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City Council scheduled to pick new attorney Tuesday



Williston Mayor Jerry Robinson welcomes attorney S. Scott Walker to City Council Meeting Room in City Hall.

Story and Photos

By Jeff M. Hardison © July 3, 2021 at 8:11 a.m.

WILLISTON – Two one-hour interviews of candidates for Williston City Attorney concluded Thursday night (July 1) and the Williston City Council is scheduled to make a choice on Tuesday (July 6).

Attorney Scott Walker is seen at the podium, although a small table was brought in for attorneys to sit at as the City Council interview them during the special meeting that was called for those interviews.



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City Councilman Elihu Ross and City Councilwoman Darfness Hinds listen to a candidate to be the next Williston City Attorney.



Mayor Jerry Robins and City Council President Debra Jones listen to a candidate who is seeking to be the next Williston City Attorney.

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City Councilman Michael Cox and City Manager Jackie Gorman listen to a candidate who is seeking to be the next Williston City Attorney.



Williston City Attorney Fred Koberlein and City Clerk Latricia Wright listen to a candidate who is seeking to be the next Williston City Attorney.

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City Council Vice President Marguerite Robinson and City Councilman Michael Cox listen to a candidate who is seeking to be the next Williston City Attorney.

The special meeting was called to find a replacement for outgoing Williston City Attorney Frederick Koberlein Jr., who is creating more time in his life for family.

The first set of attorneys who were interviewed are from the law firm of Folds, Walker & Maltby of Gainesville.

The second set of attorneys who were interviewed are from the law firm of Norm D. Fugate of Williston.

Attorney S. Scott Walker was the primary speaker from Folds, Walker & Maltby. Attorney Norm D. Fugate was the primary speaker from his firm, although his son attorney W. Blake Fugate provided insight from that firm's perspective as well.

As for the Folds, Walker & Maltby firm, attorney Walker said his firm wants to serve Williston for a long time. The firm has been the municipal attorney for Newberry for about 50 years so far, he said.

Comparing the cost to the city for services from the two firms is not possible because they provided bids that differ in their forms.

Walker is seeking \$45,000 a year to essentially cover almost everything. Fugate is seeking \$750 a month to cover the first two hours of the two regular meetings of the Williston City Council, and the first hour of the monthly CRA meeting and then an hourly fee for the hours after that.

That hourly rate is \$200 an hour.

There are many finer points in billing in the bids offered by both firms. The offer from Folds, Walker & Maltby is easier to use for a stable budget entry, though, because the hourly rate for the Fugate law firm creates a more fluid and variable monthly invoice to the city.

Attorney Koberlein let the City Council members know that the city can anticipate needing to increase its budget beyond what it currently spends with his firm as they choose from either of the two finalists in this selection process.

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Folds, Walker & Maltby of Gainesville

When Walker began serving some cities many years ago, he said, they were “... in a freefall of controversy” and that is an unpleasant environment. He does not see Williston in that realm, and he perceives it to be a stable, conservative city with an eye toward proper growth.

He prefers against litigation, although his firm includes strong municipal law litigators. When a municipality spends money on attorneys’ fees, Walker said, that takes away revenue from what might be a better expense such as improvement of parks or for other infrastructure needs.

This firm’s objective is to give the Williston City Council service at a high quality, Walker said. The team of attorneys who serve municipalities will answer questions as needed.

“When you call our office,” he said, “it is not just to say ‘Hello.’ There’s a reason you’re calling, and we need to be responsive to that.”

By providing City Manager Jack Gorman with a \$3,750 monthly invoice, Walker said, this provides the city with stability for budgeting legal costs.

He introduced the municipal law team.



Allison Folds, Esq. – City Attorney

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Attorney Allison Folds, senior partner for the firm, started Walker in this aspect of the profession in the 1980s, Walker said.

During the first meeting when Newberry City Attorney Folds took attorney Walker to watch municipal government at work some four decades ago, the Newberry City Council voted against the taxpayers funding a retirement party for the town custodian who was leaving this job.

Walker said he thought that it was very conservative of the group to not use public funds to honor an outgoing public employee. Having grown up in a small town though, Walker said he felt that was a bit harsh.

After the meeting, however, each elected city leader “ponied up some cash” and they had a lovely, going-away retirement party, Walker said.

“And I thought, O.K., I’m in the right place,” he said. “I think I’m going to like this municipal government type work.”

Attorney Folds has been serving as a municipal attorney for 55 years now, Walker added, as he mentioned his own 38 years of experience in this specialty of the legal profession.

All of those 38 years, Walker said, has been with this single firm, where his name now is among the prominent ones for the firm.

Walker said he feels blessed to have had Folds mentor him. That help by older attorneys helping younger attorneys seems to be becoming a lost part of the art of the legal profession in the more modern era, Walker intimated. Folds let Walker join him in court, where Walker learned how to litigate a case, beyond the academic version of that practice, Walker said.

Folds is a tremendous litigator, Walker said. Thanks to Folds’ tutelage and mentoring, Wagner considers himself to be a fine litigator as well.

Among the many accolades for Allison Folds, Walker said, is him earning an A-B rating. Walker as well as the Folds, Walker & Maltby law firm itself also are A-B rated by Martindale-Hubbell.

For more than 130 years, Martindale-Hubbell has been evaluating attorneys for their strong legal ability and high ethical standards through a Peer Review Rating system. Prior to the 1887 edition of *Martindale’s American Law Directory*, which was the first publication to provide such ratings to attorneys, there was no way of truly knowing if the lawyer that a person was considering doing business with was trustworthy, ethical or skilled in the legal profession.

