

**Minutes for Tuesday, February 4, 2020**

Mr. Schroeder moved to approve the contract for Sheriff service at Miller City School for 2019-2020 basketball season.

Mr. Schlumbohm seconded the motion on said Resolution and the vote resulted as follows:

Vote: Mr. Schroeder yes      Mr. Lammers yes      Mr. Schlumbohm yes  
Comm. Jrl. 114 , Page 497-498

Mr. Schlumbohm moved the adoption of the following Resolution:

BE IT RESOLVED, By the Board of County Commissioners of Putnam, Ohio, that to provide for the unanticipated revenues for the fiscal year ending December 31, 2020, the following sums be and the same are hereby appropriated for the purpose for which expenditures are to be made during the fiscal year as follows:

Fund 040, Sewer District No. 2  
Q 43, Repairs .....\$ 38,443.00

Mr. Schroeder seconded the motion on said Resolution and the vote resulted as follows:

Vote: Mr. Schroeder yes      Mr. Lammers yes      Mr. Schlumbohm yes  
Comm. Jrl. 114 , Page 499

Mr. Schlumbohm moved the adoption of the following Resolution:

**WHEREAS**, in accordance with ORC Section 120.04 (B)(9), provisions must be made to assure that persons charged with criminal offenses have legal counsel, and

**WHEREAS**, a request was received from Michael A. Borer, Putnam County Common Pleas Court Judge, Juvenile and Probate; Chad C. Niese Putnam County Municipal Court Judge; and Keith H. Schierloh, Putnam County Common Pleas Court Judge, General to increase the hourly rate for indigent public defense. The increase requested is to adopt the state fee schedule of \$75.00 per hour for both in-court and out-of-court services and caps as recommended by the Office of the State Public Defender and to maintain pace with the surrounding counties. And

**WHEREAS**, the Putnam County Common Pleas Court (General Division), Putnam County Common Pleas Court (Juvenile and Probate Division) and Putnam County Municipal Court request the rate increase to take effect with new appointments as of January 1, 2020. now therefore, be it

**RESOLVED**, that the following fee schedule shall become effective as of the 1<sup>st</sup> day of February, 2020. Attorneys appointed to represent indigent Defendants from and after the effective date of the Resolution shall be paid at the rate of \$75.00 per hour of representation for out of court work and \$75.00 per hour for in court work up to the following maximum amounts for the offense classifications and other proceedings.

Aggravated Murder (w/specs)      \$125 per hour no fee maximum

as per O.R.C. 2929.04(A) &  
O.R.C. 2941.14(B)

Aggravated Murder (w/o specs)	\$ 15,000 (1 lawyer) \$ 25,000 (2 lawyers)
Murder	\$ 10,000
Felonies w/possible life sentence/ Repeat violent offender/major drug offender	\$ 10,000
Felonies (degrees 1-2)	\$ 8,000
Felonies (degrees 3)	\$ 5,000
Felonies (degrees 4-5)	\$ 3,500
Misdemeanors (degrees 1-4)	\$ 2,000
Misdemeanor OVI/BAC	\$ 2,500
Contempt of Court	\$ 500
Violation (Probation/Community Control)	\$ 750
Preliminary Hearings	\$ 300
Sex Offender Classification	\$ 750
Other	\$ 750

For Juvenile proceedings the reimbursement amount is also at a rate of \$ 75.00 per hour for both in-court and out-of-court services. Reimbursement will not be made for non-attorneys appointed as a guardian ad litem. In abuse, dependency, and neglect cases, both the attorney and the guardian ad litem may bill up to the maximum fee allowed by the county.

Aggravated Murder (w/specs) as per O.R.C. 2929.04(A) & O.R.C. 2941.14(B)	\$ 125.00 per hour no fee maximum
Aggravated murder (w/o specs)	\$ 7,500/1 lawyer \$ 12,500/2 lawyers
Murder	\$ 6,000
Felony adjudication (degrees 1-2)	\$ 5,000
Felony adjudication (degrees 3-5)	\$ 3,500

Misdemeanor OVI/BAC	\$ 2,500
Misdemeanor	\$ 2,000
Traffic	\$ 300
Objections	\$ 750
Unruly	\$ 1,000
Bindover-Mandatory	\$ 750/1 lawyer \$ 1,200/ 2 lawyers
Bindover Discretionary	\$ 2,000/1 lawyer \$ 3,000/2 lawyers
Bindover Amenability	\$ 1,500
SYO	Adult degree + 50%/2 lawyers
SYO invocation	\$ 2,000/1 lawyer \$ 3,000/2 lawyers
Adult in Juvenile Court	\$ 1,500.00
Violation (Probation Community Control)	\$ 750
Violation (Parole/Supervised Release)	\$ 750
VCO	\$ 750
ADN Initial Custody	\$ 1,500
ADN Annual After Custody	\$ 1,500
Permanent Custody	\$ 2,500
Contempt of Court	\$ 500
Purge Hearing	\$ 150
Sex Offender Classification/ Reclassification/Declassification	\$ 750
Expungement	\$ 300
Other	\$ 750

