

MINUTES
COUNTY OF VOLUSIA
VALUE ADJUSTMENT BOARD
2016 SPECIAL SESSION MEETING 2

The second Special Session Meeting for the 2016 Session of the Value Adjustment Board was held Tuesday, August 9th, 2016 in Council Chambers of the Thomas C. Kelly Administration Building located at 123 W. Indiana Avenue, Deland, Florida. Honorable Chairperson, Pat Patterson called the meeting to order at 1:04 p.m. Deputy Clerk, Terri Pendarvis performed roll call. Quorum requirements were met with the following members in attendance:

Board Members

Pat Patterson

Deborah Denys

Ray W. Pennebaker

Linda Cuthbert

Interim Board Counsel

Charles Cino

Deputy Clerk

Terri Pendarvis

There was no action taken on Agenda Item 3 due to lack of public participation.

Agenda Item 4, Interviews for VAB Legal Counsel was the next order of business. Chairperson, Pat Patterson provided opening comments on notification procedures and advertising. Mr. Patterson suggested interviews be completed in alphabetical order and allowed fifteen minutes for presentations to be made. Chairperson, Pat Patterson asked if there was any objection, there was no objection noted on record. Chairperson, Pat Patterson recommended alternating applicants exit the room during the interview process. Chairperson, Pat Patterson recognized County Attorney Daniel Eckert for comment. Mr. Eckert advised the exit process was optional not mandatory. Interim VAB Council, Charles Cino asked if there was any objection to exit procedures, there was no objection noted on record. Attorney Aaron Thalwitzer exited council chambers, but immediately returned noting speakers were active in the conference room. Chairperson, Pat Patterson noted rebuttal presentation would be allowed following the interviews and asked if there was any objection, there was no objection noted on record.

Chairperson, Pat Patterson recognized Attorney Rinky Parwani for presentation first. Attorney Parwani provided opening comments, noted current representation of five Value Adjustment Boards, discussed training cost, and proposed review process for each petition filed. Chairperson, Pat Patterson sought board participation. School Board Member, Linda Cuthbert greeted Attorney Rinky Parwani and inquired about attorney rates and mileage compensation. Board Member, Deborah Denys inquired about actions necessary to vote and commented on rates. Interim VAB Council, Charles Cino cited \$195.00 per hour was the current rate and travel time was not included. Attorney Parwani demonstrated the current contract rate was acceptable and asked for an annual period to be granted allowing further review of the rates. Citizen Member, Ray Pennebaker sought clarification from Attorney Parwani regarding rates, associate designation and schedule conflict. Attorney Parwani spoke about attorney specific rules. Mr. Pennebaker inquired with the deputy clerk to determine if board counsel was present during petition hearings. The deputy clerk confirmed board legal counsel was not present during petition hearings. Citizen Member, Ray Pennebaker asked Attorney Parwani to provide

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litigation examples. Attorney Parwani responded with case samples and rule requirements in board process. There were no other questions or comments brought before the board.

Chairperson, Pat Patterson recognized Attorney Aaron Thalwitzer for presentation. Attorney Thalwitzer provided opening comments and demonstrated a VAB lawsuit he managed as his example of current litigation. Attorney Thalwitzer demonstrated the desired rate was the current contracted rate of \$195.00 per hour and provided a discount for timely payments made by the Value Adjustment Board. He mentioned associate cost and travel reimbursement was not required. School Board Member, Linda Cuthbert greeted Attorney Thalwitzer and inquired about schedule conflicts and associate designation. Attorney Thalwitzer discussed associate reservation. Board Member, Deborah Denys mentioned the proposal form and the 2.5% payment reduction for timely payments made by the Value Adjustment Board. Attorney Thalwitzer confirmed a 2.5% discount would apply for timely payments made. Citizen Member, Ray Pennebaker demonstrated specific questions had been answered during Attorney Thalwitzer's presentation. Chairperson, Pat Patterson confirmed the same. Attorney Thalwitzer demonstrated he had no objection for alternate presentation being made by Attorney Parwani. Chairperson, Pat Patterson recognized Attorney Parwani for comment. Attorney Parwani spoke about fees associated with training and documentation of training. Chairperson Pat Patterson asked for additional questions or comments. Citizen Member, Ray Pennebaker and School Board Member, Linda Cuthbert commented on attorney submittals and qualifications.

Agenda Item 5, Selection of VAB Private Legal Counsel was the next order of business. Chairperson, Pat Patterson sought member recommendations. Board Member, Deborah Denys made procedural inquiry with Interim Counsel, Charles Cino. A motion made by Deborah Denys and seconded by Ray Pennebaker recommended Aaron Thalwitzer. A vote of 3:1 selected Attorney Aaron Thalwitzer to serve as private legal counsel for the 2016 session of Value Adjustment Board. School Board Member, Linda Cuthbert opposed.

The next order of business was Agenda Item 6. Other business involved scheduling board meetings for the 2016 session of the Value Adjustment Board. Attending board members and Attorney, Aaron Thalwitzer designated Monday, September 26, 2016 at 8:30 a.m. to hold its annual Organizational Meeting and Special Session Meeting to certify the Tax Roll. There was no other business brought before the board.

The second Special Session Meeting for the 2016 session of the Value Adjustment Board was adjourned by Chairperson, Pat Patterson at approx 1:26 p.m. this 9th day of August, 2016.