

Proposal to Provide Legal Services to the Sky Valley, Georgia City Council

December 29, 2017

Submitted by

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Exhibit “A”: Resume of Doug Kidd

A. FIRM OVERVIEW

1. Office Location

833 Grogan Street, Lavonia, Georgia 30553.

2. Firm's Qualifications

I have represented small municipal governments for eight years, and I am currently city attorney for Bowman, Georgia and Bowersville, Georgia. I understand small cities' need to keep costs reasonable while also providing high quality legal services. I enjoy city attorney work because I like the wide area of the law involved – from election law to employment law to zoning and property law and everything in between.

3. Key Contact

Douglas Kidd, managing partner of firm.

4. Conflict of Interest

I do not have any current or former private clients that may pose a conflict of interest if I were to represent Sky Valley.

B. LOCAL GOVERNMENT EXPERIENCE

I have represented small city governments for the last eight years.

I am city attorney for Bowman, Georgia and Bowersville, Georgia. I was appointed in January 2010 for Bowman and in March 2016 for Bowersville.

As city attorney, I attend work sessions and council meetings and sometimes meet with the mayor or city clerk after hours. I draft ordinances and resolutions and review contracts. I also set up an Open Records compliance system for both cities. I recently negotiated a real estate transaction that allowed the city of Bowman to purchase property that connects the city park to the city cemetery via a road through private property. This deal started as a possible contentious

eminent domain case, but I was able to convince the Council to negotiate with the landowners to come to a resolution that was faster and cheaper than litigation.

I am a skilled litigator with experience in Superior Courts and appeals courts. However, I try to get my clients to avoid litigation if at all possible, because litigation is an expensive proposition. But if the situation requires a resolution in court, then I've succeeded for my municipal clients. I was able to have a complaint against Bowman for elections fraud dismissed by the State Board of Elections. The city clerk was accused of allowing non-city residents to vote in the municipal election for mayor. The city was accused of not properly training the city clerk and for allowing non-city employees access to restricted voting materials. After the hearing, the State Elections Board unanimously dismissed the case against the city.

We also have a case currently in litigation where the city was sued because the council denied his application for a building permit. We won on summary judgment and the case is currently in the Court of Appeals.

I also am city attorney for Bowersville, Georgia. Bowersville elected an entirely new mayor and council and there was a steep learning curve for all of them. The Council hired me shortly after they took office, in March 2016. After I took my position, I noticed that Bowersville did not have a code of ordinances or any policies or procedures. I spent the next six months helping the council draft a new code of ordinances and policies for the city. I also helped the council find grant opportunities for much-needed capital projects.

I also have experience in municipal court. I have been appointed counsel for indigent defendants in Lavonia Municipal Court, Franklin County Probate Court, Franklin County Magistrate Court, and Hart County Probate Court. I have handled hundreds of misdemeanor criminal cases and am experienced in criminal procedure. I have done mostly defense work but I

work well with the police officers in my courts and I would not have a problem prosecuting cases.

I also have been the chairman of the Franklin County Board of Elections since July 2015 when I was appointed by Superior Court Judge Jeffrey Malcom to the position. Since acting as chairman, we have drawn new district lines and consolidated precincts, which have helped save the county money and sped up the vote counting process.

C. DAY-TO-DAY ACTIVITIES

My local government clients are my first priority as an attorney. I attend all regular and called meetings of the city council as well as any business meetings with the mayor or staff as needed. I give my email and cell phone to my clients and I will return all messages within at least 24 hours, if not that business day.

I will perform all legal work myself and I will not bill for non-legal work my support staff performs.

D. REFERENCES

City of Bowman
25 Prince Ave.
Bowman, GA 30624
706-245-5432

Pete Gibbons, former Mayor
Betty Jo Maxwell, Mayor
Dawn Royston, City Clerk
*Served as city attorney for 7 years
and advised on a broad range of
municipal issues.*

City of Bowersville
1126 West Main Street
Bowersville, GA 30516
706-245-8971

Jim Jordan, Mayor
Debbie Walker, City Clerk
Served as city attorney for 2 years.

City of Lavonia
851 Grogan Street
Lavonia, GA 30553
706-356-4848

Warren Caswell, Judge
706-789-3609
Bruce Carlisle, Police Chief
Served as public defender for almost

Franklin County Probate Court
7085 Hwy. 145, Suite A
Carnesville, GA 30521
706-384-2403

3 years. Negotiated pleas and tried cases involving DUI, marijuana possession, and traffic tickets.

Ken Eavenson, Judge

Served as public defender for 4 years and negotiated pleas and tried cases involving DUI, marijuana possession, and traffic tickets.

