



Charlie Van Zant, Jr.
Superintendent of Schools

SCHOOL BOARD OF CLAY COUNTY

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BOARD MEMBERS:

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District 3
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District 4
Ashley Gilhousen
District 5

June 8, 2015

School Board of Clay County
900 Walnut Street
Green Cove Springs, FL 32043

Dear Honorable Board Members:

I want to thank you for the opportunity to serve as the interim school board attorney. The selection of the school board attorney is exclusively at the discretion of the school board. What I have found to be the bulk of the day to day work is with the administration. I have tried to approach this job in the same way that I have served as a JAG. I represent the entire entity not just a faction and everything works better when everybody tries to row in the same direction.

I cannot speak to the specific financial impact regarding the upcoming selection by the board. However, Mrs. Legutko sent you the information showing the actual expenditures for the 2013-2014 school year at \$400,160.47. Her numbers also reflect that the expenditure for 2014-2015 of \$340,361.20. If you deduct the \$52,221.24 that the board spent on legal fees attempting to remove the duly elected superintendent of schools, that's a savings of over \$110,000.00 under the current model.

The three general models of legal representation that the school board should consider are having a full time school board attorney, a part time school board attorney paid on an hourly rate, or a part time school board attorney paid on a flat rate. A full time attorney can be justified. However, when you consider that in 2013-2014 the board spent \$230,493.00 on a full time attorney while employing outside counsel such as Buchanan, Ingersoll & Rooney to the tune of \$158,454.84 and worker compensation representation through Johns Eastern by Boyd Jenneret at \$13,014.89, there was no cost savings. There was also a bill paid this year for outside counsel to Sniffen and Spellman \$52,221.00 for suing the county over a referendum that was rejected by the voters. And as has been discussed in executive session, having the in house full time attorney do litigation has not provided any cost savings, but very much to the contrary.

A part time attorney being paid a part time hourly rate may at first blush look like a cost savings but is not. If you have a part time attorney that you paid for fifteen hours a week at \$125 per hour, that would average around \$8,000.00 per month. It could possibly be much more depending on the hour billed.

My recommendation is the current model which substantially saves money that can be spent on students and teachers. A flat rate of \$6,000 per month with an attorney that is prepared to work and be responsive to the needs of the administration saves money. Additionally, having a paralegal on a flat rate of \$1,500 provides a substantial savings as well. The current model provides \$90,000 a year for in house representation. This does not even speak to the cost savings and improved representation that the board is now receiving in insurance defense.

I am neither seeking to remain as your attorney or asking to go. I am happy to continue as you desire and am looking forward to facilitating whatever choice you make. If you have any further questions please feel free to contact me at your earliest convenience.

Sincerely,

/s/ Charles D. Sikes

Dan Sikes