

MONTGOMERY COUNTY BOARD of COMMISSIONERS

Resolution 2021 - 31

Appointing County Attorney and Approving Engagement Letter

WHEREAS, the Montgomery County Board of Commissioners is empowered to appoint a County Attorney and approve an engagement letter for said Attorney;

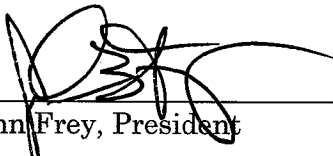
AND WHEREAS, the Board appoints Daniel L. Taylor, attorney at law, of the firm Taylor, Chadd, Minnette, Schneider & Clutter, P.C., as the County Attorney;

AND WHEREAS, the Board also approves the engagement letter presented by Daniel L. Taylor.

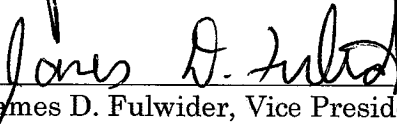
IT IS, THEREFORE, RESOLVED that Daniel L. Taylor is hereby appointed County Attorney, and the engagement letter for the County Attorney is approved.

THIS RESOLUTION is hereby adopted this 28th day of December, 2021.

MONTGOMERY COUNTY BOARD OF
COMMISSIONERS



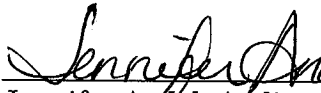
John Frey, President



James D. Fulwider, Vice President

Dan Guard, Member

Attest:



Jennifer Ansel, Auditor

December 20, 2021

Montgomery County Commissioners
110 West South Boulevard
Crawfordsville, Indiana 47933

RE: Engagement

Dear Commissioners:

Please allow this letter to confirm that we have agreed to continue to serve as County Attorneys for Montgomery County. We understand that our responsibilities will include preparing for and attending meetings of the Board of Commissioners and other boards and commissions of the County as requested. We also understand that we will provide legal services to County officials and staff on an as-needed basis. We are available to represent the County in litigation and administrative proceedings as requested.

Because bond work entails payment of fees from bond proceeds for work done before the bond closing and for work performed years after the closing, fees for bond work will be negotiated on a case-by-case basis.

We agree to perform the requested services, other than bond work as noted above, at our preferred governmental rate. The preferred governmental rate is our firm's lowest available billing rate. For 2022, this rate is \$210.00 per hour for all attorneys, unless the attorney performing work has a lower hourly rate, in which case the lower hourly rate will apply. This preferred rate represents a substantial savings to our preferred governmental clients over our normal billing rates. For example, my normal billing rate is \$300.00 per hour. The other attorneys in the firm have rates which range from \$170.00 per hour to \$300.00 per hour. We offer this preferred rate to only select governmental clients

We do not charge for our office overhead (postage, telephone toll charges, fax charges, etc.). If, during the course of our representation of the Board of Commissioners, we believe that it is necessary to incur expenses on behalf of the Board, we will obtain permission prior to incurring the expense.

We will provide invoices to the Board of Commissioners on a monthly basis. These invoices will include an itemized and detailed description of the work performed, the time spent on each legal service, the date on which the work was performed, and the name of the attorney performing the work. We will normally mail these invoices by the 30th day of the month for the previous month. We generally expect to be paid within thirty (30) days of your receipt of the invoice. If you have any questions regarding any charge, please simply call me to discuss.

I will have the primary responsibility of performing the legal services described in this letter and will make other experienced municipal attorneys in our firm available if I am unavailable to provide these services. If more than one (1) attorney attends a meeting, hearing or conference, you will be charged as if only one (1) attorney is present unless you specifically agree to pay for more than one attorney.

Consistent with the Rules of Professional Responsibility, you may terminate this relationship at any time. If this occurs, we will assist in the transition to your new attorney. We will provide a final bill for services rendered and request that you pay it as outlined herein.

Also, consistent with the Rules of Professional Responsibility, please understand that our client is the Board of Commissioners and not any individual member of the Board. All requests for inspection of our files, directions in legal matters, or other requests for information are controlled by the majority vote of the Board of Commissioners. If we receive a request to perform work, disclose information, or inspect our files, we will seek the direction from the Board as an entity in order to respond appropriately unless the Board has specifically directed otherwise.

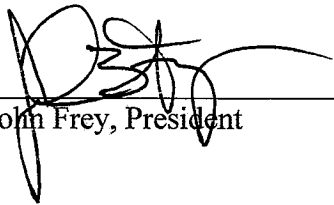
We value our relationship with you and look forward to continuing that relationship and working toward the beneficial advancement of the County. If you believe that this letter accurately expresses our agreement, please have the Board President sign below and return one (1) of the originals to us. If you believe the letter does not accurately represent our agreement, please let me know. Thank you for the opportunity to serve the Board.

Sincerely yours,

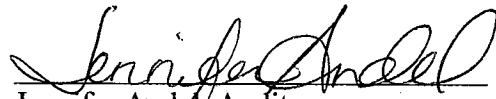
Daniel L. Taylor

Accepted this 28th day of December, 2021.

MONTGOMERY COUNTY
BOARD OF COMMISSIONERS

By  _____
John Frey, President

ATTEST:



Jennifer Andel, Auditor