Franklin County Magistrate Court
7085 Hwy. 145, Suite B
Carnesville, GA 30521
706-384-7473

Cody Grizzle, Judge
706-491-0249

Served as public defender for 4 years and negotiated pleas and tried cases involving disorderly conduct, marijuana possession, and other county ordinance violations.

Franklin County Board of Elections
211 Athens Street
Carnesville, GA 30521
706-384-4390

Gina Chappellear, Supervisor
706-654-8172

Served as chairman for 2 and half years helping to interpret state election law and setting policy for board.

E. RESUME

A resume for Doug Kidd has been attached.

F. INSURANCE

I currently have malpractice insurance through Travelers Insurance, with a \$250k per occurrence and \$500k aggregate minimum. I also have liability and workers compensation insurance that will be maintained throughout a possible term as city attorney.

G. FURTHER INFORMATION

I graduated with a B.S. degree in Journalism from Georgia Southern University in 2002 and graduated with a J.D. from Stetson University College of Law in 2008. I regularly take more than the minimum number of hours for my continuing legal education and I am a member of the Local Government Law section of the State Bar of Georgia.

I graduated from Leadership Franklin in 2014, where I learned about the economic and educational attractions of Franklin County. I served a term on the Lavonia Chamber of Commerce board of directors in 2010.

I am also a member of the three-attorney Northern Circuit Public Defender Supervisory Panel. This group selects the public defender for our judicial circuit and monitors the public defender office. We meet with all three judges in our circuit as well as the public defender and his staff to ascertain the status of the office. I was appointed by the county commissioners of the circuit to the board in 2012 and was selected as secretary of the panel. Our first big assignment was to interview and select the public defender in 2012. We sifted through resumes of candidates across the state and interviewed several candidates, before hiring Harvey Wasserman based on his qualifications as a trial attorney and for his experience leading a large law firm. Mr. Wasserman has helped bring order and boost morale to a public defender office that needed it.

H. PROPOSED FEES

I will bill the City for professional services at my government discounted hourly rate of \$125 per hour. This hourly rate is the same for regular work as well as for litigation. Billing is done in increments of one-tenth of an hour.

I will not charge the City for bar dues, fees for continuing education, travel, or other normal, day-to-day expenses such as copies or phone calls.

Certain fees for extraordinary litigation expenses, such as court costs, deposition transcription fees, or expert fees will be paid for by the City. I will consult with the City before any extraordinary expenses are incurred.

I. CONCLUSION

I appreciate your consideration of my firm for the role of city attorney for the Sky Valley city council. I would like the opportunity to provide high quality legal services at a reasonable cost while being responsive and accessible to the Council and staff.

If there are any questions, please do not hesitate to let me know.

Sincerely,



Douglas Kidd



Approved on behalf of the City.

02/27/2018

Douglas T. Kidd

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Legal Experience

Law Office of Douglas T. Kidd, P.C., Solo (November 2008 – Present)

Experienced in civil litigation, from client intake, pleading and discovery to motions and summary judgment hearings and appeals.

- Handled dozens of bench trials, jury trials, motion hearings and appeals in Magistrate, Juvenile, Probate, Superior, and Appeals courts.
- Drafted wills, leases, contracts, shareholder agreements and other transactional documents for businesses and individuals.

City Attorney

City of Bowman, GA (January 2010 – January 2013; February 2014 - Present)
City of Bowersville, GA (March 2016 – Present)

- Drafted ordinances, reviewed and drafted contracts, and set up Open Records compliance system for small, rural city.
- Successfully argued case in front of State Elections Board, getting elections fraud charge dismissed against City.

Public Defender

Appointed attorney for misdemeanor cases.

Franklin County Probate Court, (January 2014 – Present)
Franklin County Magistrate Court, (January 2014 – Present)
City of Lavonia Municipal Court, (March 2015 – Present)
Hart County Probate Court, (January 2016 – Present)

Newspaper Experience

Copy Editor/ Page Designer, (March 2003 – July 2005)

Chattanooga Times Free Press, Chattanooga, TN

- Edited reporters' articles, wrote headlines, and designed pages.
- Designed A1, Metro, and Business front pages, as well as inside news pages. Edited and designed Iraq War special edition that won press award.

Bar Admissions

State of Georgia (2008)
Supreme Court of Georgia (2009)
Georgia Court of Appeals (2009)
U.S. Supreme Court (2012)
U.S. Court of Appeals, Eleventh Circuit (2012)
U.S. District Court, Middle District of Georgia (2012)

Memberships, Boards

President, Northern Circuit Bar Association (2012), Vice-President (2011)
Member, Public Defender Supervisory Panel, Northern Circuit (2012 – Present)
Chairman, Franklin County Board of Elections (2015 – Present)

Education

Samford University College of Law, MHLP (Expected 2018)
Stetson University College of Law, J.D. (May 2008)
Georgia Southern University, B.S. Journalism (December 2002)

