

MEETING MINUTES

PANAMA CITY – BAY COUNTY AIRPORT AND INDUSTRIAL DISTRICT

Opening:

The Emergency Board Meeting of the Panama City-Bay County Airport and Industrial District was called to order at 9:00 a.m., April 11, 2011 in the Airport Board Room by Chairman McKenzie.

The Invocation was given by Ms. Patty Strick.

The Pledge of Allegiance was led by Chairman McKenzie.

The Executive Secretary called the roll and indicated that all Board Members were present except Ms. Dawn Moliterno and Mr. Carey Scott.

Business Items:

a. Recommendation of Finding of Bona Fide Emergency Regarding Litigation Matters

This item provides for Board recognition that a bona fide emergency exists relating to matters that developed during mediation that now require Board attention.

Mr. Bruett made a motion to find that a bona fide emergency exists relating to matters that developed during mediation. Mr. Pilcher seconded the motion. The vote was taken and the motion passed unanimously.

Adjournment:

The meeting was adjourned at approximately 9:10 a.m. to enter into Closed Executive Session.

Closed Executive Session:

Board Members entered into Closed Executive Session at 9:10 a.m. to discuss matters relating to current litigation to the extent authorized under Florida Statute 286.011(8). Those in attendance were as follows:

John Wheat, Executive Director
John Pilcher, Vice Chairman
Chris Forehand, Board Member
Rick Koehnemann, Board Member
Ross McCloy, Airport Attorney

Andy McKenzie, Chairman
Till Bruett, Board Member
Franklin Harrison, Airport Attorney
Nick Beninate, Airport Attorney
Court Reporter

The Closed Executive Session ended at approximately 9:35 a.m.

Consideration of Settlement, Liquidating and Release Agreement Clarifying Amendment

This item provides for Board consideration and approval to execute a Clarifying Amendment to the Settlement, Liquidating and Release Agreement between Phoenix Construction Services and the Airport Authority.

The Clarifying Amendment stipulates that under the Agreement, the parties did not intend to assign to the other any claims, rights or interest in the various causes of action asserted in the litigation, and further that each party would continue to own and control its own claims.

Following Board discussion, Mr. Pilcher made a motion to approve the Clarifying Amendment to the Settlement, Liquidating and Release Agreement with Phoenix Construction Services. Mr. Koehnemann seconded the motion. The vote was taken and the motion passed unanimously.

Adjournment:

The meeting was adjourned at approximately 9:40 a.m. CST

Patty Strick, Executive Secretary

Andy McKenzie, Chairman