

**CareerSource Pinellas
Ad Hoc Committee**

Date: Wednesday, April 20, 2022

Location: *Virtual Zoom Meeting

Call to Order

Chairman Barclay Harless called the meeting to order at 4:01pm. There was a quorum with the following members participating.

Members in Attendance

Barclay Harless, Commissioner Rene Flowers, Mark Hunt, Kevin Knutson

Members Not in Attendance

Lisa Cane

Staff

Steven Meier, Leah Geis

Counsel Present

Stephanie Marchman

Guest Counsel Present

James Dean

Rob McNeely

ACTION ITEM 1 – Approval of the Minutes – April 4, 2022 Ad Hoc Search Committee

The minutes of the April 4, 2022, Ad Hoc Search Committee meeting were presented for approval.

RECOMMENDATION

Approval of the draft minutes, to include any amendments necessary.

Discussion: None

Motion:	Mark Hunt
Second:	Kevin Knutson

The minutes were approved as presented. This motion carried unanimously.

ACTION ITEM 2 – Insurance Coverage Counsel Approval

At the April 8, 2022, Special Board Meeting, the Board authorized the CEO and General Counsel to begin the process to engage outside insurance coverage counsel to determine whether the final disallowed costs of \$1,862,989.81 from the DOL compliance review can be recovered from CareerSource Pinellas' insurance carriers.

Stephanie Marchman, Outside General Counsel, has previously worked with Attorneys James J. Dean and Robert A. McNeely of the law firm Messer Caparello, P.A. (Messer Caparello) in coverage litigation involving a quasi-governmental non-profit and recommended that CareerSource Pinellas likewise engage them to represent it in all matters in connection with a claim for insurance coverage relating to a monetary demand made by the U.S. Department of Labor in March 2022, whether arising in litigation or otherwise. Messer Caparello has determined that they are available and willing to do so, under the terms outlined in their attached proposal. It is further recommended that CareerSource Pinellas execute the attached conflict waiver so that Messer Caparello may represent both CareerSource Pinellas and CareerSource Tampa in connection with their separate claims for insurance coverage relating to a monetary demand made of the Clients by the U.S. Department of Labor in March 2022, as the

organizations interests are aligned and efficiencies will likely be gained by engaging joint coverage counsel due to similar operative facts in this case.

CareerSource Pinellas' By-Laws require that the Ad-Hoc Committee establish legal counsel qualifications, terms of engagement, recruitment process, and rating proposals, subject to approval by the full Board of Directors and the Pinellas County Board of County Commissioners. Given the time sensitive nature of this matter, it recommended that CareerSource Pinellas follow this process for engaging legal service providers as outlined in its By-Laws, but it proceed as expeditiously as possible in light of the time sensitive nature of this representation.

RECOMMENDATION

Approval of Messer Caparello's proposal and conflict waiver so they may serve as insurance coverage counsel in all matters related to a claim for insurance coverage relating to a monetary demand made by the U.S. Department of Labor in March 2022, subject to approval by the full Board of Directors and Pinellas County Board of County Commissioners.

Discussion: Stephanie Marchman's recommendation is to call a Special Board Meeting to approve of this so it is able to be brought before the BOCC at the upcoming 4/26/22 BOCC meeting by Commissioner René Flowers.

Motion:	Mark Hunt
Second:	Kevin Knutson

The Ad Hoc Search Committee made a motion to approve of Messer Caparello's proposal and conflict waiver so they may serve as insurance coverage counsel in all matters related to a claim for insurance coverage relating to a monetary demand made by the U.S. Department of Labor in March 2022, subject to approval by the full Board of Directors and Pinellas County Board of County Commissioners. This motion carried unanimously.

Adjournment

Chairman Barclay Harless adjourned the meeting at 4:16pm.