

1 RESOLUTION NO. 2017-020

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE January 30, 2017

COMMITTEE Rules

6  
7 **A Resolution authorizing the County Executive to pay an amount not to exceed \$75,000.00,**  
8 **representing the County's self-insured retention, to Houston Casualty Company, the**  
9 **County's liability insurer, toward the costs of legal representation and services on behalf of**  
10 **the County and Houston Casualty Company, the County's liability insurer, to investigate**  
11 **potential litigation concerning an incident at the Summit County Jail, for the Executive and**  
12 **the Sheriff, and declaring an emergency.**

13  
14 WHEREAS, on June 23, 2016, an inmate, Bradford Walker, was injured at the Summit  
15 County Jail and is represented by legal counsel, who has contacted the County concerning the  
16 incident; and

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18 WHEREAS, the County's liability insurer, Houston Casualty Company, has agreed to  
19 defend the County and has retained legal counsel, Mazanec, Raskin, & Ryder Co., L.P.A., to  
20 provide legal representation and services on behalf of the County and Houston Casualty  
21 Company to investigate potential litigation concerning the incident; and

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23 WHEREAS, under the terms of its insurance contract with Houston Casualty Company,  
24 the County has a \$75,000.00 self-insured retention on a claims made basis; and

25  
26 WHEREAS, in order to have Mazanec, Raskin, Ryder & Co., L.P.A. provide legal  
27 representation and services on behalf of the County and Houston Casualty Company in the  
28 lawsuit, the County is required to pay the first \$75,000.00 of costs, representing its self-insured  
29 retention; 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 County Executive to pay an  
33 amount not to exceed \$75,000.00, to Houston Casualty Company toward the costs of legal  
34 representation and services on behalf of the County and Houston Casualty Company to  
35 investigate potential litigation concerning the incident at the County Jail;

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

39  
40 SECTION 1

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42 The County Executive is hereby authorized to pay an amount not to exceed \$75,000.00,  
43 representing the County's self-insured retention, to Houston Casualty Company, the County's  
44 liability insurer, toward the costs of legal representation and services by legal counsel, Mazanec,  
45 Raskin, & Ryder Co., L.P.A. on behalf of the County and Houston Casualty Company to  
46 investigate potential litigation concerning the injury of inmate Bradford Walker at the Summit  
47 County Jail.

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1 RESOLUTION NO. 2017-020

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 obtaining legal representation and services by legal counsel, Mazanec, Raskin, & Ryder Co.,  
9 L.P.A. on behalf of the County and Houston Casualty Company to investigate potential litigation  
10 concerning the aforementioned incident at the Summit County Jail.

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12 SECTION 3

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

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18 SECTION 4

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20 It is found and determined that all formal actions of this Council concerning and relating  
21 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
22 deliberations of this Council and of any of its committees that resulted in such formal action,  
23 were in meetings open to the public, in compliance with all legal requirements, including Section  
24 121.22 of the Ohio Revised Code.

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27 INTRODUCED January 9, 2017

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29 ADOPTED January 30, 2017

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34 CLERK OF COUNCIL

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40 PRESIDENT OF COUNCIL

41 APPROVED January 31, 2017

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EXECUTIVE

ENACTED EFFECTIVE January 31, 2017

Voice Vote: YES 11-0 Crawford, Dickinson, Donofrio, Feeman, Hamilton,  
Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite