session.

- B. The session is expected to last about sixty (60) minutes and the following are expected to attend: Commissioners Bergosh, Underhill, May, Robinson, and Barry; Acting County Administrator Amy Lovoy; County Attorney Alison Rogers; Deputy County Attorney Charlie Peppler; and Lawson Hester.

RECESS: 9:06 A.M. – COMMISSIONER MAY, COMMISSIONER UNDERHILL, COMMISSIONER BARRY, AND COUNTY ATTORNEY ALISON ROGERS RETIRED TO THE BCC CONFERENCE ROOM

RECONVENE: 9:29 A.M. – COMMISSIONER MAY, COMMISSIONER UNDERHILL, COMMISSIONER BARRY, COMMISSIONER ROBINSON, AND COUNTY ATTORNEY ALISON ROGERS RETURNED TO BOARD CHAMBERS

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ADJOURNMENT

There being no further business to come before the Board, Acting Chairman May declared the Attorney-Client Session of the Board of County Commissioners adjourned at 9:30 a.m. ■

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Pam Childers  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Jeff Bergosh, Chairman

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Deputy Clerk

Approved: November 1, 2018