



**ISLAMORADA, VILLAGE OF ISLANDS  
VILLAGE COUNCIL MEETING EXECUTIVE SESSION  
ADMINISTRATIVE CENTER AND PUBLIC SAFETY HEADQUARTERS  
86800 OVERSEAS HWY, 3RD FLOOR CONFERENCE ROOM  
ISLAMORADA, FLORIDA 33036**

**JANUARY 24, 2013**

The meeting was called to order at 4:12 p.m. by Mayor Ken Philipson. Present were Mayor Ken Philipson, Vice Mayor Ted Blackburn; Council members: Mike Forster, Deb Gillis and Dave Purdo; Village Attorneys Nina L. Boniske and Michael Popok; Village Manager Edward Koconis and Village Clerk Ariana S. Lawson.

Mayor Philipson made a request to the Village Attorneys for advice on the following:

**INTERCOASTAL CONTRACTING CORPORATION,  
A FLORIDA CORPORATION,**

Plaintiff

v.

**THE VILLAGE OF ISLAMORADA, A POLITICAL ENTITY,  
BROWN & DEMANDT, PA., A FLORIDA PROFESSIONAL ASSOCIATION,  
ROBERT BROWN,  
AND  
DONALD HODGETTS,**

Defendants

Case No. 2006-CA-43-P

**IN THE CIRCUIT COURT FOR THE 16<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR MONROE COUNTY, FLORIDA**

Mayor Philipson announced that the open meeting was concluded and announced that the Council was moving forward with an attorney/client session in accordance with Florida Statute 286.011. He estimated that the session would last for approximately one hour and the following people would be in attendance:

- a. Mayor Ken Philipson, Vice Mayor Ted Blackburn and Council members Mike Forster, Deb Gillis and Dave Purdo;
- b. Village Attorneys Nina L. Boniske and Michael Popok; and
- c. Village Manager Edward Koconis.


Mayor Philipson announced that the proceedings would be recorded by a certified court reporter, Kathleen A. Fegers, RPR and, at the conclusion of all litigation discussed; the transcript would be made part of the public record.

Mayor Philipson requested that all those individuals not named above leave the room.

At the conclusion of the attorney/client session, Mayor Philipson announced that the Council was returning to an open meeting.

The Council Members unanimously agreed to have Councilwoman Gillis continue to participate in mediation with the plaintiff, and directed the Village Attorney to continue settlement discussions with the intent of bringing back a settlement agreement for review at a subsequent Village Council Meeting Executive Session and approval at a subsequent Regular Village Council Meeting.

The meeting was adjourned at 4:55 p.m.

  
Ariana S. Lawson  
Village Clerk

Approved by the Village Council this 14<sup>th</sup> day of February, 2013.