

**AT A WORKSHOP OF THE BOARD OF COUNTY  
COMMISSIONERS HELD IN AND FOR GADSDEN  
COUNTY, FLORIDA ON DECEMBER 12, 2023 AT 4:00  
PM, THE FOLLOWING PROCEEDING WAS HAD, VIZ:**

**Present:** Ronterious "Ron" Green, Chair, District 5  
Alonzetta Simpkins, Vice Chair, District 2  
Eric Hinson, Vice-Chair, District 1  
Kimblin NeSmith, District 3  
Brenda Holt, District 4  
Edward J. Dixon, County Administrator  
Clayton Knowles, County Attorney  
Marcella Blocker, Deputy Clerk

**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE**

Chair Green called the meeting to order and asked Vice-Chair Simpkins to give Invocation. He then led in the Pledge of Allegiance to the U.S. Flag.

**CITIZENS REQUESTING TO BE HEARD (3-Minute Limit)**

The Gadsden County Board of County Commissioners welcomes and encourages public participation at all meetings of the Board. Citizens are free to speak for up to three (3) minutes on non-agenda items. Public comments and participation are also encouraged for items on the agenda. Additionally, if you are unable to attend a meeting in person, comments from the Public can also be submitted via email to [CitizensToBeHeard@gadscdencountyfl.gov](mailto:CitizensToBeHeard@gadscdencountyfl.gov) until noon on the date of the meeting. Comments submitted after the deadline, but prior to the meeting, will be added to the official record, but the County cannot guarantee that Commissioners and staff will have adequate time to review comments prior to the meeting. Citizens are further encouraged to participate via Zoom using the credentials on the County's website. The Board's meetings are also broadcast live on the Board's Facebook page.

Chair Green read aloud the above statement.

**Dr. Tracey Stallworth, 770 Selman Road Quincy, Florida 32351**

Dr. Stallworth appeared before the Board.

*Commissioner Hinson appeared at 4:06 p.m.*

Dr. Stallworth said at the last meeting, there was little discussion regarding the legal services contract and asked about the process.

Commissioner Green advised it was an agenda item so they will wait until they open up the discussion for that.

## **GENERAL BUSINESS**

### **1. Discussion and direction regarding the Legal Services Contract**

Ms. Daniels gave an explanation of the above agenda item. She stated they are currently under contract with Pittman Law Group. The initial contract was entered in February 2020 and it expired February 22, 2022. The Board extended the contract and it ends on March 1, 2024.

Commissioner Holt said she requested the item to be workshopped. She said with the amounts they are paying out, they could do in-house and contract out on as needed basis. She has spoken to Pittman Law regarding this. When looking at numbers, they could have in-house or RFP. She requested they put out an RFP or RFQ, whichever was applicable.

Commissioner Green said he had questions regarding the overages as well; regarding the hourly rate. He said in looking at each year, they have exceeded the budget each year. He knew they have had lots of meetings and workshops and they need to be mindful.

Mr. Knowles addressed Commissioner Holt's point first. He said there was some costs they needed to be aware of if they do in-house. He said to start with the County Administrator's salary, if they went that route, they would be paying at least that amount of money. He explained the different expenses that would need to be paid regarding subscriptions, research, insurance, etc. He said, for example, Mr. Dixon's health insurance is \$1400/month. He explained other items. He said Thornton Williams, employed from 2006-2009, was billing \$473,998 per year and when adjusted for inflation, it would be \$2.1 million over 3 years. He then listed fees paid to other vendors.

Commissioner Green interjected and asked they stay on-point and he understood where he was coming from but he wanted to stay on task and give other commissioners a chance to speak. Commissioner Green stated his goal was not to get rid of the firm. He would like for them to decide as a Board if they were doing in-house or an RFP. Mr. Knowles just wanted to state what was being paid to other professional services.

Commissioner NeSmith thanked Commissioner Holt for providing her information and thanked Mr. Knowles as well. He stated that they needed an explanation on the packet that Commissioner Holt passed out.

Commissioner Holt explained the packet she passed out. She said the information she has was from 2020 to 2021. She's not trying to attack the law firm, she just felt better for the Board to go out for bids and see what happens. She stated the reason she voted for Mr. Dixon's salary was because if he leaves tomorrow, the position would be at \$140,000. All contracts are put out for bid. She said they need to look at the contract and what they want in it. She would like for it to be a bid before March 1<sup>st</sup>.

Chair NeSmith thanked the Chair and the Board for having this workshop early. The reason he was in support of this workshop was because before, they could determine the direction to go in, they need to know what they want from legal services. He felt they needed to first determine what they want. He felt that the County needed to have a presence of legal services.

Mr. Knowles said at one time, he did that but when he would come, no-one would be there. He said if there was a concern about costs, the County should be cognizant of that. If the goal is to save money, having a warm body in-house is not necessarily the way to go.

