Present: Dr. Anthony “Dr. V” Viegbesie, Chair, District 2
Brenda Holt, Vice Chair, District 4
Eric Hinson, District 1
Gene Morgan, District 3
Sherrie Taylor, District 5
Wesley Hall, Interim County Administrator
Marcella Blocker, Deputy Clerk

WELCOME
Chairman Viegbesie welcomed everyone to the interview and called it to order at 4:10 p.m.

Legal Interview Schedule
Mr. Hall asked the first applicant to come forward.

1. The Williams Law Group
Thornton Williams, Esquire, appeared before the Board and gave a brief overview of his law group. He said loyalty to his clients is unwavering. He stated the County needed someone who understood significant, complex matters and could break them down in a way that would allow the County to make good business decisions as a County. Orchard Pond Parkway in Tallahassee was a $16 Million dollar project and they ran into some problems. They brought Mr. Williams in to clean it up and get it done right. For 16 years he went in single-handedly and re-wrote exceptions for the Utilities in the State of Florida’s Statutory Code for them. He was comfortable that he could help the County with any problems that may arise. He stated the State of Florida was growing quickly and there will be new challenges that he wanted to work on with the County. He said the oldest rating service in the Nation was called Martindale Hubble and they rate attorneys in 3 categories; C/B, B/B AND A/B. A/B is reserved for the attorneys that have the highest integrity and the highest legal standard and very few attorneys get that rating their first time they are rated and he was one of the few attorneys nationally that had ever received it. He is in top the 1% of 1% of attorneys that have an A/B rating. The rating demonstrates qualities of high legal standard and high integrity.

Commissioner Morgan asked the size of his law firm and who would be present for 75% of the County Board Meetings.
Mr. Williams stated he had a two-attorney law firm, He and wife Harriet, and he would be present for most meetings. He said last time he was County Attorney, the work load was such that it took 2 attorneys to get the work done.

Commissioner Holt asked if his firm had any experience in hospital, transportation or zoning issues.
Mr. Williams answered he had done a lot of work with Transportation. He stated he was the General Council before with Department of Transportation. He stated if he was not in the top three best lawyers in the State of Florida for transportation, he may be the #1 for transportation
issues. He has done extensive transportation work, his wife did a lot of work for TMH, was familiar with HIPPA and he did a lot of work in zoning. He is very proficient in Administrative law. Another National firm had a bid protest of $63 Million and could have hired anybody to do the work but they choose his firm to do the work and he prevailed in that legal representation for them. He stated in the global area of Administrative law he not only has expertise in, but also transportation, zoning, hospitals, contracts, bid protests, and public works area.

Chairman Viegbesie asked what experience, or any relevant experience, did his firm have in representing local city or county government.
Mr. Williams stated he had extensive experience in the area. Presently he was the attorney for the Capital Regional Planning Transportation Agency and had represented them since their existence.
He said there were about 2-3 cities that will contact him on some type of an issue that they need representation on and that would range anywhere from central to south Florida.
He stated clients were more in the central and south Florida area because there were more cities and counties there.

Commissioner Taylor asked why he was no longer working with the State of Florida.

Chairman Viegbesie interrupted and asked if the BOCC was going to be asking questions during the process as follow-up questions because if they were going to ask one, they were going to have to do the same for the other applicants.

Commissioner Taylor said it was a question that piqued her curiosity.

Commissioner Morgan said the BOCC was trying to make the best decision in moving forward and if they have asked the 4 prepared questions, he did not see why additional questions would be a problem.

Mr. Williams said he became the General Council for DOT in 1990 and he left in 1996. When he was there, he stated he saw different law firms coming in and they were representing construction issues or advertising issues, and it was a hodge podge of different law firms and he left the DOT because he realized there was no one law firm that understood all the transportation issues out there. He said he figured that out about 3 years in and for the next 3 ½ years he worked on getting his skill sets up so he could go out and represent transportation law, which was basically every aspect of law.
Commissioner Taylor asked if his firm had been the subject of any complaints to the Florida Bar Association or had any lawsuits been filed against it in the last 5 years.
Mr. Williams answered he had never had a complaint to the Florida Bar Association filed against him.
He further stated in the last 5 years he had one client that thought they could get some insurance money out of him for a bogus claim. He refused to settle for any reason and the people who sued him ended up having to pay the attorney fees for Mr. Williams.

Commissioner Hinson asked if there were any conflicts that could potentially arise. Mr. Williams said he wanted to follow-up on Commissioner Taylor’s question. He thinks some people think he may be too easy going but stated he was not a push over. When things come up for the County that need to be fought for, he will fight hard.
He further stated there were no conflicts and the only thing that may arise might be with CRTPA and that was technically not a conflict, it was done by statutes.