Attorney Dave Wagner, who is another senior member of the firm, was unable to attend the interviews Thursday night in Williston, Walker said, because Wagner and his wife were in Saint Augustine to celebrate the Independence Day Weekend.

Wagner served as the Alachua County Attorney for 16 years, Walker said.

Walker faced Wagner on opposite sides of the civil court spectrum as Wagner represented Alachua County’s interests and Walker represented Newberry’s interests in a case involving Florida Rock Industries Inc., Walker said.

Wagner now serves as a mentor to the younger attorneys in the firm, Walker said. He does not attend City Council or City Commission meetings, Walker said.

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Attorney A. Derek Folds is the appellate attorney with the firm. She is Allison Folds' daughter.

Walker introduced attorney A. Derek Folds. Her specialty is appellate work for the firm. Walker noted she is an excellent orator and writer.



Attorney Clay Martin

Walker spoke about attorney Clay Martin, who served as an assistant state attorney after law school, working with the Office of the Eighth Judicial Circuit State Attorney.

He then worked on the campaigns of Ted Yoho and Adam Putnam, Walker said. Six or seven years ago, he left the political world and returned to practice law, primarily

in Starke, however also serving the City of Archer, Walker said.

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After introducing Martin to the audience in Williston City Hall as being very exacting in his transactional legal work, Walker said the whole municipal law team has a broad spectrum of expertise to call upon whenever needed.

Attorney Andrea True Parker (left) is expecting her second son soon.

Attorney Andrea True Parker is another municipal law specialist. She is expecting to give birth to her second son soon, Walker said.

As Walker spoke about the process leading to Parker joining the firm, he said she would join conditioned on bring Tiana Foster, municipal law assistant, as part of the agreement.

Among Parker's accolades is her being designated as a "Super Lawyer." The Super Lawyer brand is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high-degree of peer recognition and professional achievement.



Tiana Foster, Municipal Law Assistant

Walker thanked Parker for helping the firm in an unexpected manner.

Foster is the go-to person who makes things run smoothly, Walker said. She is the legal assistant who coordinates all the attorneys in the municipal law part of the practice.

She keeps all of the attorneys on track. When an email comes in, she directs it to get action, Walker said.

Standards Of Conduct

Attorney Walker said that attorney Folds established a high standard of ethical conduct. The attorney provided a method for testing an issue.

"If you look in a mirror," Walker said, "and you have to ask yourself

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‘Should I do this?’, (then) you’ve already answered the question.”

By asking oneself if something should be done, then the question is that it should not be done, because to not know immediately that it is the thing to do, the answer is to not do it.”

Style Of Service

When Walker was asked about his style when serving a City Council, he said he will help the City Council with any legal matters. He will not be involved in political issues.

When the elected leaders want to do something that is prohibited by law, Walker said, he will explain why the action cannot take place. He will provide the background for the law, too, so that it makes common sense for the City Council to abide by the law.

Walker said he has seen attorneys who want to be “the sixth City Council member” and that is not his style. He serves as the legal advisor.

Norm D. Fugate of Williston



Attorney Norm D. Fugate and his son Attorney W. Blake Fugate

Norm Fugate has been the city attorney for Williston before, and he has been on the City Council before, too.

He currently serves as the attorney for the City of Cedar Key and the City of Chiefland. Until recently, Blake Fugate served as the attorney for the Town of Inglis.

The attorneys brought LeeAnne Rohrer, the legal assistant in charge of municipal clients.

Among their other significant clients are Drummond Community Bank and Central Florida Electric Cooperative.

Both Norm and Blake Fugate are natives of Williston. Blake said he lived in Jacksonville for five or six years before moving back to his hometown. Blake has been practicing law in his father’s firm for the past nine years.

Norm Fugate began his law practice in 1990.

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Style Of Service

Blake Fugate said that except for matters involving political matters, he is willing to help a City Council. If asked, he will provide input, he said.

Norm Fugate said the manner that he advises an elected set of municipal leaders can be different, depending on what the group wants. And, he mentioned, as a Council or Board changes, so too can his degree of advice. He said he is flexible to provide what the City Council wants.

He will not provide political advice, though.

And if he sees a City Council or an individual member of the Council heading toward an unlawful act, he will stop them without their having to ask.

Fugate said his firm will be as participative as the City Council wants it to be.

Norm Fugate stressed to the City Council that he encourages and participates in continuing education to stay up-to-date in matters of law related to municipalities.

Blake Fugate said that while he agrees with his father about education being important, he feels that the entire staff of the law firm serve as a great asset for any of the firm's clients.



LeeAnne Rohrer, legal assistant in charge of municipal clients in the office of Norm D. Fugate.

When an email comes to the firm from a City Council member or from the city manager, it goes to Blake Fugate, Norm Fugate and Legal Assistant Rohrer, Blake said.

When there is a need for immediate attention, Blake said, the municipality is served within 10 minutes.

Norm Fugate, who is board certified, said another key to higher level service is by his firm having multiple municipal clients in Levy County.

By representing cities within Levy County, Norm Fugate said, when there are some inter-county issues, his firm will not be seeing it just one time, but they will see it thrice.

Another benefit for Williston from selecting the Norm D. Fugate Law Firm is that from 1995 until 2010, Norm served as the city attorney. He still has the meticulous records he kept during that time to which he can refer, he said.