

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2011-0035

SPONSORED BY: COUNCIL PRESIDENT CONNALLY

A Motion confirming the County Executive's appointment of Dr. Thomas Gilson upon his taking the oath of office as the Medical Examiner of Cuyahoga County, and declaring the necessity that this Motion become immediately effective.

WHEREAS, Article V of the Charter of Cuyahoga County provides for the appointment of officers of the County, who are appointed by the County Executive, subject to confirmation by Council, and who serve at the pleasure of the County Executive; and,

WHEREAS, Charter Section 5.03 creates the Medical Examiner as an officer of the County and provides that "[a]ll powers now or hereafter vested in or imposed upon county coroners by general law shall be exercised by the Medical Examiner;" and

WHEREAS, Charter Section 5.03 further provides that the "Medical Examiner shall also have such powers and duties as shall be established by ordinance that are not inconsistent with those provided by general law for county coroners;" and

WHEREAS, Charter Section 5.03 mandates that the "Medical Examiner be a licensed physician, shall have specialized training in forensic medicine and pathology, and shall have final authority as to determinations concerning medical matters within his or her responsibility;" and

WHEREAS, Charter Section 5.03 provides that the "Medical Examiner may appoint deputies to the Medical Examiner, who shall be designated Deputy Medical Examiners and one of whom may be designated the Chief Deputy Medical Examiner;" and,

WHEREAS, County Executive FitzGerald has nominated Dr. Thomas Gilson for appointment as Medical Examiner after determining that Dr. Gilson meets the eligibility requirements contained in Charter Section 5.03; and,

WHEREAS, the Council conducted a confirmation hearing which was noticed to the public and held in an open meeting on May 31, 2011; and,

WHEREAS, the Council elects to confirm the County Executive's appointment of Dr. Thomas Gilson as Medical Examiner; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County department.

NOW, THEREFORE, BE IT APPROVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the appointment by County Executive FitzGerald of Dr. Thomas Gilson upon his taking the oath of office as the Medical Examiner is hereby confirmed.

SECTION 2. It is necessary that this Motion become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Motion were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Schron, seconded by Mr. Greenspan, the foregoing Motion was duly approved.

Yeas: Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon, Greenspan and Connally

Nays: None

Absent: Miller


County Council President 5/31/11
Date


Clerk of Council 5/31/2011
Date

Journal CC002
May 31, 2011