Commissioner Hinson asked what areas of specialized law did his firm practice and what is the relevant experience of his partners or associate(s)?

Mr. Williams answered if you were to say the firm was recognized for any one thing, it was business law generally, transportation law in particular and his partner was recognized for administrative law issues.

He further stated to understand transportation laws was like a mini Attorney General’s office. There is all types of legal work and the DOT and its transportation issues was similar to the AG office, so you have to know a little bit about everything and be good at everything.

A County Attorney is a multitude of different types of legal issues that have to be handled and you have to have an attorney that has the background on these issues because sometimes the Commission meetings are fast paced and things come up and you have to make good solid policy decisions and advice on the fly.

Chairman Viegbesie stated there were no further questions.

Mr. Williams said he enjoyed seeing everyone and he had good memories with the County. He would get involved in community functions and he thinks he could provide quality legal work and thanked everyone for the opportunity.

*Commissioner Morgan stepped out 4:35 p.m.*

2. **Pittman Law Group**

*Commissioner Morgan returned 4:37 p.m.*

**Clayton Knowles, Pittman Law** appeared before the Board and gave an overview of the Pittman Law Group. He stated they were a minority-based law firm in Tallahassee with 20 years of experience. He had roughly 12 years of experience, 10 of that practicing law as an attorney; local government experience within this community among other counties.

He stated he would like to form a partnership with Gadsden County. He stated as partners, he wanted to grow the prominence of Gadsden County. The main portion of his presentation dealt with cost effectiveness and the vision for the county. Cost is always an issue and he is committing to the Commissioners that he will try to stay within the confines of the initial retainer that they have and if it was going to be exceeded, the first goal would be to offer some pro bono hours on top of the original allotment of the 50 that was specified in the contract so if they go over and some things need help would be addressed without adding an additional cost to the county because “your success is our success.”

He further stated he would keep things in-house as much as possible and within the confines of the retainer. He said, additionally, being a small firm, they knew who they were getting, either Mr. Knowles, Ms. Henderson or himself and they were there 24 hours a day, 7 days a week to get the best services possible. He stated being a small firm may look upon them as a harm but he thought that it enabled the county to know that everything the county was getting came directly from the folks they saw in the room. They were small but have a national presence and huge state-wide presence. In addition, outsource management was another issue that he had
with municipalities. He stated he would do all litigation with the least cost possible and still be highly effective for the County.

Commissioner Morgan asked if Mr. Knowles’ firm had been the subject of complaints to the Florida Bar or had any lawsuits filed against it in the last 5 years? Mr. Knowles answered no.

Commissioner Holt asked if there were any conflicts that could potentially arise if his firm was selected as County Attorney? Mr. Knowles answered you never know who potential litigants could be. He stated the firm had done a conflict check prior to submitting the proposal for the County Attorney. If a conflict arises, the law group would come to the County and may have to outsource if it did happen.

Chairman Viegbesie asked what experience did their firm have in representing local City or County government? Mr. Knowles answered in a prior law firm he worked with City of Gretna, was City Attorney for Jacob, among others. Working with Gadsden County would be a growing experience and they are ready to take on the challenge.

Commissioner Taylor asked what specialized area did the firm practice and what was the relevant experience of the partners and associates? Mr. Knowles said he practices local government, real estate and probate. His colleges specialize in Government Relations beyond the local municipal.

Commissioner Hinson asked if his firm had experience in hospital, transportation or zoning issues? Mr. Knowles said he had done zoning in Gretna and Tallahassee. The firm has had experience with the hospital for many years.

Sean Pittman addressed the Board. He said he has had a long stent working with healthcare. The firm began with transactional work and Administrative Law.

Commissioner Taylor asked the size of the law firm and what attorney would be present for at least 75%? Mr. Knowles said he would be responsible and Ms. Henderson and Mr. Pittman would provide back up as in-house attorneys.

Chairman Viegbesie asked if the work they would be doing for the County was done by a paralegal or a student, would they bill the hourly rate at the same rate as the same as the attorney or associate? Mr. Knowles said no personally as an attorney, he loved doing his own work. Outsourcing would be for small things that will not be billed. He stated he does not bill for phone calls, simple emails and things that was substantive was what they intended to bill for; attendance at meetings, not for portal to portal billings, actual time they were in Chamber was time they would bill for. He stated if he has to talk to one of the Commissioners, the County Administrator or Clerk, he will not bill or for letters, etc. He stated they were not looking to retire off the contract but wanted to give the most effective legal services that they could provide.
Chairman Viegbesie asked if the Commission required their presence at an activity in the County, how would that factor into the fees.
Mr. Knowles said it depended on the nature of the event. In order to be an effective member of the community does not mean you have to bill for it.

*Commissioner Morgan stepped out at 5:02 P.M.*

3. **Ausley McMullen**

**David Weiss, Ausley McMullen**, appeared before the Board.

*Commissioner Morgan returned at 5:03 P.M.*

Chairman Viegbesie asked for an overview.

Mr. Weiss thanked them for the opportunity to represent the County for over 10 years. He said they were proud that since they had been the County Attorney, they have significantly reduced legal services costs. The firm was familiar with Ordinances and Regulations with the County. He said they have also provided stability and continuity and had been demonstrated lately with turnover with the County Administrator position. He said another benefit was there would be no transition costs. The firm has been practicing over 90 years. Alongside the County, Mr. Weiss listed other agencies firm has represented. They are an AB rated law firm; have 38 attorneys and can provide necessary support. He focuses primarily on Local Government, Land Use, Real Estate law and related litigation; has drafted Ordinances and has experience in Comprehensive Plan. He said another thing that was very important was Mike Glazer was on board to represent the Hospital Board.

Commissioner Hinson asked if the firm had any experience in hospital, transportation or zoning issues?
Mr. Weiss stated Mr. Glazer has a vast experience in hospital; he has the most knowledge in terms of Zoning Land use and Planning use and Transportation and have lawyers that have represented FDOT.

Commissioner Taylor asked what area of specialized law does his firm practice.
Mr. Weiss said it was a full-service law firm, 38 lawyer law firm that practices in just about every area of law. The lawyers range from 27 years old to 87.

Chairman Viegbesie asked the size of firm and which attorney would be present for the County. Mr. Weiss said they had 38 lawyers and he would be present for most of the meetings.

Commissioner Holt asked if his firm had been subject of any complaints.
Mr. Weiss said one of the former lawyers had a complaint filed with respect to services provided with respect to estate planning he provided and it had since been resolved.

Commissioner Morgan asked what experience the firm had in local government.
Mr. Weiss said the firm also represented multiple School Boards, various Counties, City of Tallahassee, and various other governments.
Commissioner Morgan asked if there were any conflicts that could potentially arise if his firm was selected as County Attorney?
Mr. Weiss said he did not think so, they had represented the County for the past 10 years, have almost never had a conflict that had arisen.

Commissioner Holt asked about the billing process.
Mr. Weiss said historically, the RFP provided for a certain number of hours and then discounted at an hourly rate. They make every effort to make sure the billing was as low as possible.

Chairman Viegbesie asked in his presentation he gave rates, in the RFP, it shows rates different, why such rate disparity between attorneys.
Mr. Weiss stated everyone had discounted their rates and that Mr. Glazer’s and himself have a rate significantly higher, but have agreed to reduce this rate to represent the local government. (Gadsden County)

Commissioner Morgan asked if Mr. Weiss felt the firm fairly billed. Mr. Weiss said absolutely.

Mr. Weiss said he appreciated the opportunity to be here and was proud of the track record with the County.

GENERAL BUSINESS

4. **Evaluation Committee Results of Legal Services Proposals**

Mr. Hall said he, Mr. Price and Ms. Butler were on the evaluation committee; out of 100% Ausley came in at 84%; Williams at 91.67% & Pittman at 82.67%.

Commissioner Morgan said his recommendation was to agenda the item and have it brought before the Board.

Commissioner Hinson asked some of the reasons the people were put in the order they were? Mr. Hall said they looked at experience, pricing and over all what was presented in the presentation.

Chairman Viegbesie asked Mr. Hall to bring a rough copy of the criteria that was used to give each the points that led to the total for each firm.

Commissioner Holt said it could be voted on at this meeting or the next meeting or a special meeting. She said they asked the other two firms about their billing process and not the first firm.

Commissioner Taylor said when they come back with an Agenda item, all was negotiable. She was hoping whomever they select, they negotiate with as opposed to accepting what they were offering. She stated she had problems with all of them and did not see where the rate presented to them at this juncture really had any merit until they say what they were willing to offer.

Commissioner Morgan it said seemed one firm did not have a number of hours associated with their monthly retainer.
Mr. Price pointed out in the sample contract attached it stated 50 hours.

Citizens Requesting to be Heard
None were had.

MOTION TO ADJOURN
THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR VIEGBESIE DECLARED THE MEETING ADJOURNED AT 5:38 P.M.

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ANTHONY O. VIEGBESIE, PH. D., Chairman

ATTEST:

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NICHOLAS THOMAS, Clerk