

1 RESOLUTION NO. 2010-261

2
3 SPONSOR Mr. Pry

4
5 DATE June 14, 2010

COMMITTEE Rules

6
7 **A Resolution confirming an award by the Board of Control of a professional service**
8 **contract with Roetzel & Andress for legal services related to Joshua Richard Griffin v.**
9 **Summit County, Drew Alexander, Keith Thornton, Larry Brown, John Doe I and John**
10 **Doe II, U.S. District Court, Northern District of Ohio, Eastern Division, Case No.**
11 **5:10CV862, in the amount of \$200.00 per hour, for a total amount not to exceed \$25,000.00,**
12 **for the Executive's Department of Law, and declaring an emergency.**

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14 WHEREAS, the Board of Control, at its meeting held May 12, 2010, has awarded a
15 contract for the aforementioned services subject to confirmation by County Council; and,

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17 WHEREAS, County Council has determined by reviewing all pertinent information that
18 the contract is necessary and in the best interest of the County of Summit;

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

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23 SECTION 1

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25 The award by the Board of Control of a professional service contract with Roetzel &
26 Andress for legal services related to Joshua Richard Griffin v. Summit County, Drew Alexander,
27 Keith Thornton, Larry Brown, John Doe I and John Doe II, U.S. District Court, Northern District
28 of Ohio, Eastern Division, Case No. 5:10CV862, in the amount of \$200.00 per hour, for a total
29 amount not to exceed \$25,000.00, is hereby confirmed, and the County Executive is authorized
30 to execute such a contract.

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32 SECTION 2

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34 The Executive, through the Director of Law, shall notify Drew Alexander, Keith
35 Thornton and Larry Brown of their rights to County-provided legal defense and indemnification
36 as set forth in Section 2744.07 of the Ohio Revised Code. In the event a court of competent
37 jurisdiction finds those employees acted in bad faith or manifestly outside the scope of their
38 employment with the County, then they shall no longer be entitled to the County-provided legal
39 defense or indemnification. Additionally, said employees shall repay the County for the County-
40 provided legal defense up to that point in time, to the extent permitted by law.

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42 SECTION 3

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44 This Resolution is hereby declared an emergency in the interest of the health, safety, and
45 welfare of the citizens of the County of Summit and for the further reason of immediately
46 providing such services.

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2 PAGE TWO

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4 SECTION 4

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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 5

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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 May 24, 2010

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21 ADOPTED June 14, 2010

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24 _____
25 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

26
27 APPROVED June 14, 2010

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29 
30 _____
31 EXECUTIVE

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34 ENACTED EFFECTIVE June 14, 2010

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras
Poda, Prentice, Rodgers, Schmidt, Smith ABSENT: Shapiro