

1 RESOLUTION NO. 2017-118

Late Filing

2
3 SPONSOR Ms. Shapiro

4
5 DATE April 3, 2017

COMMITTEE Public Safety

6
7 **A Resolution authorizing the County Sheriff to charge a \$3.00 surcharge to all third-party**
8 **employers for whom County Sheriff's Deputies are working part-time jobs, to be deposited**
9 **into an Insurance Retention Fund established by the County, for the Executive and the**
10 **Sheriff, and declaring an emergency.**

11
12 WHEREAS, the County is required, pursuant to Section 2744.07(A)(1) of the Ohio
13 Revised Code, to defend a County Sheriff's Deputy while acting in an official capacity, which
14 may be required by law if the Deputy, whether active duty or special is working a part-time job
15 for a third-party employer or a traffic detail for the Sheriff and becomes involved in a law
16 enforcement incident or an accident; and

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18 WHEREAS, the County has a \$75,000.00 self-insured retention on its Law Enforcement
19 Liability Policy and a \$25,000.000 self-insured retention on its Automobile Policy; and

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21 WHEREAS, the County Executive recommends that this Council authorize the Sheriff to
22 charge, effective as of the effective date of this Resolution, a \$3.00 surcharge to all third-party
23 employers for whom Sheriff's Deputies are working part-time jobs, to be deposited into an
24 Insurance Retention Fund established by the County; and

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26 WHEREAS, 75% of said \$3.00 surcharge deposited into the Insurance Retention Fund
27 shall be used to fund the County's combined retention amount and 25% of said surcharge shall
28 be used by the Sheriff to purchase equipment and safety necessities; and

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30 WHEREAS, when the Insurance Retention Fund exceeds \$200,000.00 (twice the
31 County's combined self-insured retention), 100% of said excess funds shall be used by the
32 Sheriff to purchase equipment and safety necessities; and

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34 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
35 that it is necessary and in the best interest of the County of Summit to authorize the County
36 Sheriff to charge, effective as of the effective date of this Resolution, a \$3.00 surcharge to all
37 third-party employers for whom County Sheriff's Deputies are working part-time jobs, to be
38 deposited into the Insurance Retention Fund and the Equipment and Safety Fund for the
39 aforementioned reason;

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

43
44 SECTION 1

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46 The County Sheriff is hereby authorized to charge, effective as of the effective date of
47 this Resolution, a \$3.00 surcharge to all third-party employers for whom County Sheriff's
48 Deputies are working part-time jobs, to be deposited into an Insurance Retention Fund
49 established by the County. 75% of said \$3.00 surcharge deposited into the Insurance Retention
50 Fund shall be used to fund the County's combined retention amount and 25% of said surcharge
51 shall be used by the Sheriff to purchase equipment and safety necessities. When the Insurance
52 Retention Fund exceeds \$200,000.00 (twice the County's combined self-insured retention),

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2 PAGE TWO

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4 SECTION 1 (Cont.)

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6 100% of said excess funds shall be used by the Sheriff to purchase equipment and safety
7 necessities. The County Executive's Department of Finance and Budget is hereby authorized to
8 establish any necessary accounts for said purposes. The Executive and the Sheriff shall jointly
9 develop procedures for the payment and collection of said surcharges.

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11 SECTION 2

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13 This Resolution is hereby declared an emergency in the interest of the health, safety and
14 welfare of the citizens of the County of Summit, and for the further reason to immediately
15 authorize the Sheriff to charge a necessary \$3.00 surcharge to all third-party employers for
16 whom County Sheriff's Deputies are working part-time jobs for the benefit of the County's
17 required combined self-insurance retention and the purchase of equipment and safety necessities
18 by the Sheriff.

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20 SECTION 3

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

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26 SECTION 4

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28 It is found and determined that all formal actions of this Council concerning and relating
29 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
30 deliberations of this Council and of any of its committees that resulted in such formal action,
31 were in meetings open to the public, in compliance with all legal requirements, including Section
32 121.22 of the Ohio Revised Code.

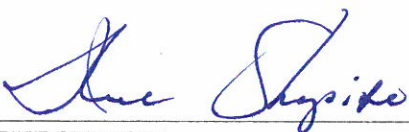
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35 INTRODUCED March 20, 2017

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37 ADOPTED April 3, 2017

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42 CLERK OF COUNCIL

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46 PRESIDENT OF COUNCIL

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48 APPROVED April 4, 2017

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51 EXECUTIVE

ENACTED EFFECTIVE April 4, 2017

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