

Emergency Meeting – Board Attorney

County Manager's Office
56 NE 210 Ave, Cross City, FL 32628
June 17, 2022 – 4:30 PM

While adhering to the CDC Guidelines and following State of Florida Executive Orders: 20-51 Establishing Response Protocol, 20-52 declaring a Public Health Emergency, 20-69 regarding Local Government Public Meetings and the Dixie County Emergency Declaration 2020-29. The Board will meet and limit access by staff and the public to the meeting room. The Board meetings are audio recorded. The public can hear and participate in the meeting via conference call by dialing 1(917)900-1022 and enter code 32628.

COMMISSIONERS

Jody Stephenson, District 1
W. C. Mills, District 2, Vice Chairman
Mark Hatch, District 3
Jamie Storey, District 4, Chairman
James Valentine, District 5

STAFF

Duane Cannon, County Manager
Paul Gainey, Asst. County Manager
Martha McCaskill, Administrative Asst/Grant Coordinator
Barbie Higginbotham, Clerk of Court
Della Rhymes, Asst. Chief Deputy Clerk

CALL TO ORDER

The Emergency Board Meeting was called to order at 4:30 PM by Commissioner Storey.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

The Invocation was led by Commissioner Valentine and the Pledge to the American Flag was led by Commissioner Mills.

INTERIM ATTORNEY

County Manager Duane Cannon informed the Board they will need to choose an Interim County Attorney, for 30 days, based on the information that Commissioner Hatch has brought back to the Board from the Trial in Jacksonville for County Attorney Michael Osteen.

Commissioner Stephenson asked about conflicts of interest by an Interim Attorney that may be appointed.

Commissioner Hatch said he attended Attorney Osteen's Trial today. He said he was able to speak with Attorney Osteen and he is well. He said the Attorneys on both sides had agreed to not have Attorney

Osteen remanded into the custody of the U. S. Marshalls. He said that he did not have to speak on behalf of the county regarding unfinished business. He said he would like more clarity on when the “30 days” end. He said the Judge said the 30 days started today, Friday, June 17, 2022 and not on Wednesday. Commissioner Stephenson said Attorney Osteen was given until July 31, to get his affairs in order.

Commissioner Mills asked what the Judge meant by “not Wednesday”.

Commissioner Hatch said Attorney Osteen was convicted on Wednesday, June 15, 2022. He said the 30 days starts on Friday. He said that July 31, 2022 would be 45 days, so there is a discrepancy that needs to be clarified. He said that he understood that Attorney Osteen’s license would no longer be valid after 30 days. He said he will be sentenced on October 12, 2022.

Commissioner Stephenson said he had spoken with Attorney Osteen and he said he will resign from his position as County Attorney on July 31, 2022. He said that Attorney Osteen will oversee other Attorneys to help finish the county business.

Commissioner Hatch said the Board needs something in writing that makes everything clear.

Manager Cannon recommended the Board select an Interim Attorney and allow that Attorney to find out the specifics and let the Board know at the next meeting.

Commissioner Mills made the motion to select Attorney Chana Watson as the Interim County Attorney. Commissioner Hatch seconded. Board approved.

Commissioner Stephenson asked if the Board will still advertise for an Attorney.

Commissioner Hatch reminded everyone that they had already voted to advertise the position of County Attorney. He said that Attorney Osteen cannot work for free, so the Board will need to pay him and the Interim County Attorney through the 30 days.

Commissioner Stephenson said there is a lot of work left to be done.

Interim County Attorney Chana Watson said that Attorney Osteen can be an advisor after his license is pulled. She said she will try to get more information from the court.

Commissioner Hatch said for public perception the Interim County Attorney will need to attend the Board meetings and set on the panel for the 30 days. He asked who will be responsible for paying the Interim County Attorney and would that fall under the current County Attorney’s responsibility to cover his position during an absence.

Commissioner Stephenson said the Board just voted for Attorney Chana Watson to be the Interim County Attorney, so the Board has put her on their payroll. He said they still have to discuss what she will be paid.

Manager Cannon said she will need to submit an hourly rate in an invoice or voucher.

Commissioner Mills said the Board is responsible to pay her and Attorney Osteen.

Interim County Attorney Chana Watson said she charges \$250.00 per hour.

Commissioner Stephenson asked how much the Board pays Attorney Osteen.

Manager Cannon said he gets a salary amount on his contract.

Manager Cannon recommended the Board pay the hourly rate for the Interim County Attorney.

Interim County Attorney Chana Watson said she would not be working 40 hours per week in this position.

Commissioner Stephenson said there will be questions regarding the pay rate so they need to figure this out so they will have an answer.

Commissioner Hatch instructed the Interim to not take on any time-consuming projects at this time.

Interim County Attorney Chana Watson said she will need the survey on School Board Meeting Room in order to complete that project.

Commissioner Hatch said the County Manager has made a list of pending projects and the focus will need to be on completing this list.

ADVERTISEMENT FOR THE COUNTY ATTORNEY POSITION

Manager Cannon requested the Board look at the drafted advertisement for the County Attorney position that will be published in the Dixie County Advocate for 30 days. He said that applications must be received by July 18, 2022 and a Workshop will be held on July 21 at 1:00 PM to conduct interviews.

There was discussion over the specifics of the advertisement, the new County Attorney contract and salary paid by the Board.

Commissioner Hatch said he would like to avoid being in the position of needing an Interim County Attorney appointed, due to unforeseen or uncontrollable circumstances, again. He recommended they have another Attorney as a back-up.

Manager Cannon said he recommended the Board hire a County Attorney and have another Attorney on retainer.

There was more discussion on attorney qualifications, years of experience, certifications, etc.

COUNTY ATTORNEY CONTRACT TERMINATION

Manager Cannon presented an option for the termination of the County Attorney. He said the Board can terminate or the Attorney may resign.

Commissioner Mills said they should wait on this decision.

Commissioner Hatch said they must first clarify the 30-day deadline.

Manager Cannon said there needs to be documentation on either decision.

PUBLIC COMMENTS AND CONCERNS

There were no comments or questions at this time.

ADJOURN

Commissioner Mills made the motion to adjourn at 5:10 PM. Commissioner Stephenson seconded. Board approved.



ATTEST:

BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

Jamie Storey

Jamie Storey, Chairman

Barbie Higginbotham

Barbie Higginbotham, Clerk-Auditor

PLEASE BE ADVISED that if a person decided to appeal any decision made by the Board with respect to any matter considered at such meeting or hearings, he/ she will need a record of the proceedings, and for such purpose, he/ she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

“Persons with disabilities requesting reasonable accommodations to participate in this proceeding should contact (352) 486-4931 (Voice & TDD) or via Florida Relay Service at (800) 955-8771.”

The Board meets the first Thursday of each month at 10:00 AM and the third Thursday of each month at 6:00 PM. Individuals that would like to be placed on the agenda should call Barbie Higginbotham, Clerk of Court, by 4:00 PM on the Friday Preceding the Board meeting, at (352) 498-1200.