

## SUMMARY MINUTES

**ISLAMORADA-VILLAGE OF ISLANDS  
SPECIAL CALL VILLAGE COUNCIL MEETING  
EXECUTIVE SESSION  
APRIL 23, 2009**

**Founders Park Community Center  
87000 Overseas Highway  
Islamorada, Florida**

1. **Call to Order:** The meeting was called to order at 4:35 p.m. Present were Mayor Don Achenberg, Vice Mayor Michael Reckwerdt; Council members: Dave Boerner, Jill Zima Borski and Cathi Hill; Village Attorneys Nina Boniske, James White, and Lillian Arango; Village Manager Kenneth Fields and Village Clerk Beverly Raddatz.
2. **MAYOR TO ATTORNEY – I request advice concerning MICHAEL SWERDLOW, ROBERT E. RICH, JOHN R. WILLIS AND MORTON DUNNING, ALL PROPERTY OWNERS AND TAXPAYERS OF ISLAMORADA, VILLAGE OF ISLANDS v. M.M. 82.7 REALTY TRUST, A TRUST, BY AND THROUGH ITS TRUSTEE DAVID W. FRISBIE; ISLAMORADA, VILLAGE OF ISLANDS, A FLORIDA MUNICIPAL CORPORATION; AND THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, IN THE CIRCUIT COURT OF THE 16<sup>TH</sup> JUDICIAL CIRCUIT, IN AND FOR MONROE COUNTY, FLORIDA, CASE NO. 06-CA-393-P.**
3. The open meeting has been concluded. The time is now 4:36 p.m. We are now going to have an attorney/client session in accordance with Florida Statute 286.011. The session is estimated to last one hour and the following people will be in attendance at this meeting:
  - a. Myself, Vice Mayor Michael Reckwerdt, Councilmembers: Dave Boerner, Jill Zima Borski, and Cathi Hill.
  - b. Village Attorneys Nina Boniske, James White and Lillian Arango.
  - c. Village Manager Kenneth Fields.

These proceedings will be recorded by a certified court reporter, Patricia Zischka, RPR and, at the conclusion of all litigation discussed; the transcript will be made part of the public record.


All those individuals who I have not named should leave the room at this time.”

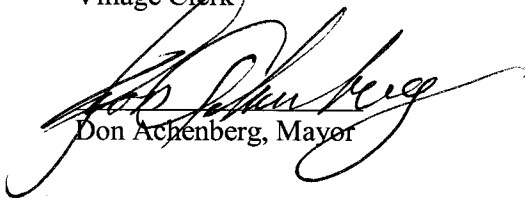
CONCLUSION OF ATTORNEY / CLIENT SESSION

"We are now back in an open meeting," stated Mayor Achenberg.

"The attorney/client session has now been terminated and members of the general public are invited back into the meeting room for any further proceeding of matters. The time is now 5:10 p.m."

4. **Adjournment:** After a motion to adjourn and a second the meeting adjourned at 5:11 p.m.

  
Beverly Raddatz, MMC  
Village Clerk

  
Don Achenberg, Mayor

Approved by Council this 14<sup>th</sup> day of May 2009.