

1 RESOLUTION NO. 2024-176

2

3 SPONSOR Executive Shapiro

4

5 DATE June 3, 2024 COMMITTEE Rules

6

7 **A Resolution submitting to the electors of the County of Summit at the November 5, 2024**  
8 **general election a proposed charter amendment, as recommended by the 2023-2024**  
9 **Charter Review Commission, to amend Article V, Section 5.10 to add the clarifying term**  
10 **“Charter” add “aunt” and “uncle” to familial relations, and remove the salary limit, for**  
11 **the County Charter Review Commission, and declaring an emergency.**

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13 WHEREAS, the voters of the County of Summit approved the adoption of the County  
14 Charter on November 6, 1979; and

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16 WHEREAS, Article X, Section 3 of the Ohio Constitution permits the people of any  
17 county to amend a charter if approved by a majority of electors; and

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19 WHEREAS, Article V, Section 5.05 of the County Charter provides for a nine member  
20 Charter Review Commission to meet in September 2003 and every five years thereafter; and

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22 WHEREAS, Article V, Section 5.06 of the County Charter provides that proposed  
23 Charter amendments, upon a vote of two-thirds of the members of County Council or greater,  
24 shall be submitted to the electors of the County; and

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26 WHEREAS, on September 11, 2023, Council adopted motion M-042-2023 confirming  
27 reappointments and replacement appointments for the Charter Review Commission, the nine  
28 members being James Armstrong, Jeff Snell, Albert Bragg, Jr., Sarah Buccigross, Moriah  
29 Cheatham Williams, Henry Johnson, Jr., Dan Rice, Karen Talbott and Mike Wheeler; and

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31 WHEREAS, the Commission met periodically from October 19, 2023 through March 27,  
32 2024, and produced a Final Report recommending two amendments to the Charter, including the  
33 amendment that is proposed by this Resolution; and

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35 WHEREAS, in its Final Report, submitted to this Council on May 30, 2024, the Charter  
36 Review Commission recommends amending Article V, Section 5.10 to add the clarifying term  
37 “Charter” to Section (A), add “aunt” and “uncle” to the prohibited familial relations to Sections  
38 (A)(B) and (C) and remove the salary limit in Section (A); and

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40 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
41 that it is necessary and in the best interest of the County of Summit to adopt the Commission’s  
42 recommendation and that the citizens of the County should be permitted to decide at the  
43 November 5, 2024 general election whether to amend the Charter to modify, Section 5.10  
44 entitled “Fairness in County Employment Eligibility” in the manner stated above; and

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46 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
47 of Ohio, two-thirds or greater of all the members elected thereto concurring, that:

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4 SECTION 1

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6 The following question as to whether the Charter of the County of Summit shall be  
7 amended, as set forth herein, shall be submitted to the electors of the County of Summit at the  
8 general election to be held November 5, 2024.

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10 SECTION 2

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12 The ballot form for this question shall be as follows:

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PROPOSED AMENDMENT TO SUMMIT COUNTY CHARTER

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A majority affirmative vote is necessary for passage.

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Shall the Charter of the County of Summit, Fairness in County Employment Eligibility Section,  
be amended to apply to Charter County employees and officials only, add “aunts” and “uncles”  
to the list of prohibited familial relations eligible for Charter County employment, and eliminate  
the \$80,000.00 salary limit?

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FOR THE AMENDMENT

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AGAINST THE AMENDMENT

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SECTION 3

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If approved by the electors of the County of Summit, Article V, Section 5.10, entitled  
“Fairness in County Employment Eligibility” is hereby amended as follows:

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SECTION 5.10 FAIRNESS IN COUNTY EMPLOYMENT ELIGIBILITY.

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In the interest of providing proper and reasonable protection against the negative aspects  
of nepotism, the following prohibitions are established:

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(A) No person shall be eligible for Charter County employment if the person is related  
to an elected Charter County official, unclassified Charter County employee, or Charter County  
employee at the level of Director ~~or County employee whose County salary exceeds \$80,000 per~~  
~~year~~, as a spouse, sister, brother, child, parent, half-sister, half-brother, step-child, step-parent,  
step-sister, step-brother, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law,  
sister-in-law, son-in-law, daughter-in-law, aunt, uncle, niece, nephew or cousin of the first  
degree.

(B) No person shall have supervisory responsibility over their spouse, sister, brother,  
child, parent, half-sister, half-brother, step-child, step-parent, step-sister, step-brother,

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4 SECTION 3 (Continued)

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6 grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law,  
7 daughter-in-law, aunt, uncle, niece, nephew, or cousin of the first degree.

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9 (C) This Section shall govern only those seeking County employment after the  
10 effective date of this Section and does not prohibit the continued employment by the County of  
11 any person who holds County employment on or before the effective date of this Section. This  
12 Section also does not prohibit the continued employment by the County of a person employed by  
13 the County prior to the election of a County elected official who is related to the employee as a  
14 spouse, sister, brother, child, parent, half-sister, half-brother, step-child, step-parent, step-sister,  
15 step-brother, grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-  
16 law, son-in-law, daughter-in-law, aunt, uncle, niece, nephew or cousin of the first degree.

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18 (D) Any person hired in violation of this Section shall be immediately terminated. The  
19 County Fiscal Officer shall not make salary payments to persons hired in violation of this  
20 Section.

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22 SECTION 4

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24 The Clerk of Council shall certify the question set forth herein to the Summit County  
25 Board of Elections no later than the ninetieth (90<sup>th</sup>) day prior to the General Election of  
26 November 5, 2024.

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28 SECTION 5

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30 Notice of the proposed amendment set forth herein shall be given by the Clerk of Council  
31 by publishing the full text of the proposed amendment once a week for at least two (2)  
32 consecutive weeks in a newspaper published in the County as set forth in Section 307.70 of the  
33 Ohio Revised Code.

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35 SECTION 6

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37 This Resolution is hereby declared an emergency in the interest of the health, safety and  
38 welfare of the residents of the County of Summit, and for the further purpose to ensure that this  
39 Resolution takes effect before the Board of Elections' deadline for submitting the proposed  
40 Charter Amendment.

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42 SECTION 7

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44 Provided this Resolution receives the affirmative vote of two-thirds by council members,  
45 it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it  
46 shall take effect and be in force at the earliest time provided by law.

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4 SECTION 8

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6 It is found and determined that all formal actions of this Council concerning and relating  
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
8 deliberations of this Council and of any of its committees that resulted in such formal action,  
9 were in meetings open to the public, in compliance with all legal requirements, including Section  
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED June 3, 2024

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16 ADOPTED June 17, 2024

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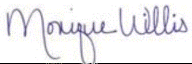
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DocuSigned by:  
  
CLERK OF COUNCIL  
336082F40064B

DocuSigned by:  
  
PRESIDENT OF COUNCIL  
332A75B69D28443

APPROVED June 17, 2024

DocuSigned by:  
  
EXECUTIVE  
CBD33E40D287473...

Voice Vote – YES: 10 – 0: Darrow, Dickinson,  
Donofrio, Ford, McKenney, Rodgers, Schmidt,  
Walters, Wiedie Higham, Wilhite  
Absent: DeVitis

ENACTED EFFECTIVE June 18, 2024