

MINUTES – MEETING SEPT 29TH

SPECIAL CALLED MEETING

BROOKS COUNTY DEVELOPMENT AUTHORITY

Jack Harrell called the meeting to order at 6:07 pm. Board members Tim Crosby, Erin McKenzie, Derren Yearby, and Jack Harrell attended, along with Executive Director (E.D.) Stephanie Mata. Attorneys Joe Cargile, Drew Tuttle (assoc.) and David Rose were in attendance. The meeting was held via Zoom (virtually) and open to the public.

New Business

Mr. Harrell moved New Business.

Joe Cargile gave background on number of attorneys, and admins in law firm. His firm has background on real estate, bankruptcies, family law, Workman's Compensation, criminal defense, business contracts, and non-profit affiliated cases. His legal experience includes "his team."

Stephanie Mata asked his personal experience in representing a Development Authority or any local government. Joe Cargile responded that he had not personally represented a Development Authority but had sat in on meetings with the Board or Commissioners, executive sessions, and handles calls from the county when Bruce Warren is unavailable. That is the majority of his experience representing government entities but felt that working for nonprofit organizations was like working for the Development Authority.

Chairman Jack Harrell asked if he had ever handled any (law) suits for the Authority or county or other people where they have been sued by another entity? Joe Cargile stated that his clients were usually the ones initiating the lawsuit (plaintiff) but some sued by other entities. He then stated that they would seek outside counsel for issue-specific cases.

Tim Crosby asked the rate for Mr. Cargile. His response was explaining a various fee structure; billing at different rates depending on "who's touching the file." Paralegals range from \$65.00-\$85.00 per hour. Joe Cargile- \$250.00 per hour. Bruce Warren and Blackburn- \$350 per hour. Tuttle- \$200-250 per hour. Depends on who is touching the file. One of the benefits is that they want to build relationships and are fair and bill conservatively. Tim Crosby asked, "If you are chosen, it would be you who would come to the meetings, correct?" Cargile's response was, "I would come to the meetings, but the team would discuss it." Tim Crosby asked, "If an issue were to come up, you'd be able to give us some guidance?" Cargile responded. "Any issue?" Tim Crosby replied with "day to day." Cargile responded by saying "If I am familiar with the agenda-yeah... But I'll give you the best answer I can."

Erin McKenzie asked Mr. Cargile. "Do you have a retainer?" He responded, "Working with a group like ours we'd just bill you monthly." Darren Yearby inquired, "Do you have any idea how much would be required of a retainer?" Cargile's responded that he would send us a bill, billed hourly, and on a monthly basis.

The floor was then opened to David Rose.

David Rose has been practicing law since the 90's, has offices located which practice in more than 5 states, and all attorneys are specialists in government. His firm specializes in drafting bylaws, LLC's, Non-Profits. He has over 50 jury trials under his belt, and has participated in judge-alone court cases, local government, administration boards, is general counsel to approx. 100 companies, and sat on the Board for the American Bar Association. Mr. Rose's response to billing, and his philosophy for billing was, "I don't expect you to pay me to learn the law. You hire me to be a government attorney. You're not going to pay me to learn government law." He then continued by saying,

“My hourly rate may be a little higher, but your only going to pay me to tackle an issue, not to go out and learn the law that pertains to that issue.” David Rose also spent 36 years in the Air Force, was a litigator for the Air Force, and Chief of Environmental Law and Litigations in DC for 5 years, and he holds 3 law degrees. Their firm does a lot for minority owns businesses, as well as SBA loans. Mr. Rose then spoke on his 2nd philosophy regarding billing, “If two lawyers are in a meeting trying to figure out an issue, one knew the answer, and one did not. You’ll never see two lawyers in my firm bill for the same amount of time over the same period for the same matter because one of them didn’t know the answer.”

Chairman Jack Harrell thanked both attorneys. Then moved to executive session to discuss further. In Executive Session, it was decided that remote votes for the hiring of General Council will be gathered via email by Friday October 1, 2021.

Reports

No reports were given.

Motion to adjourn carried by Tim Crosby; seconded by Erin McKenzie; unanimously approved.

Respectfully Submitted:

Secretary