

1 ORDINANCE NO. 2018-174

2
3 SPONSOR Ms. Shapiro

4
5 DATE May 14, 2018 COMMITTEE Rules

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7 **An Ordinance amending Section 109.04 of the Codified Ordinances of the County of**
8 **Summit, entitled “Records Commission,” to authorize the County Executive to execute an**
9 **agreement with councils of governments in which the County is a member to serve as the**
10 **public records commission of, and perform public records-related functions for, said**
11 **councils of governments, for the Executive’s Department of Law, Insurance and Risk**
12 **Management, and declaring an emergency.**

13
14 WHEREAS, the Northeast Ohio Four County Regional Planning and Development
15 Organization (“NEFCO”) and the Summit and Medina Workforce Area Council of Governments
16 (the “SAMWA-COG”) are councils of government created pursuant to Chapter 167 of the Ohio
17 Revised Code in which the County is a member; and

18
19 WHEREAS, Section 109.04 of the Codified Ordinances of the County of Summit
20 establishes the Summit County Records Commission, which performs public-record related
21 functions for County offices, and, pursuant to an agreement, for special taxing districts which are
22 coextensive with the County, such as the County of Summit Alcohol, Drug Addition & Mental
23 Health Board; and

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25 WHEREAS, the County Executive recommends that Section 109.04 of the Codified
26 Ordinances be amended to authorize the County Executive to enter into similar agreements with
27 councils of governments, in which the County is a member, such as NEFCO and the SAMWA-
28 COG, to serve as the public records commission for, and perform public records-related
29 functions for, said councils of governments; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that it is necessary and in the best interest of the County of Summit, to amend Section 109.04 of
33 the Codified Ordinances for the aforementioned reason;

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35 NOW, THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State
36 of Ohio, that:

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38 SECTION 1

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40 Section 109.04 of the Codified Ordinances of the County of Summit, entitled “Records
41 Commission,” is hereby amended as follows:

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43 **109.04 RECORDS COMMISSION.**

44 (a) There is hereby created the Summit County Records Commission, which shall
45 operate pursuant to Chapter 149 of the Ohio Revised Code.
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4 SECTION 1 (Cont.)

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6 (b) The Summit County Records Commission shall be comprised of the County
7 Executive, President of Council, County Prosecuting Attorney, County Fiscal Officer, and the
8 Clerk of the Court of Common Pleas or their designees.

9 The Chief of Staff and Clerk of Council are hereby designated as alternates to the
10 President of Council.

11 (c) Pursuant to Section 149.412(B) of the Ohio Revised Code, the County Executive
12 is hereby authorized to enter into an agreement with any special taxing district, the territory of
13 which is coextensive with the territorial limits of Summit County, for the Summit County
14 Records Commission to be designated as the records commission for that special taxing district.
15 Said agreement shall provide that the Summit County Records Commission is authorized to
16 exercise all of the duties and responsibilities of the special taxing district records commission
17 and shall further set forth the terms and conditions under which the Summit County Records
18 Commission will perform public records-related functions, including establishing records
19 retention and destruction schedules on behalf of the special taxing district.

20 (d) The County Executive is hereby authorized to enter into an agreement with any
21 council of governments established pursuant to Chapter 167 of the Ohio Revised Code of which
22 the County of Summit is a member, for the Summit County Records Commission to be
23 designated as the records commission for that council of governments. Said agreement shall
24 provide that the Summit County Records Commission is authorized to exercise all of the duties
25 and responsibilities of a records commission for the council of governments and shall further set
26 forth the terms and conditions under which the Summit County Records Commission will
27 perform public records-related functions, including establishing records retention and destruction
28 schedules on behalf of the council of governments.

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30 SECTION 2

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32 The Ordinance is hereby declared an emergency in the interest of the health, safety and
33 welfare of the citizens of the County of Summit, and for the further reason to immediately amend
34 Section 109.04 of the Codified Ordinances to immediately allow the Summit County Records
35 Commission to serve as the public records commission of, and perform public records-related
36 function for, councils of governments of which the County is a member.

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38 SECTION 3

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40 Provided this Ordinance receives the affirmative vote of eight members, it shall take
41 effect immediately upon its adoption and approval by the Executive; otherwise it shall take effect
42 and be in force at the earliest time provided by law.

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44 SECTION 4

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46 It is found and determined that all formal actions of this Council concerning and relating
47 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
48 deliberations of this Council and of any of its committees that resulted in such formal action,
49 were in meetings open to the public, in compliance with all legal requirements, including Section
50 121.22 of the Ohio Revised Code.

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INTRODUCED April 30, 2018

ADOPTED May 14, 2018

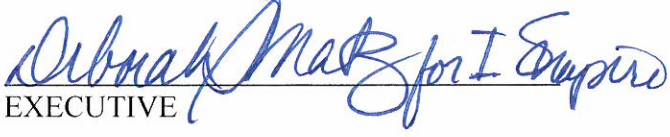


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED May 15, 2018



EXECUTIVE

ENACTED EFFECTIVE May 15, 2018

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feenan, Koehler, Prentice,
Rodgers, Schmidt, Soyars, Walters, Wilhite
ABSENT: Hamilton