RESOLUTION NO. 2014-286

SPONSOR Mr. Pry

DATE COMMITTEE Personnel

A Resolution authorizing the County Executive to execute two settlement agreements to settle all claims arising out of or concerning issues raised in a lawsuit appealing the denial of an Ohio Bureau of Worker’s Compensation claim, Vicky Chambers v. Summit County, et al., Case No. CV 2013-10-5122 before Judge Allison McCarty in the County of Summit Court of Common Pleas, and the related Ohio Bureau of Workers’ Compensation Claim No. 10-866367, in an amount not to exceed $27,500.00, for Summit County Children Services, and declaring an emergency.

WHEREAS, Vicky Chambers, an employee of Summit County Children Services (“SCCS”) filed Ohio Bureau of Workers’ Compensation (“OBWC”) Claim No. 10-866367, arising out of a fall in a parking lot at SCCS (the “claim”); and

WHEREAS, Ms. Chambers subsequently requested that an additional medical condition be allowed under her Claim, which was denied the Industrial Commission of Ohio; and

WHEREAS, Ms. Chambers filed a lawsuit appealing the Commission’s decision, Vicky Chambers v. Summit County, et al., Case No. CV 2013-10-5122 before Judge Allison McCarty in the County of Summit Court of Common Pleas (the “lawsuit”); and

WHEREAS, in consultation with the Ohio Attorney General and County Prosecutor, the OBWC, SCCS and the County Executive have reached terms of settlement with Ms. Chambers through her legal counsel to settle the lawsuit and the claim in an amount not to exceed $27,500.00; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County of Summit to settle the lawsuit and claim filed by Ms. Chambers, in an amount not to exceed $27,500.00, for the aforementioned reasons;

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

SECTION 1

The County Executive is hereby authorized to execute two settlement agreements, to settle all claims arising out of or concerning issues raised in a lawsuit appealing the denial of an Ohio Bureau of Worker’s Compensation claim, Vicky Chambers v. Summit County, et al., Case No. CV 2013-10-5122 before Judge Allison McCarty in the County of Summit Court of Common Pleas (the “lawsuit”), and the related Ohio Bureau of Workers’ Compensation Claim No. 10-866367 (the “claim”), in an amount not to exceed $27,500.00. The settlement agreements shall include a release by Vicky Chambers of all claims against the County of Summit and SCCS arising out of or concerning issues raised in the lawsuit and the claim.
SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further purpose of immediately sparing County taxpayers further expense related to Ms. Chamber’s lawsuit and claim.

SECTION 3

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

SECTION 4

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

INTRODUCED _____ June 16, 2014_____

ADOPTED _________________________

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CLERK OF COUNCIL             PRESIDENT OF COUNCIL

APPROVED _________________________

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EXECUTIVE

ENACTED EFFECTIVE _______________________