



**ISLAMORADA, VILLAGE OF ISLANDS
SPECIAL CALL VILLAGE COUNCIL MEETING**

**EXECUTIVE SESSION
CASE NO. 2006-CA-43-P**

**Administrative Center and Public Safety Headquarters
86800 Overseas Hwy, 3rd Floor Conference Room
Islamorada, Florida 33036**

**Wednesday, September 12, 2013
4:00 PM**

Mayor Ken Philipson called the meeting to order at 4:06 p.m. The following Council members were present on roll call: Mayor Philipson, Vice Mayor Ted Blackburn; Councilman Mike Forster, Councilwoman Deb Gillis and Councilman Dave Purdo. Also in attendance were Village Attorneys Nina L. Boniske and Michael Popok, Village Manager Edward Koconis, Court Report Kathi Fegers, and Village Clerk Ariana S. Lawson.

Mayor Philipson made a request to the Village Attorney 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 FOR THE 16TH JUDICIAL CIRCUIT
IN AND FOR MONROE COUNTY, FLORIDA**

Mayor Philipson called for public comment; there was none. Mayor Philipson closed the open meeting at 4:07 p.m. and advised all those present that the Council was moving forward with a closed attorney/client session in accordance with Florida Statute 286.011. He

*Minutes of
Special Call Village Council Meeting
Executive Session (Case No. 2006-CA-43-P)
September 12, 2013*

estimated that the session would last approximately one hour, with the following people 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 stated that the proceedings would be recorded by certified court reporter Kathi Fegers, RPR, and at the conclusion of all litigation discussed the transcript would be made part of the public record. Mayor Philipson requested all individuals not named above leave the room and the attorney/client session commenced.

The attorney/client session concluded at 5:07 p.m., at which time Mayor Philipson reopened the public meeting and invited members of the general public back into the meeting room.

Ms. Boniske requested, pursuant to Chapter 286, Florida Statutes, another executive session in the case of Intercoastal Contracting Corporation, a Florida Corporation, Plaintiff, v. the Village of Islamorada, a Political Entity, Brown & Demandt, P.A., a Florida Professional Association, Robert Brown and Donald Hodgetts, Defendants, Case No. 2006-CA-43-P in the Circuit Court of the 16th Judicial Circuit in and for Monroe County, Florida.

Ms. Boniske and Mr. Popok requested a motion from the Village Council authorizing the Village Attorney to make a \$50,000 Proposal for Settlement/Offer of Judgment in in the amount of \$50,000 to all of the defendants. Councilman Dave Purdo offered a motion authorizing the Village Attorneys to make a formal offer of judgment in in the amount of \$50,000 to all of the defendants. Councilwoman Deb Gillis seconded the motion. Council voted and the motion passed 5-0.

Councilman Purdo offered a motion to adjourn; Councilwoman Gillis seconded the motion. The meeting adjourned at 5:09 p.m.



Ariana S. Lawson
Village Clerk

Approved by the Village Council this 10th day of October, 2013.