Reimbursement for appellate representation shall be made on the basis of \$75.00 per hour for in court and \$75.00 for out of court representation since appellate proceedings generally consume less than one hour of oral argument time. Re-imbursement to be made which submitted with the appropriate certificate (OPD-E-204), approved by the appellate court, and within the prescribed fees as permitted by the following maximum amounts for these offense classifications.

Death sentence	\$125.00 per hour no fee maximum
Cumulative Minimum Sentence exceeds 25 years	\$ 8,000
Felony (degrees 1-2) Trial	\$ 5,000
Felonies (degrees 3) Trial	\$ 3,500
Felonies (degrees 4-5) Trial	\$ 2,500
Misdemeanor Trial	\$ 2,000
Felony Plea	\$ 1,500
Misdemeanor Plea	\$ 1,000
ADN Permanent Custody	\$ 3,500
Unruly	\$ 1,000
Other	\$ 1,000
26(B) Murnahan Felony (degrees 1-2) Trial	\$ 3,000
26(B) Murnahan Felony (degree 3) Trial	\$ 2,000
26(B) Murnahan Felony (degrees 4-5) Trial	\$ 1,000
OSC Jurisdiction Memorandum	\$ 1,500

Reimbursement for post-conviction and State habeas corpus proceedings not involving a death sentence will be made based on the maximum rate of \$ 75.00 per hour for both in-court and out-of-court services. Reimbursement for representation at the appellate level proceedings involving a death sentence will be made based on the maximum rate of \$ 125.00 per hour for both in-court and out-of -court services.

Death Sentence	\$125.00 per hour no fee maximum Set by Capital Fee Council
Felony (degrees 1-2)	\$ 4,000

(R.C. 2953.21 Petition/New Trial Mtn)	
Felony (degree 3) (R.C. 2953.21 Petition/New Trial Mtn)	\$ 2,500
Felony (degree 4-5) (R.C. 2953.21 Petition/New Trial Mtn)	\$ 1,750
Misdemeanor (60(B))	\$ 1,500
Juvenile	\$ 2,500
State Habeas	\$ 1,500
Expungement	\$ 300
Judicial Release	\$ 500
Revocation	\$ 750
Driving Privileges	\$ 150
NGRI/Comp Review	\$ 750
Jail Time Credit	\$ 300
Resentencing	\$ 500
Sex Offender Reclassification	\$ 750
Withdrawal of Guilty Plea	\$ 1,000

Reimbursement for expenses associated with providing representation shall be made when submitted with the attorney's fees certificate (OPD-E-202) and approved by the trial judge. Expenses include, but are not limited to, such items as expert witness fees, polygraph examination costs, parking and meal expenses, long distance telephone calls, copying, and other necessary items as approved in the discretion of the court. The maximum allowable fee to be paid for expert witnesses is \$750.00 and must be incurred with court approval. In extraordinary circumstances and with prior written approval obtained by the court and the Board of County Commissioners higher fees may be approved.

If defendant enters a guilty plea to the charges of the indictment or complaint, the attorney in that trial court shall be compensated at a minimum of \$250.00. If the charges are dismissed against the Defendant prior to trial the attorney shall be compensated \$150.00.

Additional re-imbusement for extraordinary cases will only be made with the approval of the trial court and permitted by the county fee schedule.

Mr. Lammers seconded the motion on said Resolution and the vote resulted as follows:

Vote: Mr. Schroeder yes      Mr. Lammers yes      Mr. Schlumbohm yes  
Comm. Jrl. 114 , Page 500-500C

Mr. Schlumbohm moved the adoption of the following Resolution:

**WHEREAS**, The first hearing on the single county Ditch #1000 petitioned by Patirica Kreinbrink was scheduled on the 6th day of February, 2020.  
and

**WHEREAS**, There was not enough days between the view held on January 30, 2020 and the first hearing February 6, 2020 per ORC 6131.07.  
and

**WHEREAS**, The first hearing for the Patricia Kreinbrink Single County Ditch #1000 needs to meet the required amount of days between the viewing and the first hearing.  
now therefore, be it

