

1 RESOLUTION NO. 2021-299

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3 SPONSOR Executive Shapiro

4
5 DATE October 4, 2021 COMMITTEE Rules

6
7 **A Resolution confirming the award by the Board of Control of a professional service**
8 **agreement with Roetzel & Andress, LPA, in an amount not to exceed \$75,000.00, toward**
9 **the costs of legal representation and services on behalf of the County, in the matter of Evis**
10 **Brinson v. Summit County, et al., for the Executive and the Sheriff, and declaring an**
11 **emergency.**

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13 WHEREAS, this lawsuit, Evis Brinson v. Summit County, et al., Case No. 5-21-cv-01638-
14 SL, before Judge Sara Lioi in the United States District Court, Northern District of Ohio (the
15 "Lawsuit"), arises out of Evis Brinson's former employment with the Sheriff's Office and his
16 claims that discrimination and not performance issues were the cause of his employment being
17 terminated which the Sheriff unconditionally denies; and

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19 WHEREAS, the Executive retained legal counsel with Roetzel & Andress, LPA to
20 respond to Mr. Brinson's allegations before the Equal Employment Opportunity Commission on
21 behalf of the County and therefore would like to continue these services in responding to the
22 Lawsuit; and

23
24 WHEREAS, the Board of Control, at its meeting held September 15, 2021, awarded a
25 professional service agreement with Roetzel & Andress, LPA, pursuant to Section 177.08 of the
26 Codified Ordinances of the County of Summit as Professional Service Contracts are exempt for
27 competitive bidding, toward the costs of legal representation and services on behalf of the
28 County in the Lawsuit, in the amount not to exceed \$75,000.00, subject to confirmation by this
29 Council; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
32 that the aforementioned professional service agreement with Roetzel & Andress, LPA is
33 necessary and in the best interest of the County of Summit;

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

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38 SECTION 1

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40 The award by the Board of Control of a professional service agreement with Roetzel &
41 Andress, LPA, in an amount not to exceed \$75,000.00, toward the costs of legal representation
42 and services on behalf of the County, in the matter of Evis Brinson v. Summit County, et al., Case
43 No. 5-21-cv-01638-SL, before Judge Sara Lioi in the United States District Court, Northern
44 District of Ohio (the "Lawsuit") is hereby confirmed, and the Executive is hereby authorized to
45 execute said professional service agreement and any other necessary related documents.

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47 SECTION 2

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49 This Resolution is hereby declared an emergency in the interest of the health, safety and
50 welfare of the residents of the County of Summit and for the further purpose of immediately
51 obtaining legal representation and services by legal counsel in the Lawsuit.
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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.

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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.

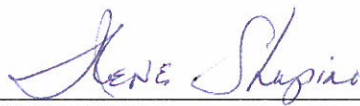
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19 INTRODUCED September 20, 2021

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21 ADOPTED October 4, 2021

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24 
25 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

26
27 APPROVED October 5, 2021

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31 EXECUTIVE

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33 ENACTED EFFECTIVE October 5, 2021

Voice Vote - YES: 10-0: DeVitis, Dickinson, Donofrio,
Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite
ABSENT: Darrow