

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
NOVEMBER 18, 2008
(10:30 A.M.)**

Proceedings of a special meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Proof of publication of a special private attorney/client meeting known as Dixie Properties of St. Augustine, Inc., v. James E. Bryant Et Al. Case No. 3:06 CV-462-J-32MMH, Inc. v. St. Johns County, Case No. 3:06-CV-1113-J-25HTS, was received, having been published in *The St. Augustine Record* on November 12, 2008.

Present were: Cyndi Stevenson, District 1, Chair
 Ron Sanchez, District 2
 Mark P. Miner, District 3,
 Ken Bryan, District 5
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Terry Bulla, Deputy Clerk

1. THE PURPOSE OF THE SPECIAL PUBLIC MEETING WILL BE TO ANNOUNCE AND TO HOLD A SPECIAL PRIVATE ATTORNEY-CLIENT MEETING IN ACCORDANCE WITH SECTION 286.011(8), FLORIDA STATUTES, AND WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY PERTAINING TO THE LAWSUIT BETWEEN CONFINED TO SETTLEMENT NEGOTIATIONS AND LITIGATION EXPENSE STRATEGY PERTAINING TO THE LAWSUIT BETWEEN DIXIE PROPERTIES OF ST. AUGUSTINE, INC. V. JAMES E. BRYANT ET AL. CASE NO. 3:06-CV-462-J-32MMH, INC. V ST. JOHNS COUNTY, CASE NO. 3:06-CV-1113-J-25HTS.

Call to order of Special Meeting by Chair.

The Private Attorney/Client meeting was called to order by Stevenson at 10:28 a.m. during the public comment segment of the prior special meeting. The meeting was then suspended until the original meeting was completed. At 10:56 a.m. the original meeting was completed and the Private Attorney/Client meeting was reconvened.

(10:56 a.m.) Patrick McCormack County Attorney said they were resuming the special Attorney/Client meeting, and informed the Board that he needed advice concerning the case of Dixie Properties of St. Augustine, Inc., v. James E. Bryant Et Al. Case No. 3:06 CV-462-J-32MMH, Inc. v. St. Johns County, Case No. 3:06-CV-1113-J-25HTS. He stated that Florida Statute 286.011 allowed the Board to hold a private meeting in order to provide that advice. He noted the style of the case and said that the counts against the individual commissioners had been dismissed and the individual commissioners were no longer defendants in that case, even though their names remained in the style of the case.

(11:03 a.m.) Stevenson announced the resumption of the meeting and that it would take place in the Executive Conference Room and was estimated to last approximately 45 minutes. She announced that those who would be in attendance at the meeting were Commissioners Cyndi Stevenson, Ron Sanchez, Mark P. Miner, Ken Bryan, County

Attorney, Patrick F. McCormack, County Administrator, Michael D Wanchick, Special Counsel, Susan S. Erdelyi and Court Reporter, Erin Gardner.

The meeting Attendees moved to the Board Conference Room for the Closed Session at 11:03 a.m.

(11:45 a.m.) The Private Attorney/Client Meeting reconvened. McCormack said he would like to ask the Board to authorize the County Attorney's office and outside counsel to settle the matter with Dixie Properties v. St. Johns County as referenced earlier in the meeting by agreeing to provide a road name honoring a member of the Genovar family pertaining to the length of driving surface between Old Moultrie Rd. and US1 immediately north of the County Health and Human Service property and as depicted on an aerial, previously presented as part of the record, and additionally that the Board would authorize payment of plaintiff's attorney's fees not to exceed of \$21,000.

(11:47 a.m.) Motion by Sanchez seconded by Bryan, carried 4/0, to authorize the County Attorney's office and outside counsel to settle the matter with Dixie Properties v. St. Johns County as referenced earlier in the meeting by agreeing to provide a road name honoring a member of the Genovar family pertaining to the length of driving surface between Old Moultrie Rd. and US1 immediately north of the County Health and Human Service property and depicted on an aerial as part of the record, and that the Board would authorize payment of plaintiff's attorney's fees not to exceed of \$21,000.

Motion by Sanchez, seconded by Miner, carried 4/0, to adjourn the meeting. With there being no further business to come before the Board, the Private Attorney/Client meeting adjourned at 11:47 a.m.

Approved, December 2, 2008

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST, CHERYL STRICKLAND, CLERK

By: L. Donae King
Deputy Clerk