

TOWN COUNCIL



STAFF REPORT Police Department

MEETING DATE:	June 9, 2026
PROJECT:	Municipal Court Prosecutor (Fiscal Impact – \$40,000)
PROJECT MANAGER:	Joe Babkiewicz, Chief of Police

REQUEST: Town Staff requests Town Council to authorize the Town Manager to negotiate and execute a contract (Attachment 1) with a law firm or solo attorney in an independent contractor capacity to serve as the prosecutor in the Bluffton Municipal Court.

The total contract amount is within the approved budget limits established with the Adopted Consolidated Municipal Budget for Fiscal Year (FY) 2027.

BACKGROUND: Since 2022, the Town of Bluffton has had an agreement with The Law Office of Darrell Thomas Johnson, Jr., LLC to use the services of Attorney Joshua Fester as the prosecutor in the Bluffton Municipal Court. On 5/15/2026, Attorney Fester provided formal notice that he had the wonderful opportunity to be appointed to the Jasper County Magistrate bench, and as such could no longer serve as the Town prosecutor. His last day in Municipal Court was 5/19.

On 5/20, Town staff published a solicitation for the position on the Town website, on South Carolina Business Opportunities, and on the Municipal Association of South Carolina's jobs page. In addition, staff requested that it be shared with the Hilton Head Bar Association and the Young Lawyer's Section; confirmation was received that the position was shared.

NEXT STEPS: Inquiries have been received from two attorneys as of this writing. Their proposals, including their resume and references, are due to Town staff on 6/10, whereupon interviews will be conducted. Because time is of the essence, staff is providing Town Council with the format of the agreement at the 6/9 meeting in lieu of waiting until the 7/14 meeting. If Town Council approves of the format of the agreement, the Town Manager can negotiate an arrangement within budget and secure the services of a prosecutor as soon as possible.

SUMMARY: Authorize the Town Manager to negotiate and execute a contract substantially similar to the attached for prosecutorial services for the Bluffton Municipal Court.

ATTACHMENTS:

1. Draft Contract