

1 RESOLUTION NO. 2020-225

2
3 SPONSOR Ms. Shapiro

4
5 DATE July 27, 2020 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 Tokio Marine Houston Casualty**
9 **Company, the County's liability insurer, toward the costs of legal representation and**
10 **services on behalf of the County and Tokio Marine Houston Casualty Company in**
11 **Raymond Angerstien, as Father and Administrator of the Estate of Ryan Angerstien,**
12 **Deceased v. Springfield Township, et al., for the County Executive and the County Sheriff,**
13 **and declaring an emergency.**

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15 WHEREAS, Raymond Angerstien has filed a lawsuit on behalf of the Estate of Ryan
16 Angerstien against the County, Summit County Sheriff's Deputy Catherine Phillips and Summit
17 County Sheriff's Deputy John Doe, Raymond Angerstien, as Father and Administrator of the
18 Estate of Ryan Angerstien, Deceased v. Springfield Township, et al., Case No. 5:20-cv-01333-
19 JRA, before Judge John R. Adams in the United States District Court, Northern District of Ohio
20 (the "Lawsuit") arising out of the June 18, 2018 arrest of Ryan Angerstien; and

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22 WHEREAS, the County's liability insurer, Tokio Marine Houston Casualty Company,
23 has agreed to defend the County and has retained counsel to provide legal representation and
24 services on behalf of the County and Tokio Marine Houston Casualty Company in the Lawsuit;
25 and

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

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31 WHEREAS, in order to have counsel provide legal representation and services on behalf
32 of the County and Tokio Marine Houston Casualty Company in the lawsuit, the County is
33 required to pay the first \$75,000.00 of costs, representing its self-insured retention; and

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35 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
36 that it is necessary and in the best interest of the County of Summit for the County Executive to
37 pay an amount not to exceed \$75,000.00, to Tokio Marine Houston Casualty Company toward
38 the costs of legal representation and services by counsel on behalf of the County and Tokio
39 Marine Houston Casualty Company in the Lawsuit;

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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 Executive is hereby authorized to pay an amount not to exceed \$75,000.00,
47 representing the County's self-insured retention, to Tokio Marine Houston Casualty Company,
48 the County's liability insurer, toward the costs of legal representation and services by counsel on
49 behalf of the County and Tokio Marine Houston Casualty Company in Raymond Angerstien, as
50 Father and Administrator of the Estate of Ryan Angerstien, Deceased v. Springfield Township, et
51 al., Case No. 5:20-cv-01333-JRA, before Judge John R. Adams in the United States District
52 Court, Northern District of Ohio (the "Lawsuit").
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1 RESOLUTION NO. 2020-225

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 residents of the County of Summit and for the further reason that it immediately
8 obtains legal representation and services by counsel on behalf of the County and Tokio Marine
9 Houston Casualty Company in the Lawsuit.

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11 SECTION 3

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

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17 SECTION 4

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

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25
26 INTRODUCED July 13, 2020

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28 ADOPTED July 27, 2020

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32 _____
33 CLERK OF COUNCIL

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37 _____
38 PRESIDENT OF COUNCIL

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40 APPROVED July 28, 2020

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43 _____
44 EXECUTIVE

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46 ENACTED EFFECTIVE July 28, 2020

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