**RESOLVED**, The Board of County Commissioners does hereby set the date of Tuesday, February 18, 2020, at 2:00 p.m. in the General Assembly Room of the Putnam County Court House for the first hearing.  
and be it further

**RESOLVED**, The landowners will receive notice of the hearing via first class mail.

Mr. Schroeder seconded the motion on said Resolution and the vote resulted as follows:

Vote: Mr. Schroeder yes      Mr. Lammers yes      Mr. Schlumbohm yes  
Ditch. Jrl. 7 , Page 7

**Now and Then Purchase orders**

**Commissioners.....**Purchase order 40602  
**HOME Funds.....**Purchase order 39905  
**CDBG.....**Purchase orders 39903, 39904  
**Sewer Dist #1.....**Purchase order 40603

Mr. Schlumbohm moved to approve the then and now purchase orders.

Mr. Schroeder seconded the motion.

Vote: Mr. Schroeder yes      Mr. Lammers yes      Mr. Schlumbohm yes  
Exceptions: Mr. Schroeder none      Mr. Lammers none      Mr. Schlumbohm none  
Comm. Jrl. 115 , Page 001

**Purchase orders and travel requests**

**LEPC.....Purchase order to Michael Frey for Cameo Data entry /hazard analysis 2020 review for \$ 1112.00.**

Mr. Schlumbohm moved to approve the purchase orders and travel requests.

Mr. Lammers seconded the motion.

Vote: Mr. Schroeder yes                      Mr. Lammers yes                      Mr. Schlumbohm yes

Exceptions: Mr. Schroeder                      Mr. Schlumbohm                      Mr. Lammers  
Commissioners Schroeder, Schlumbohm and Lammers participated in the Make Some Noise for Drug video with the other Elected Officials in the Common Pleas courtroom.

Commissioners Schroeder, Schlumbohm and Lammers attended the Elected Officials meeting in the lunch room hosted by the Engineer.

The business agenda was held with Commissioners Schroeder, Schlumbohm and Lammers, and Cindy Landwehr, Clerk.

Commissioners Schroeder, Schlumbohm and Lammers and Joe Burkhart met with Becky White of Civic Plus to discuss upgrading the County's website. Civic Plus is ADA compliant. Civic Plus would be the host for the webpage to aid in the security. Harlan Bryan joined via conference call and reviewed the power point. The product would be a Content Management System (CMS) not specifically a webpage. The Commissioners and Joe are concerned about the security, ease of use, keeping information updated and e-commerce options. An introduction power point of Civic Plus was presented to the Commissioners and Joe.

Bob Benroth came to present the monthly sales tax figures to Commissioners Schroeder, Schlumbohm and Lammers. The figures are record high. The casino tax figures for 4<sup>th</sup> qtr of 2019 were also presented. The plans for the Annex were discussed the Commissioners are not in agreement yet and are waiting for the estimates for renovations to make any decisions.

The minutes from Thursday January 30, 2020 were reviewed and approved.

Mr. Lammers moved to adjourn for lunch.

Mr. Schlumbohm seconded the motion.

Vote: Schroeder yes    Lammers yes    Schlumbohm yes

Commissioners Schroeder and Lammers returned from lunch.

Joe Burkhart met with Commissioners Schroeder and Lammers to ask what the Commissioners are looking for in a new website, what features they want it to have. The costs of Civic Plus was discussed. The features that are available were reviewed. Twin Elm Studios is another option for the website that is also an ADA option but not as expensive. The Commissioners are interested in seeing a presentation for Twin Elm also. Joe will get it set up for the Commissioners.

Commissioner Schlumbohm returned to the office.

Tim Schnipke stopped in to present the estimates to Commissioners Schroeder, Schlumbohm and Lammers for work at the fairgrounds to make up the match for the grant that the Fair Board is submitting the application. The labor can be figured in to make up the rest of the amount needed. Commissioner Schlumbohm left for the day. The electric rates for the fairgrounds were discussed and the electric charges are changing to non-peak which will also help lower the expenses of the dog shelter since that building is charged to the fairgrounds line. Vince will present the estimates at the Fair Board meeting tonight.

Mr. Lammers moved to adjourn for the day.

Mr. Schroeder seconded the motion.

Vote: Schroeder yes            Lammers yes            Schlumbohm absent

Mr. Lammers moved to approve the minutes as read from Tuesday, February 4, 2020.

Mr. Schroeder                    seconded the motion.

Vote: Mr. Schroeder yes      Mr. Lammers yes      Mr. Schlumbohm yes