

A meeting of the Apalachicola Housing Authority was held on Tuesday, November 22, 2011 at 5:45 PM at the Apalachicola Community Center, 1 Bay Avenue, Apalachicola, Florida, with a joint Executive Attorney Client Session with the Apalachicola City Commission following at 6:00 PM.

Present: Chairperson Willie Mary Joseph, Fonda Davis, Michael Duhart, Attorney Pat Floyd, City Administrator Betty Webb, City Clerk Lee Mathes, Attorney Andrew Byrne (by phone)

Visitors: None

Willie Mary Joseph called meeting to order.

Attorneys Andrew Byrne and Pat Floyd provided Housing Authority Board with background information regarding retirement issue of Housing Authority employees.

Motion to go into an executive attorney client session with the Apalachicola City Commission on November 22nd made by Michael Duhart, second by Fonda Davis.

Motion carried 3 to 0.

Voting Aye: Michael Duhart, Fonda Davis, Willie Mary Joseph

Voting Nay: None

Housing Authority Board now entered into an executive attorney client session with the Apalachicola City Commission.

A special meeting of the City Commission of the City of Apalachicola was held on Tuesday, November 22, 2011 at 6:00 PM at the Apalachicola Community Center, 1 Bay Avenue, Apalachicola, Florida with a joint executive attorney client session with the Apalachicola Housing Authority immediately following.

Present: Mayor Van Johnson, Commissioner Jimmy Elliott, Commissioner Brenda Ash, Commissioner Mitchell Bartley, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, Attorney Pat Floyd

Visitors: Attorney Andrew Byrne (by phone); Apalachicola Housing Authority Board members Willie Mary Joseph, Fonda Davis, Michael Duhart; Court Reporter Trudy Downs

Mayor Johnson opened special meeting.

Attorney Floyd stated the special meeting is being held to announce the joint executive attorney client session between the Apalachicola City Commission and the Apalachicola Housing Authority.

Motion to proceed directly into the joint executive attorney client session between the Apalachicola City Commission and the Apalachicola Housing Authority immediately following the special meeting made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

Voting Aye: Elliott, Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

The Apalachicola City Commission and the Apalachicola Housing Authority now entered into a joint executive attorney client session to discuss Division of Retirement issue at 6:05 PM.

Motion to accept Attorney Pat Floyd as lead attorney to work along with Attorney Andrew Byrne to declare there is no conflict of interest and to waive any potential conflicts related to Attorney Pat Floyd and to pursue Option 2 as presented which is to file suit in circuit court for Franklin County to get a declaratory decree and other claims as necessary to determine that the delinquency fees on the Florida Retirement System retirement of Housing Authority employee are not due and are not due to the State, made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0.

Voting Aye: Ash, Bartley, Cook, Elliott, Mayor Johnson

Voting Nay: None

Housing Authority Board motion – Motion to accept Attorney Pat Floyd as lead attorney to work along with Attorney Andrew Byrne to declare there is no conflict of interest and to waive any potential conflicts related to Attorney Pat Floyd and to pursue Option 2 as presented which is to file suit in circuit court for Franklin County to get a declaratory decree and other claims as necessary to determine that

the delinquency fees on the Florida Retirement System retirement of Housing Authority employee are not due and are not due to the State, Fonda Davis, second by Michael Duhart.

Motion carried 3 to 0.

Voting Aye: Michael Duhart, Fonda Davis, Willie Mary Joseph

Voting Nay: None

Attorney Floyd stated the joint executive attorney client session between the Apalachicola City Commission and the Apalachicola Housing Authority is recessed at this time, and will be continued at a future date.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk