

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF OTTAWA COUNTY, OKLAHOMA

RESOLUTION # 2018-22
November 5th, 2018

**A RESOLUTION TO PROVIDE FOR RETENTION
OF ATTORNEYS TO ADDRESS INCARCERATION SHORTFALL**

WHEREAS, pursuant to the Oklahoma Constution, the Oklahoma Department of Corrections is responsible for all costs of Department of Corrections prisoners in the custody of the counties beginning the day a sentence to confinement begins. The Oklahoma Attorney General has issued a formal opinion stating this position.

WHEREAS, the Oklahoma Department of Corrections fails to reimburse the counties for the full cost of holding Department of Corrections prisoners despite the clear language in the Oklahoma Constitution.

WHEREAS, the Board of County Commissioners selects the legal team of GDL Legal, PLLC and Foshee & Yaffe, a Professional Corporation, to serve as counsel to prosecute this matter working under the oversight and approval of the Board of County Commissioners and any designees of the Board of County Commissioners.

WHEREAS, all fees to be paid to counsel are contingent upon the recovery of penalties, damages, attorney's fees, and costs. Fees shall be paid only from such recovery and no money shall be due or paid from Ottawa County's general fund or any special fund.

THEREFORE, it was duly moved and seconded that the following resolution be adopted.

THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Ottawa County, Oklahoma hereby authorize the filing of a civil suit against the Oklahoma Department of Corrections for penalties, damages, injunctive relief, and any other remedy available by law. Such legal action is essential to protecting the interests of Ottawa County and its citizens.

The Board of County Commissioners of Ottawa County adopted the above Resolution on November 5th 2018.

BOARD OF COUNTY COMMISSIONERS OF
OTTAWA COUNTY, OKLAHOMA

Chris Martin
Commissioner

Russell Carls
Commissioner

John Clark
Commissioner

Dated this 5th day of November, 2018.

ATTEST:

Robyn Mitchell
Ottawa County Clerk



Date: _____

GDL Legal PLLC

Date: _____

Foshee & Yaffe