

1 RESOLUTION NO. 2013-073

First Reading Passage Requested  
(J. Dodson)

2 SPONSOR Mr. Pry

3 DATE March 4, 2013

COMMITTEE Personnel

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6  
7 **A Resolution authorizing the County Executive to execute a settlement agreement, in an**  
8 **amount not to exceed \$25,000.00, to settle all claims arising out of or concerning issues**  
9 **raised in a lawsuit which was later voluntarily dismissed without prejudice, *State, ex rel***  
10 ***Barbara Stoll v. County of Summit*, Case No. 2011-02-0878, formerly before Judge Patricia**  
11 **Cosgrove in the County of Summit Court of Common Pleas-General Division, for the**  
12 **Prosecutor, the Sheriff and the Executive, and declaring an emergency.**

13  
14 WHEREAS, Barbara Stoll previously filed a lawsuit against the County of Summit  
15 related to her termination and later, reinstatement, to employment with the County Executive's  
16 Department of Job and Family Services, *State, ex rel Barbara Stoll v. County of Summit*, Case  
17 No. 2011-02-0878, formerly before Judge Patricia Cosgrove in the County of Summit Court of  
18 Common Pleas-General Division, which Ms. Stoll later voluntarily dismissed without prejudice;  
19 and

20  
21 WHEREAS, Ms. Stoll subsequently retained new legal counsel and has the right to refile  
22 her lawsuit; and

23  
24 WHEREAS, in consultation with the County Prosecutor, the County Executive has  
25 reached terms of settlement with Ms. Stoll through her legal counsel to settle her claims, in the  
26 amount of \$25,000.00; and

27  
28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
29 that it is necessary and in the best interest of the County of Summit to claims arising out of or  
30 concerning issues raised in the lawsuit previously filed by Ms. Stoll, in an amount not to exceed  
31 \$25,000.00, for the aforementioned reason;

32  
33 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
34 of Ohio, that:

35  
36 SECTION 1

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38 The County Executive is hereby authorized to execute a settlement agreement, in an  
39 amount not to exceed \$25,000.00, to settle all claims arising out of or concerning issues raised in  
40 a lawsuit which was later voluntarily dismissed without prejudice, *State, ex rel Barbara Stoll v.*  
41 *County of Summit*, Case No. 2011-02-0878, formerly before Judge Patricia Cosgrove in the  
42 County of Summit Court of Common Pleas-General Division. The settlement agreement shall  
43 include a release by Barbara Stoll of all claims against the County of Summit and Michael J.  
44 Hawsman.

45  
46 SECTION 2

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48 This Resolution is hereby declared an emergency in the interest of the health, safety and  
49 welfare of the citizens of the County of Summit and for the for the further purpose of  
50 immediately sparing County taxpayers further expense related to Ms. Stoll's lawsuit.  
51

1 RESOLUTION NO. 2013-073

2 PAGE TWO

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4 SECTION 3

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

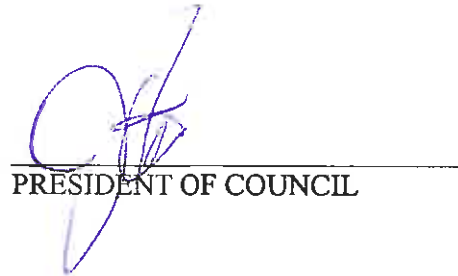
9  
10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating  
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
14 deliberations of this Council and of any of its committees that resulted in such formal action,  
15 were in meetings open to the public, in compliance with all legal requirements, including Section  
16 121.22 of the Ohio Revised Code.

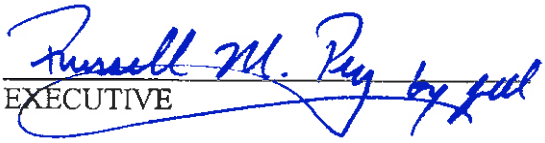
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19 INTRODUCED March 4, 2013

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21 ADOPTED March 4, 2013

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23  
24   
25 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

26  
27 APPROVED March 5, 2013

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29  
30   
31 EXECUTIVE

32  
33 ENACTED EFFECTIVE March 5, 2013

Voice Vote: 8-0: YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Rodgers  
Roemer, Schmidt. Absent: Lee, Prentice, Shapiro