

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

SEPTEMBER 8, 2020

Present: Commissioner Steven L. Barry, Chairman, District 5
Commissioner Robert D. Bender, Vice Chairman, District 4
Commissioner Jeffrey W. Bergosh, District 1
Commissioner Lumon J. May, District 3
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 Barry called the Attorney-Client Session to order at 5:01 p.m.

2. Session

The Board:

- A. Was advised by Chairman Barry that the County Attorney requests that the Board retire to the BCC Conference Room for the Attorney/Client Session regarding the case of CEJ South, Inc. v. Escambia County, Case No. 2014 CA 002270 and Escambia County v. CEJ South, Inc. d/b/a Family Funeral and Cremation, Case No. 2020 CA 000787, which session was advertised in the Saturday, September 5, 2020, edition of the *Pensacola News Journal* as follows:

ATTORNEY-CLIENT SESSION MINUTES – SEPTEMBER 8, 2020

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 attorneys to discuss pending litigation in the case of CEJ South, Inc. v. Escambia County, Case No. 2014 CA 002270 and Escambia County v. CEJ South, Inc. d/b/a Family Funeral and Cremation, Case No. 2020 CA 000787, Escambia County Circuit Court, in accordance with Section 286.011(8), Florida Statutes. Such attorney/client session will be held at 5:00 p.m. on September 8, 2020, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Jeff Bergosh, Douglas B. Underhill, Lumon J. May, Robert Bender, and Steven Barry, County Administrator Janice P. Gilley, County Attorney Alison P. Rogers, and Deputy County Attorney Charles V. Pepler, attorneys representing Escambia County in the foregoing litigation will be in attendance. A certified court reporter will report the attorney/client session.

B. Was advised by Chairman Barry that the Session is expected to last approximately 30 minutes and that the following are expected to attend: Commissioners Bergosh, Underhill, May, Bender, and Barry; County Administrator Janice Gilley; and County Attorney Alison Rogers.

RECESS: 5:02 P.M. – COMMISSIONERS BARRY, BENDER, BERGOSH, AND UNDERHILL; AND COUNTY ATTORNEY ALISON ROGERS RETIRED TO THE BCC CONFERENCE ROOM

RECONVENE: 5:32 P.M. – COMMISSIONERS MAY, BARRY, UNDERHILL, BENDER, AND BERGOSH; COUNTY ATTORNEY ALISON ROGERS; AND JANICE GILLEY, COUNTY ADMINISTRATOR, RETURNED TO BOARD CHAMBERS

Motion: Move that we continue our negotiations and counter the settlement proposal as discussed in the back

For Information: Commissioner May reconvened with the Board, but advised that he was not able to attend the shade meeting and was not in attendance for the vote.

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May off the dais

ATTORNEY-CLIENT SESSION MINUTES – SEPTEMBER 8, 2020

ADJOURNMENT

There being no further business to come before the Board, Chairman Barry declared the Attorney-Client Session of the Board of County Commissioners adjourned at 5:34 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: _____
Steven Barry, Chairman

ATTEST:

Pam Childers
Clerk of the Circuit Court & Comptroller

Deputy Clerk

Approved: September 24, 2020