RESOLUTION NO. 2014-456

SPONSOR Mr. Pry

DATE October 27, 2014 COMMITTEE Public Safety

A Resolution appropriating funds in accordance with the agreements with the City of Akron for the Akron Municipal Court district, the Cities of Stow and Tallmadge for the Stow Municipal Court district, and the Cities of Barberton, Norton and New Franklin and the Township of Copley, being communities within the Barberton Municipal Court district not already served by the County Sheriff’s direct indictment officer, whereby the County Prosecutor will provide direct indictment services, for a total cost to those communities of $367,191.00, for the period 1/1/14 to 10/26/15, for the Prosecutor and the Executive’s Department of Law, Insurance and Risk Management - Division of Public Safety, and declaring an emergency.

WHEREAS, the Akron Municipal Court district encompasses the cities of Akron and Fairlawn and the villages of Mogadore, Lakemore, Richfield, and the townships of Bath, Richfield and Springfield; and

WHEREAS, the Barberton Municipal Court district encompasses the cities of Barberton, Green, Norton and New Franklin, the Village of Clinton and the townships of Copley and Coventry; and

WHEREAS, the Stow Municipal Court encompasses the Cities of Stow and Tallmadge; and

WHEREAS, the consolidation of direct indictment services under the County Prosecutor’s office began in 2008 and the County of Summit, along with the County Prosecutor’s office and the cities of Akron, Barberton, Norton and New Franklin and the Township of Copley, desire to continue these agreements in order to continue to provide efficient direct indictment services for the communities involved; and

WHEREAS, the County Executive and the County Prosecutor have entered into an agreement with the Cities of Stow and Tallmadge, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for those communities; and

WHEREAS, the County desires to continue its current agreement with the City of Akron whereby the County, through the County Prosecutor, will provide direct indictment services within the Akron Municipal Court district for a period of five years, 10/27/12 through 10/26/16, for a cost not to exceed $295,191.00 annually, and it is necessary to appropriate funds for the third year, for the period 10/27/14 through 10/26/15; and

WHEREAS, the County desires to continue its current agreement with the cities of Barberton, Norton and New Franklin and the Township of Copley, being the communities within the Barberton Municipal Court district not already served by the County of Summit Sheriff, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of five years, 10/21/12 through 10/20/16, for a cost not to exceed $50,000.00 annually, said individual contract amounts being set forth below, and it is necessary to appropriate funds for the third year, for the period 10/21/14 through 10/20/15; and
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WHEREAS, the County has entered into an agreement with the City of Stow, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of one year, commencing 1/1/14, at the rate of $1,000.00 per month, and it is necessary to appropriate funds for a total of $12,000.00; and

WHEREAS, the County has entered into an agreement with the City of Tallmadge, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of one year, commencing 1/1/14, at the rate of $837.00 the first month and $833.00 per month for the remainder of the term, and it is necessary to appropriate funds for a total of $10,000.00; and

WHEREAS, it is necessary to appropriate the funds that are received by the County pursuant to said agreements; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of this County to immediately authorize the aforementioned appropriation of funds received pursuant to said agreements for the provision of direct indictment services;

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

SECTION 1

The County Executive and the County Prosecutor have entered into an agreement with the City of Akron pursuant to Resolution No. 2012-396, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for all communities within the Akron Municipal Court district for a period of five years commencing 10/27/12, in an amount not to exceed $295,191.00 annually.

SECTION 2

The County Executive and the County Prosecutor have entered into agreements with the cities of Barberton, Norton and New Franklin and the Township of Copley pursuant to Resolution No. 2012-396, being the communities within the Barberton Municipal Court district not already served by the County Sheriff’s direct indictment officer, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of five years commencing 10/21/12, not exceeding the following annual amounts:

- Barberton $27,000.00
- Norton $10,000.00
- New Franklin $4,000.00
- Copley $9,000.00
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SECTION 3

The County Executive and the County Prosecutor have entered into an agreement with the City of Stow, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of one year, commencing on 1/1/14, at the rate of $1,000.00 per month, for a total of $12,000.00.

SECTION 4

The County Executive and the County Prosecutor have entered into an agreement with the City of Tallmadge, whereby the County of Summit, through the County Prosecutor, will provide direct indictment services for a period of one year, commencing on 1/1/14, at the rate of $837.00 the first month and $833.00 per month for the remainder of the term, for a total of $10,000.00.

SECTION 5

Funds are hereby appropriated for the current direct indictment program agreements as follows:

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<thead>
<tr>
<th>Account</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PR Direct Indictment Program (DIP)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10171-2605-20501</td>
<td>Salaries – Pool Budget</td>
<td>$261,250.00</td>
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<tr>
<td>10171-2605-25501</td>
<td>Benefits – Pool Budget</td>
<td>$105,941.00</td>
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<tr>
<td>Total PR Direct Indictment Program (DIP) Funds</td>
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<td>$367,191.00</td>
</tr>
</tbody>
</table>

SECTION 6

The County Fiscal Office is hereby authorized and directed to effect the within appropriations.

SECTION 7

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 reason to immediately appropriate funds for the Direct Indictment Program.

SECTION 8

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.
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SECTION 9

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 October 6, 2014

ADOPTED October 27, 2014

[Signature]

CLERK OF COUNCIL

APPROVED October 28, 2014

[Signature]

EXECUTIVE

ENACTED EFFECTIVE October 28, 2014

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro