

1 RESOLUTION NO. 2010-455

LATE FILING

2
3 SPONSOR Mr. Pry

4
5 DATE November 1, 2010

COMMITTEE Finance

6
7 **A Resolution authorizing the County Executive to execute a reimbursement agreement**
8 **with the State of Ohio that would allow for federal participation in the Voluntary**
9 **Separation Plan incentive payments for employees of the Department of Job and Family**
10 **Services and Child Support Enforcement Agency, and would provide for repayment to the**
11 **State in the event of a finding for recovery or similar finding requiring repayment by the**
12 **federal government, for the Executive's Department of Finance and Budget, and declaring**
13 **an emergency.**

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15 Whereas, pursuant to Resolution No. 2009-112, this Council authorized County
16 employees to participate in a Voluntary Separation Plan ("VSP") whereby the employees would
17 separate employment with the County in exchange for an incentive payment to do so; and

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19 Whereas, several employees of the County Executive's Department of Job and Family
20 Services ("DJFS") and the County Prosecutor's Child Support Enforcement Agency ("CSEA")
21 participated in the VSP and terminated their employment by August 31, 2009; and

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23 Whereas, pursuant to Resolution No. 2009-360, a second round of the VSP was offered
24 to employees and several DJFS and CSEA employees also participated in that round of the VSP,
25 thereby separating employment by November 30, 2009; and

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27 Whereas, the aforementioned VSP incentive payments paid to DJFS and CSEA
28 employees upon separation were initially paid from the General Fund, and the Executive has
29 since sought participation from the federal government in these incentive payments, which
30 would restore the funds paid to the general fund; and

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32 Whereas, because the State of Ohio ("State") is the entity that initially receives the
33 federal funds for DJFS and CSEA and then subgrants those funds to DJFS and CSEA, the
34 request for federal assistance must be made from, and has been made from, the State; and

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36 Whereas, the federal government has provided conditional approval of its participation in
37 the first round of VSP incentive payments, one of the conditions being that the State must repay
38 the federal government in the event of a finding for recovery or similar finding requiring
39 repayment by the federal government; and

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41 Whereas, approval from the federal government for the second round of VSP payments is
42 currently pending; and

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44 Whereas, as a result of the aforementioned condition, the State has requested that the
45 County enter into a reimbursement agreement with the State whereby the County would
46 reimburse the State in the event the State is required to repay the federal government due to a
47 finding for recovery, or such similar finding requiring repayment; and

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49 Whereas, by entering into the reimbursement agreement, the County is able to restore the
50 funds used for the incentive payments to the General Fund, which has been hardly hit by the
51 recent economic crisis; and

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Whereas, this Council finds and determines, that it is necessary and in the best interest of this County, to authorize the Executive to execute a reimbursement agreement with the State that would provide for reimbursement of the State in the event the State is required to repay the federal government due to a finding for recovery, or such similar finding requiring repayment, as a result of federal participation in the VSP incentive payments for DJFS and CSEA employees.

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of Ohio, that:

SECTION 1

The County Executive is hereby authorized to enter into and to execute a reimbursement agreement with the State whereby the County would provide for reimbursement of the State in the event the State is required to repay the federal government due to a finding for recovery, or such similar finding requiring repayment, as a result of federal participation in the Voluntary Separation Plan ("VSP") incentive payments for Department of Job and Family Services ("DJFS") and Child Support Enforcement Agency ("CSEA") employees. A copy of the agreement is attached hereto as Exhibit A, and incorporated herein by reference. Additionally, upon receipt of similar conditional approval for the second round VSP incentive payments for DJFS and CSEA employees, the Executive is hereby authorized to execute a second reimbursement agreement, upon substantially similar terms as the one attached hereto, for reimbursement pertaining to the second round VSP incentive payments.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason that the County wishes to immediately proceed with federal participation and restore the general fund of the payments made for the VSP incentive payments for DJFS and CSEA employees.

SECTION 3

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

SECTION 4

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

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106 INTRODUCED October 18, 2010

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108 ADOPTED November 1, 2010

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112 Sharilyn F. Sheer
CLERK OF COUNCIL

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114 APPROVED November 1, 2010

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119 James M. Poda
EXECUTIVE

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121 ENACTED EFFECTIVE November 1, 2010

James M. Poda
PRESIDENT OF COUNCIL

Voice Vote: 10-1 Yes: Comunale, Crossland, Feeman, Kostandaras
Poda, Prentice, Rodgers, Schmidt, Shapiro, Smith NO: Crawford