Commissioner NeSmith said he was not even thinking about costs, he was thinking of accessibility. He was not sure what the mixture should be, and was not sure if the County should have an in-house attorney. He was simply looking at the need.

Chair Green said it was not the costs per se, but what they have budgeted and why they have gone over the budget. They may need to increase the budget. If they decide, as a Board, to have in-house, they would have to do things differently.

Commissioner Simpkins said she was under the impression that the discussion was regarding costs and budget and how they have gone over the budget in the last three years. She said she has only been sitting for 1 year and there may be things she is not aware of. She said a lot of billing was unnecessary lawsuits that have cost a lot. They need the end goal of what they want to do and where they want to go. She said they need to figure out the direction they want to go and if the contract can provide services.

Ms. Daniels said a couple of things she wanted to point out – the contract would be the same if it was any other law firm. The Board needs to look at if 50 hours/ month was sufficient. She said any workshops and special meetings for all Boards require attorney's attendance.

Mr. Knowles said \$175/hr. has not gone up. The Chief engineer makes \$215/hr. To attract or keep talent, the hourly rate may need to be increased.

Commissioner Holt said until they get the other law firms' opinions, they will not know what they may have. When looking at the information, they would ask who does the research. Maybe \$175 was not enough but they would not know until they put it out. She was still looking at the March 1<sup>st</sup> deadline. She stated that they need to advertise. She stated Chair Green, Commissioner NeSmith, and Vice-Chair Simpkins has not had any experience with other law firms. She stated that it needs to be on the next agenda to look at what they want in the contract.

Commissioner NeSmith said as was stated before, they need to stay focused. He asked who drafted the contract. Mr. Knowles stated this has been the contract for the last 10-15 years. Commissioner NeSmith asked who keeps tally of the hours. Mr. Knowles explained they have a software where they input hours into the software; Finance on both sides verifies the hours.

Chair Green said they did need to do due diligence to the contract as a whole and cannot move forward until they verify what they want. Obviously, moving forward and having more activities.

Commissioner Hinson said COVID taught them that they did not have to be here anymore. They have email, ZOOM, etc. He stated he was here for other attorneys and they have pressing issues before them now. When this attorney came in, he did not have knowledge of the previous attorney on that matter. They need to discuss the elephant in the room. If the County Administrator does not give the Attorney documentation to review before the meeting, he cannot do his job. When Commissioner Holt made a motion to put the contract out for bid, he

made the second because it gave them enough time to review things. Now, it will take a month and a half to get things together. They have to do what is right for the citizens of the County. He was for putting the attorney and the Administrator contract for bid but the Board shut down. If they want to do it the right way, give it time.

Commissioner Holt said 1) had deadline of when research is done; 2) when contract is done, it is usually in the vendors best interest, not the county; 3) regarding Stevens School, federal lobbyist was the one that straightened it out. Those are things they need to look at.

Commissioner Green said they need to have a date to come back with research.

Bishop Green said part of his frustration as a citizen when attending meetings was that they sound like they do not know what they want to do and where they want to go before holding a meeting. It holds things up. His biggest concern was about service, whether the attorney or the administrator. Fee per hour is probably low. They should have in the contract, with any personnel, a full explanation, criteria, standards, benchmarks that they would expect. When it comes down to legal matters, not looking for good guys, looking for knowledge. If they were going to consider upgrading the contract and limiting it to 50 hours a week and then pay additional hourly fee if exceeds, they will have to do something that would be difficult. He has heard everyone talk in this workshop and he has not heard a purpose and expectations of what they want.

Dr. Tracey Stallworth said he listened to everything. As citizens, a rebid gives best chance to get what they need. Board members have to make hard decisions. As a citizen, he would like to see other options and would not know until they have other options.

Bonnie Frances appeared and said she was recently retired and learning a lot. When first started, she was learning the process and got confused when they were going back and forth. She stated they have to be prepared and she asked to make sure that when they come to meetings, they are prepared. She mentioned an old saying that says no friends in politics, only interest.

Commissioner Holt wanted to let the Assistant County Administrator know that she will be coming for that information on contracts. Commissioner NeSmith wanted to reiterate that is why they need a process.

Chair Green said they will have the next regular meeting on the 19<sup>th</sup> and was hoping they will have dates available to be able to dissect the contract.

Commissioner Simpkins said she wanted to be prepared for a meeting and asked, for future references, that if they were going to meet, she would like to have information and she cannot talk to her fellow board members outside of the meeting.

## **2. Budget Overview Regarding Legal Services FY2020-2021, FY2022-2023**

**MOTION TO ADJOURN**

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR GREEN DECLARED THE WORKSHOP ADJOURNED AT 5:24 P.M.**

**GADSDEN COUNTY, FLORIDA**

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**RONTERIOUS GREEN, Chair  
Board of County Commissioners**

**ATTEST:**

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**NICHOLAS THOMAS, Clerk**