

RECORD OF RESOLUTIONS

Resolution No. _____

Passed _____

RESOLUTION 20-12

A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR INDIGENT DEFENSE SERVICES IN THE MUNICIPAL COURT FOR THE VILLAGE OF HEBRON OF HEBRON, LICKING COUNTY, OHIO, AND DECLARING AN EMERGENCY.

Whereas: this Agreement is entered into by and between the Licking County Commissioners, with a mailing address of 20 South Second Street, Newark, OH 43055, hereinafter referred to as the "COUNTY" and the Village of Hebron of Hebron, with a mailing address of 934 W. Main Street, Hebron, OH 43025, hereinafter referred to as the "VILLAGE"); and,

Whereas: the VILLAGE OF HEBRON recognizes its responsibility under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with a violation of a Hebron ordinance for which the penalty or any possible adjudication includes the potential loss of liberty; and,

Whereas: the COUNTY has adopted a program for this Municipality, whereby individual attorneys are assigned on a case by case basis for indigent defendants who qualify, and have been charged with a municipal code violation; and,

Whereas: the County Commissioners pursuant to ORC 120.33, may enter into a contract with a municipal corporation under which the municipal corporation shall reimburse the County for counsel appointed to represent indigent persons charged with a violation of an ordinance of the municipal corporation; and,

Whereas: these contracts must contain terms in conformance with Ohio Administrative Code 120-1-09 and the parties must follow the Ohio Public Defender Commission standards and guidelines and the limits of the County Maximum Fee Schedule for Appointed Counsel in order for the COUNTY to obtain reimbursement for indigent defense costs pursuant to ORC 120.33 and 120.35, and pay the VILLAGE its appropriate share; and,

Whereas: it is necessary for the preservation of life and well-being that this action be deemed an emergency and be effective at the earliest possible date.

NOW, THEREFORE, BE IT RESOLVED BY THE BY THE COUNCIL OF THE VILLAGE OF HEBRON, OHIO, AND TWO-THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING THAT:

Section I: The above recitals are hereby incorporated by reference

Section II: The Mayor and Fiscal Officer of the Village of Hebron are hereby authorized to enter into contract with the Licking County Board of Commissioners for Indigent Defense Services in the Municipal Court.

Section III: For the reasons stated in the preamble hereto, which is made a part hereof, this Resolution is hereby declared to be an emergency measure and shall take effect and be in full force from and after its passage and approval by the Mayor

Passed this 20th day of December, 2020



JAMES LAYTON, MAYOR



DEBORAH MORGAN, FISCAL OFFICER

APPROVED AS TO FORM: Wesley K. Untied, Village Solicitor