

HABERSHAM COUNTY BOARD OF COMMISSIONERS

EXECUTIVE SUMMARY

SUBJECT: Resolution 2025-07-002 Appointing Jarrard & Davis, LLP as County Attorney

DATE: July 15, 2025

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

PRESENTED BY: Brandalin Carnes

COMMISSION ACTION REQUESTED ON: July 21, 2025

PURPOSE: To approve Resolution #2025-07-002 appointing Jarrard & Davis, LLP as County Attorney.

BACKGROUND / HISTORY: The Board of Commissioners was notified on February 17, 2025 that Hunt and Taylor Law Group, who has represented the County since 2012, would be resigning as County Attorney's effective June 30, 2025. The Board of Commissioners voted at their meeting held on June 16, 2025 to name Jarrard & Davis, LLP as the new County Attorneys. Resolution 2025-07-002 defines both parties' expectations regarding the representation that Jarrard & Davis will provide, the compensation that they will receive for the services they render, their billing policies and other terms of the appointment.

FACTS AND ISSUES: Approval of Resolution #2025-07-002 is requested to officially appoint Jarrard & Davis, LLP as the County Attorney effective as of June 16, 2025, which is the date that the Commission voted to name them as such.

OPTIONS:

- 1) Approve recommendation
 - 2) Deny recommendation
 - 3) Commission defined alternative
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RECOMMENDED SAMPLE MOTION: "I motion to approve resolution 2025-07-002 appointing Jarrard & Davis, LLP as County Attorney effective June 16, 2025."

DEPARTMENT:

Prepared by: Brandalin Carnes

Director: _____

**ADMINISTRATIVE
COMMENTS:**

	DATE: _____
County Manager	

**A RESOLUTION BY THE HABERSHAM COUNTY BOARD OF COMMISSIONERS
APPOINTING JARRARD & DAVIS, LLP AS COUNTY ATTORNEY**

WHEREAS, the Constitution of the State of Georgia, approved by the voters of the State in November 1982, and effective July 1, 1983, provided in Article IX, Section 2, Paragraph 1 thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions, and regulations; and

WHEREAS, Article I, Section 13.1 of the Habersham County Code of Ordinances provides for the appointment of the County Attorney; and

WHEREAS, the Habersham County Board of Commissioners desires to retain a County Attorney to provide general legal representation to Habersham County, which shall include the Board of Commissioners, Constitutional Officers, Elected Officials, Board of Tax Assessors, Board of Elections, and all of Habersham County's agencies, departments, and boards.

NOW THEREFORE, BE IT RESOLVED BY THE HABERSHAM COUNTY BOARD OF COMMISSIONERS that this Resolution reflects the terms and conditions upon which Jarrard & Davis, LLP ("J&D") is hereby appointed to serve as County Attorney.

1. Designated Areas of Responsibility.

J&D shall be responsible for the general legal representation of Habersham County, which shall include the Board of Commissioners, Constitutional Officers, Elected Officials, Board of Tax Assessors, Board of Elections, and all of Habersham County's agencies, departments, and boards.

2. Bond Counsel.

This Resolution shall entitle J&D to select lead bond counsel and serve as local counsel for any bond issues the County, or any other entity for whom the Board of Commissioners has authority to appoint counsel, pursues, including, but not limited to, bonds issued on behalf

of any authority now existing or created in the future. The transactional fee incurred as local bond counsel shall be set at a commercially reasonable rate in conjunction with bond counsel. J&D shall not bill an hourly rate for local counsel bond work, unless the bond does not close.

3. Expenses and Billing.

J&D's policies and rates concerning expenses and billing are set forth in the attached Billing Policies, which is attached hereto as Exhibit "A," incorporated herein, and correspondingly approved.

4. Termination.

This appointment may be terminated at any time, with or without cause, upon formal vote of the Habersham County Board of Commissioners to so terminate and this appointment shall continue until such time as it is so terminated. To the extent this appointment may trigger the multi-year services language in O.C.G.A. § 36-60-13, then all requirements of that statute are hereby incorporated herein, with automatic renewal occurring unless notice is given to terminate the appointment within one (1) day of the end of the pertinent fiscal period.

5. Effective Date.

Effective date of retention hereunder shall be June ____, 2025.

SO APPOINTED this ____ day of June, 2025.

**HABERSHAM COUNTY BOARD OF
COMMISSIONERS**

Jimmy Tench, Chairman, District 3

Bruce Harkness, Vice Chairman, District 4

Kelly Woodall, Commissioner, District 1

Dustin Meador, Commissioner, District 2

Ty Akins, Commissioner, District 5

Attest:

Clerk to the Board

EXHIBIT “A”

Schedule of Hourly Rates for Attorneys and Paralegals – Institutional Retention Clients

Partner Rates

Founding Partners (Ken Jarrard and Angela Davis)	\$290.00/hour
Partners and Of Counsel	\$265.00/hour

Associate Rates

Tier 1 Associate	\$215.00/hour
Tier 2 Associate	\$230.00/hour
Tier 3 Associate	\$240.00/hour
Tier 4 Associate	\$255.00/hour

Paralegal Rates

Paralegal	\$150.00/hour
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EXHIBIT "A"

STATEMENT OF CLIENT POLICIES

Our Firm's standard policies provide for billing for our legal services on a monthly basis. Our invoices include a description of the services performed by attorneys or paralegals on a legal project. Also, we include a list of out-of-pockets expenses, which may include copying, online research, postage, filing fees, and other costs. Jarrard & Davis, LLP bills in 1/10 of an hour increments. Thus, 0-6 minutes of attorney or paralegal time is billed as a .1, 6:01 – 12 minutes is billed as a .2 and so forth.

Payment of an invoice is due within thirty (30) days from receipt by a client. Failure to make timely payment will result in the imposition of finance charges at a rate of one and one-half percent (1½ %) per month on the outstanding balance of your account. We encourage our clients to contact us if they have any questions regarding an invoice or the performance of our legal services.

Our fees for legal services are based on the amount of time expended by an attorney or paralegal on a project, to include travel time. Where possible, we attempt to have a matter addressed by an attorney or paralegal at the lowest possible billing rate, keeping in mind the risk level and complexity of an assignment. The hourly rates listed above are subject to change based upon thirty (30) days written notice.

In the case of a new client or a special project, we may request an advance or special retainer. Also, in these cases, we may arrange with our client an alternate arrangement for payment, such as at the closing of a transaction.

We look forward to working with you and encourage you to contact us if you have any questions regarding these policies.

EXHIBIT “A”

ELECTRONIC RESEARCH BILLING POLICY

Jarrard & Davis, LLP currently uses Westlaw/WestlawNext as its electronic research provider. Westlaw/WestlawNext is a subscription-based service that requires payment of a fixed monthly rate that is based upon the number of users and the scope of services used. Our monthly cost for the subscription to this service is allocated to each Client/matter based on the number of transactions and the source database used for the research. Additional costs for research performed outside of our monthly subscription plan are charged to the related Client/matter. Jarrard & Davis, LLP tries to limit “out of plan” research outside whenever possible, and resorts to “out of plan” research only if such research is determined to be in the best interest of the client. No additional charges are added to the allocated research fee. Jarrard & Davis, LLP only bills the cost of our monthly electronic research fee, based on the method described above, less any “firm” or “in-house” research. Any research for in-house or “firm” related matters are not allocated to our clients.