

1 RESOLUTION NO. 2018-150

2
3 SPONSOR Ms. Shapiro

4
5 DATE April 30, 2018

COMMITTEE Rules

6
7 **A Resolution authorizing the County Executive to execute a settlement agreement and**
8 **release, in an amount not to exceed \$8,300.00, to settle all claims arising out of or**
9 **concerning issues raised in an appeal of an order concerning a workers' compensation**
10 **claim, entitled Coleman Caster v. County of Summit, et al., and all related workers'**
11 **compensation claims, for the Executive, the Prosecutor and the Sheriff, and declaring an**
12 **emergency.**

13
14 WHEREAS, Coleman Caster, a Summit County Sheriff's Deputy, filed a complaint
15 appealing an order of the Ohio Industrial Commission concerning his workers' compensation
16 claim, Claim No. 16-826237, against the County of Summit and Administrator, Bureau of
17 Workers' Compensation, entitled Coleman Caster v. County of Summit, et al., Case No. CV-
18 2017-05-1872, before Judge Tammy O'Brien in the County of Summit Court of Common Pleas -
19 General Division appealing (the "Appeal"); and

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21 WHEREAS, in consultation with the County Prosecutor, the County Executive and the
22 County Sheriff have reached terms of settlement with Mr. Caster by and through his legal
23 counsel to settle the Appeal for an amount not to exceed \$8,300.00; and

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25 WHEREAS, pursuant to the settlement agreement and release, Mr. Caster will dismiss
26 the Appeal with prejudice, dismiss all related workers' compensation claims with prejudice and
27 release and discharge the County of Summit and the Ohio Bureau of Workers' Compensation
28 from his claims against them; and

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30 WHEREAS, pursuant to the settlement agreement, the County will pay Mr. Caster an
31 amount not to exceed \$8,300.00 from its workers' compensation funds; and

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33 WHEREAS, this Council finds and determines, after reviewing all pertinent
34 information, that it is necessary and in the best interest of the County of Summit to settle the
35 Appeal for an amount not to exceed \$8,300.00, for the aforementioned reason;

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

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40 SECTION 1

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42 The County Executive is hereby authorized to execute a settlement agreement and release
43 in an amount not to exceed \$8,300.00, to settle all claims arising out of or concerning issues
44 raised in Coleman Caster v. County of Summit, et al., Case No. CV-2017-05-1872, before Judge
45 Tammy O'Brien in the County of Summit Court of Common Pleas - General Division, appealing
46 an order by the Ohio Industrial Commission concerning a workers' compensation claim, Claim
47 No. 16-826237 (the "Appeal"), and all related workers' compensation claims. The settlement
48 agreement shall include a release and discharge by Coleman Caster of all claims against the
49 County of Summit.

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1 RESOLUTION NO. 2018-150

2 PAGE TWO

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4 SECTION 2

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the citizens of the County of Summit and for the further purpose of immediately
8 sparing county taxpayers further expense related to the Appeal.

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10 SECTION 3

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

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16 SECTION 4

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18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.

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25 INTRODUCED April 16, 2018

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27 ADOPTED April 30, 2018

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32 CLERK OF COUNCIL

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39 PRESIDENT OF COUNCIL

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41 APPROVED May 1, 2018

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Voice Vote: 11-0 YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite