

1 RESOLUTION NO. 2010-214

LATE FILING

First Reading Passage Requested

2
3 SPONSOR Mr. Pry

S. Baker Ross

4
5 DATE April 26, 2010

COMMITTEE: Rules

6
7 **A Resolution authorizing the County Executive to pay to Joshua Fillinger the amount of**
8 **\$5,000.00 to settle all claims arising out of or concerning issues raised by Mr. Fillinger in a**
9 **lawsuit entitled Joshua Fillinger v. Christal Orndorff, et al., Case No. CV 2009-04-2563, in**
10 **the County of Summit Court of Common Pleas, for the Prosecutor and Executive, and**
11 **declaring an emergency.**

12
13 WHEREAS, Joshua Fillinger has brought certain claims against the County and its
14 employee, Shane Francis, in a lawsuit entitled Joshua Fillinger v. Christal Orndorff, et al., Case
15 No. CV 2009-04-2563, in the County of Summit Court of Common Pleas, arising out of an
16 automobile accident on March 19, 2009; and

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18 WHEREAS, in consultation with the County Prosecutor, the County Executive reached
19 terms of settlement with counsel for Mr. Fillinger to settle his claims in the amount of \$5,000.00;
20 and

21
22 WHEREAS, this Council has determined by reviewing all pertinent information that it is
23 necessary and in the best interest of the County of Summit to settle the claims of Mr. Fillinger.

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

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28 SECTION 1

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30 The County Executive is hereby authorized to pay to Joshua Fillinger the amount of
31 \$5,000.00 to settle all claims arising out of or concerning issues raised by Mr. Fillinger in a
32 lawsuit entitled Joshua Fillinger v. Christal Orndorff, et al., Case No. CV 2009-04-2563. Prior to
33 payment, Mr. Fillinger shall execute a release of claims against the County and its employee,
34 Shane Francis.

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36 SECTION 2

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38 This Resolution is hereby declared an emergency in the interest of the health, safety and
39 welfare of the citizens of the County of Summit and for the further purpose of sparing County
40 taxpayers further expense related to said claims.

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42 SECTION 3

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

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2 PAGE TWO

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4 SECTION 4

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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.

11

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13 INTRODUCED April 26, 2010

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15 ADOPTED April 26, 2010

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17 Shirley P. Greer

18

19 CLERK OF COUNCIL

Tom Poda

PRESIDENT OF COUNCIL

20

21 APPROVED April 27, 2010

22

23 Russell M. Ray

24

25 EXECUTIVE

26

ENACTED EFFECTIVE April 27, 2010

Voice Vote: 8-0 YES: Comunale, Crawford, Crossland, Feeman, Poda,
Rodgers, Schmidt, Shapiro ABSENT: Kostandaras, Prentice, Smith