

A joint executive attorney client session between the City Commission and the Apalachicola Housing Authority was held on Thursday, December 1, 2011 at 12:00 Noon at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida, dealing with the State of Florida Division of Retirement.

Present: Mayor Van Johnson, Commissioner Jimmy Elliott, Commissioner Brenda Ash, Commissioner Mitchell Bartley, Commissioner Frank Cook, City Attorney Pat Floyd, City Administrator Betty Webb, City Clerk Lee Mathes, Attorney Andrew Byrne (by phone), Court Reporter Trudy Downs, Housing Authority Board Members Fonda Davis and Huland Glass, Selena Noblit

Attorney Floyd announced executive attorney client session is now in session.

Housing Authority Board – Motion to have Attorney Andrew Byrne on behalf of the Apalachicola Housing Authority to send letter to Division of Retirement advising them of acceptance of waiver and deliver to them the remaining amount claimed due by the Division of Retirement again without waiving right on the part of the City and or the Housing Authority to challenge the payments as being not legal and improper and then later send a second letter to Division of Retirement demanding return of the amounts paid on back contributions regarding Housing Authority employee Earl Creamer and attach a copy of the suit to be filed that Attorney Pat Floyd prepared and then discuss other matters later depending on Division of Retirement response made by Fonda Davis, second by Huland Glass.

Motion carried 2 to 0.

Voting Aye: Fonda Davis, Huland Glass

Voting Nay: None

City Commission - Motion to have Attorney Andrew Byrne on behalf of the Apalachicola Housing Authority to send letter to Division of Retirement advising them of acceptance of waiver and deliver to them the remaining amount claimed due by the Division of Retirement again without waiving right on the part of the City and or the Housing Authority to challenge the payments as being not legal and improper and then later send a second letter to Division of Retirement demanding return of the amounts paid on back contributions regarding Housing Authority employee Earl Creamer and attach a copy of the suit to be filed that Attorney Pat Floyd prepared and then discuss other matters later depending on Division of Retirement response made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

Attorney Client Session – 12/1/11 – Page 2

Executive attorney client session adjourned.

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Van W. Johnson, Sr., Mayor

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Lee H. Mathes, City Clerk