

1 RESOLUTION NO. 2014-286

2
3 SPONSOR Mr. Pry

4
5 DATE _____ COMMITTEE Personnel

6
7 **A Resolution authorizing the County Executive to execute two settlement agreements to**
8 **settle all claims arising out of or concerning issues raised in a lawsuit appealing the denial**
9 **of an Ohio Bureau of Worker’s Compensation claim, *Vicky Chambers v. Summit County, et***
10 ***al.*, Case No. CV 2013-10-5122 before Judge Allison McCarty in the County of Summit**
11 **Court of Common Pleas, and the related Ohio Bureau of Workers’ Compensation Claim**
12 **No. 10-866367, in an amount not to exceed \$27,500.00, for Summit County Children**
13 **Services, and declaring an emergency.**

14
15 WHEREAS, Vicky Chambers, an employee of Summit County Children Services
16 (“SCCS”) filed Ohio Bureau of Workers’ Compensation (“OBWC”) Claim No. 10-866367,
17 arising out of a fall in a parking lot at SCCS (the “claim”); and

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19 WHEREAS, Ms. Chambers subsequently requested that an additional medical condition
20 be allowed under her Claim, which was denied the Industrial Commission of Ohio; and

21
22 WHEREAS, Ms. Chambers filed a lawsuit appealing the Commission’s decision, *Vicky*
23 *Chambers v. Summit County, et al.*, Case No. CV 2013-10-5122 before Judge Allison McCarty
24 in the County of Summit Court of Common Pleas (the “lawsuit”); and

25
26 WHEREAS, in consultation with the Ohio Attorney General and County Prosecutor, the
27 OBWC, SCCS and the County Executive have reached terms of settlement with Ms. Chambers
28 through her legal counsel to settle the lawsuit and the claim in an amount not to exceed
29 \$27,500.00; 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 settle the lawsuit and
33 claim filed by Ms. Chambers, in an amount not to exceed \$27,500.00, for the aforementioned
34 reasons;

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

38
39 SECTION 1

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41 The County Executive is hereby authorized to execute two settlement agreements, to
42 settle all claims arising out of or concerning issues raised in a lawsuit appealing the denial of an
43 Ohio Bureau of Worker’s Compensation claim, *Vicky Chambers v. Summit County, et al.*, Case
44 No. CV 2013-10-5122 before Judge Allison McCarty in the County of Summit Court of
45 Common Pleas (the “lawsuit”), and the related Ohio Bureau of Workers’ Compensation Claim
46 No. 10-866367 (the “claim”), in an amount not to exceed \$27,500.00. The settlement
47 agreements shall include a release by Vicky Chambers of all claims against the County of
48 Summit and SCCS arising out of or concerning issues raised in the lawsuit and the claim.

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2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit and for the further purpose of immediately
8 sparing County taxpayers further expense related to Ms. Chamber's lawsuit and claim.

9

10 SECTION 3

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

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16 SECTION 4

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18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.

23

24

25 INTRODUCED June 16, 2014

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27 ADOPTED _____

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31 CLERK OF COUNCIL

32

PRESIDENT OF COUNCIL

33 APPROVED _____

34

35

36 _____

37 EXECUTIVE

38

39 ENACTED EFFECTIVE _____