

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

JULY 10, 2019

Present: Commissioner Lumon J. May, Chairman, District 3
Commissioner Steven L. Barry, Vice Chairman, District 5
Commissioner Robert D. Bender, District 4
Commissioner Jeffrey W. Bergosh, District 1
Commissioner Douglas B. Underhill, District 2
Janice Gilley, County Administrator
Alison Rogers, County Attorney
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office
Shamara Jernigan, Agenda Program Coordinator, County Administrator's Office

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

Chairman May called the Attorney-Client Session to order at 12:30 p.m.

2. Scheduling/Advertising

Chairman May advised that County Attorney Rogers requests that the Board ratify the scheduling of the attorney/client session on July 10, 2019, at 12:30 p.m. and the advertising of the Public Notice (below) which was published in the Saturday, June 29, 2019, edition of the *Pensacola News Journal*.

Motion: Move Item #2 in the affirmative
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0, with Commissioner Barry absent

ATTORNEY-CLIENT SESSION MINUTES – JULY 10, 2019

AGENDA NUMBER – Continued

3. Session

The Board:

- A. Was advised by Chairman May that the County Attorney requests that the Board retire to the BCC Conference Room for the Attorney-Client Session regarding the case of Teramore Development, LLC, Shu Cheng Shurett, and Leo Huang v. Escambia County, Case No. 2017 CA 001778, which session was advertised in the Saturday, June 29, 2019, 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 Teramore Development, LLC, Shu Cheng Shurett, and Leo Huang v. Escambia County, Case No. 2017 CA 001778, Escambia County Circuit Court, in accordance with Section 286.01(8), Florida Statutes. Such attorney/client session will be held at 12:30 p.m., on Wednesday, July 10, 2019, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Lumon J. May, Douglas B. Underhill, Jeff Bergosh, Robert Bender, and Steven L. Barry, County Administrator Janice P. Gilley and County Attorney Alison P. Rogers, Charles V. Pepler, Deputy County Attorney, attorneys representing Escambia County in the foregoing litigation. A certified court reporter will attend and report the attorney/client session.

- B. Was advised by Chairman May that the Session is expected to last approximately 30 minutes and the attendees are those that are listed in the Public Notice and that the following are expected to attend: Commissioners May, Bergosh, Underhill, Bender, and Barry; County Administrator Janice Gilley; County Attorney Alison Rogers, and Deputy County Attorney Charles Pepler.

RECESS: 12:31 P.M. – COMMISSIONERS MAY, BARRY, UNDERHILL, BENDER, AND BERGOSH; COUNTY ATTORNEY ALISON ROGERS; AND JANICE GILLEY, COUNTY ADMINISTRATOR, RETIRED TO THE BCC CONFERENCE ROOM

RECONVENE: 12:57 P.M. – COMMISSIONERS MAY, BARRY, UNDERHILL, BENDER, AND BERGOSH; COUNTY ATTORNEY ALISON ROGERS; AND JANICE GILLEY, COUNTY ADMINISTRATOR, RETURNED TO BOARD CHAMBERS

ATTORNEY-CLIENT SESSION MINUTES – JULY 10, 2019

AGENDA NUMBER – Continued

3. Continued...

Motion: Move that the Board decline both settlement proposals that have been presented
Made by: Commissioner Underhill
Seconded by: Commissioner Bergosh
Disposition: Carried unanimously

ADJOURNMENT

There being no further business to come before the Board, Commissioner May declared the Attorney-Client Session of the Board of County Commissioners adjourned at 12:58 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: _____
Lumon J. May, Chairman

ATTEST:

Pam Childers
Clerk of the Circuit Court & Comptroller

Deputy Clerk

Approved: August 1, 2019