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2 RESOLUTION NO. 2016-216

First Reading Passage Requested
(J. Dodson)

3
4 SPONSOR Mr. Pry

5
6 DATE June 13, 2016

COMMITTEE Committee of the Whole

7 **A Resolution appropriating funds for the payment of obligations pursuant to a Payment**
8 **Agreement entered into between the County and the Ohio Public Employees Retirement**
9 **System regarding the payment of public employer pension contributions for employees of the**
10 **Edwin Shaw Hospital for Rehabilitation, for the Executive's Department of Law, Insurance**
11 **and Risk Management, and declaring an emergency.**

12 Whereas, pursuant to Resolution 2016-215, this Council authorized the County Executive to
13 execute a Payment Agreement with the Ohio Public Employees Retirement System ("OPERS")
14 whereby the County agrees to pay all prior and future public employer pension contributions for
15 employees of the Edwin Shaw Hospital for Rehabilitation ("ESHR"); and

16 WHEREAS, pursuant to the Payment Agreement, the sum of \$3,156,415.80 is due to
17 OPERS by October 31, 2016 for all prior public employer pension contributions that have
18 accumulated through May 18, 2016; and

19 WHEREAS, pursuant to the Payment Agreement, the County is obligated to make ongoing
20 public employer pension contributions for the 13 ESHR employees who have not retired or otherwise
21 separated from employment until such time as those employees retire or otherwise separate from
22 employment; and

23 WHEREAS, to satisfy the County's obligation to pay the \$3,156,415.80 and ongoing
24 contributions for the 13 ESHR employees for 2016, the County Executive has recommended that
25 \$3,230,000.00 be appropriated from the General Fund and that \$2,400,000 be transferred from
26 the Certificate of Title Administration Fund ("Title Fund") to the General Fund; and

27 WHEREAS, in conjunction with the transfer of funds from the Title Fund, the County
28 Executive has proposed a Memorandum of Understanding, attached hereto as Exhibit A and
29 incorporated herein by reference, to be executed by the Executive, Clerk of Courts and President of
30 Council whereby the parties mutually agree to the transfer of funds and further mutually agree to
31 replenish those funds in the Title Fund over the next five years; and

32 WHEREAS, the transfer of the funds from the Title Funds is appropriate because the funds
33 are not currently needed for the operation of the Clerk of Court's Title Administration function and
34 the transfer of those funds will allow the County to avoid paying its obligation to OPERS through a
35 payment plan that would cost the County more than \$600,000 in interest on top of the funds it is
36 already obligated to pay under the Payment Agreement; and

37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
38 that is it necessary and in the best interest of the County, to appropriate funds as set forth above to
39 meet the County's obligations under the Payment Agreement and to authorize the County
40 Executive, Clerk of Courts and Council President to execute the Memorandum of Understanding
41 attached hereto as Exhibit A.

42 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State of
43 Ohio, that:
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2 PAGE TWO

3 SECTION 1

4 Funds are hereby appropriated as follows:

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6 <u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
7 CERTIFICATE OF TITLE ADMINISTRATION		
10180-1503-84999	Transfer Out	<u>\$2,400,000.00</u>
Total Expenditure		<u>\$2,400,000.00</u>
8		
9 GENERAL FUND		
10003-0001-19999	Transfer In	<u>\$2,400,000.00</u>
Total Revenue		<u>\$2,400,000.00</u>
10003-8005-45501	Edwin Shaw Pension Obligations	<u>\$3,230,000.00</u>
Total Expenditure		<u>\$3,230,000.00</u>

10 SECTION 2

11 The Fiscal Officer is hereby authorized and directed to make the aforementioned appropriations.

12 SECTION 3

13 The County Executive, Clerk of Courts and Council President are hereby authorized to execute
14 the Memorandum of Understanding, attached hereto as Exhibit A and incorporated herein by reference,
15 to provide for the aforementioned transfer of Title Funds to the General Fund and the subsequent
16 replenishment of those funds over the next five years.

17 SECTION 4

18 This Resolution is hereby declared an emergency in the interest of the health, safety and
19 welfare of the citizens of the County of Summit, and for the further reason of immediately
20 appropriating said funds so that the County Executive can make immediate payment to OPERS to
21 satisfy the County's obligations under the Payment Agreement.

22 SECTION 5

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

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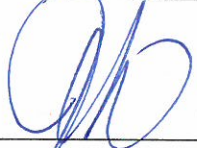
2 PAGE THREE

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4 SECTION 6

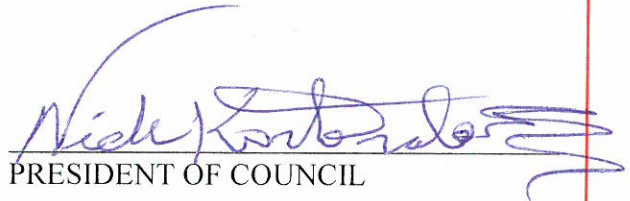
5 It is found and determined that all formal actions of this Council concerning and relating to
6 the adoption of the Resolution were adopted in an open meeting of this Council, and that all
7 deliberations of this Council and of any of its committees that resulted in such formal action, were
8 in meetings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

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11 INTRODUCED June 13, 2016

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13 ADOPTED June 13, 2016

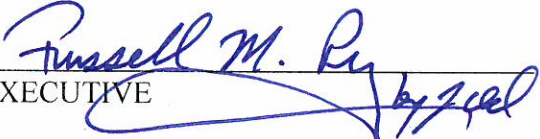
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18 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

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20 APPROVED June 13, 2016

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25 EXECUTIVE

26 ENACTED EFFECTIVE June 13, 2016

Voice Vote: 9-0 YES: Crawford, Donofrio, Feeman, Kostandaras, Prentice,
Rodgers, Schmidt, Walters, Wilhite
ABSENT: Lee, Shapiro