

**Nassau County Board of County Commissioners  
Executive Closed Session, October 9, 2019, 1:30 p.m.  
Commission Chambers, 96135 Nassau Place, Yulee, Florida**

Call to Order

**Commissioners:**

**Present:** Chairman Justin Taylor, Commissioners Daniel B. Leeper, Aaron C. Bell, Pat Edwards, and Thomas R. Ford.

**Other Officials Present:** Michael S. Mullin, County Attorney/ County Manager.

**Staff Present:** Brenda Linville, Deputy Clerk, representing the Clerk's office.

**EXECUTIVE CLOSED SESSION:**

**EC191009 - 1:30:09** Mr. Mullin announced that the meeting would be an executive closed session pursuant to Florida Statutes, Section 286.011(8). The subject matter of the executive session is the pending litigation in the following matters: Raydient LLC et al.v. Nassau County, Florida, Case No. 2018-CA-000467 (Florida 4<sup>th</sup> Circuit Court); Raydient LLC and Rayonier Inc., v. Nassau County, Florida, Case No. 2019-CA-00054 (Florida 4<sup>th</sup> Circuit Court); and Raydient Inc. He explained that that Raydient LLC v. Michael Mullin and Nassau County Case No. 2019-CA-000051 (Florida. 4<sup>th</sup> Circuit Court) would not be discussed today, but will be scheduled for a later date. Mr. Mullin stated that outside counsel Nabors, Giblin Nickerson P.A., concur with the request to discuss cases 2018-CA-000467 and 2019-CA-000054 pursuant to Florida Statutes, Section 286.011(8).

Mr. Mullin continued that the Board of County Commissioners will be asked to close the meeting with the purpose to discuss settlement negotiations or strategy sessions related to litigation expenditures. The session will be recorded by a certified Court Reporter and once transcribed the document will be held by the Clerk of Courts and will not be released to the public until the case is either settled or goes through the court process. The Chairman

will announce the length of the closed meeting when the motion is made. At the conclusion of the closed session the Board of County Commissioners will reconvene in open session for consideration of any motions related to the discussion if any. The transcription of the meeting shall be made part of the public record on the conclusion of the litigation. The following individuals will be attending the closed session: Commissioners Justin Taylor, Daniel B. Leeper, Thomas C. Ford, Aaron C. Bell, and Pat Edwards, collectively known as the Board of County Commissioners; Michael S. Mullin, County Attorney/County Manager; Special Counsel Greg Stewart and Heather Encinosa; and a certified court reporter.

Chairman Taylor announced that the time of the closed session to be around thirty (30) to forty-five (45) minutes.

**Motion:** Approve to close the meeting.  
**Maker:** Commissioner Edwards  
**Second:** Commissioner Bell  
**Action:** Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor.

The Deputy Clerk turned off the recording device, locked the doors, and exited the room. The meeting continued in closed session.

**EC191009 - 1:53:24** The meeting reconvened in open session.

**Motion:** Approve to direct staff or outside counsel to respond to Raydient regarding the County's willingness and interest in attempting to resolve the substantive issues; however the County does not believe that it can be productive while ongoing litigations are proceeding and that therefore unless Raydient is willing to abate the litigation while the County engages in good faith discussion, the County does not believe that would be productive.

**Maker:** Commissioner Leeper  
**Second:** Commissioner Bell  
**Action:** Aye: Commissioners Leeper, Bell, Edwards, Ford, and Taylor.

**Follow Up:** County Attorney, Nabors, Giblin Nickerson P.A.

**Discussion:** Chairman Taylor provided an update on the three meetings with representatives from Rayioner.

There being no further business, the Executive Closed Session adjourned at 1:57 p.m.

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Justin Taylor, Chairman

Attest:

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John A. Crawford  
Ex-Officio Clerk