



**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**

**FEBRUARY 8, 2013**

The meeting was called to order at 12:55 p.m. by Mayor Ken Philipson. Present were Mayor Philipson, Vice Mayor Ted Blackburn; Council members Mike Forster, Deb Gillis and Dave Purdo; Village Attorneys Nina L. Boniske and James E. White; Village Manager Edward Koconis and Village Clerk Ariana S. Lawson.

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

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

Mayor Philipson announced that the open meeting was concluded and stated 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 James E. White; and

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Village Council Meeting Executive Session  
February 8, 2013*

c. Village Manager Edward Koconis.

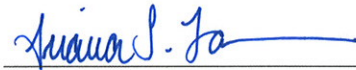
Mayor Philipson announced that the proceedings would be recorded by a certified court reporter, Kathleen A. Fegers, RPR and, at the conclusion of all litigation discussed; the transcript would be made part of the public record.

At Mayor Philipson's request, all individuals not named above left the room. The attorney/client session commenced.

At the conclusion of the attorney/client session, Mayor Philipson announced that the Council was returning to an open meeting and that members of the general public were invited back into the meeting room for any further proceedings or matters.

Village Attorney Nina Boniske summarized the direction provided by Council during the closed session: to continue with settlement discussions under the cloak of open mediation; continue with the partial summary judgment process in a hearing on Thursday, February 14<sup>th</sup>; and to schedule a subsequent executive session thereafter to report back to Council the results of continued settlement discussions.

The meeting was adjourned at 1:25 p.m.



Ariana S. Lawson  
Village Clerk

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