

ORIGINAL

In the  
Supreme Court of Ohio

STATE OF OHIO EX REL.  
GLEN P. STEWART, et al.,

Relators,

vs.

THE OHIO LOCAL GOVERNMENT  
INNOVATION COUNCIL, et al.,

Respondents.

) Supreme Court of Ohio  
) Case No. 2014-1792  
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) Original Action in Mandamus  
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JOINT STATUS REPORT OF RELATORS AND RESPONDENTS

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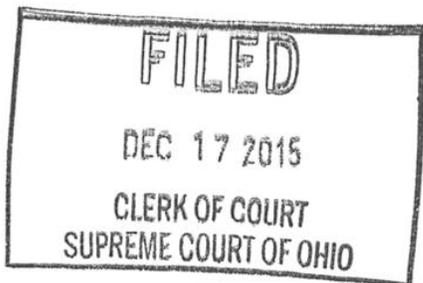
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## JOINT STATUS REPORT OF RELATORS AND RESPONDENTS

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On August 20, 2015, the Court issued an entry in this proceeding extending the stay of the procedural schedule. In this same entry, the Court ordered the parties to notify the Court of the status of the case and whether the stay may be lifted within one hundred and twenty (120) days of its entry. For the reasons set forth, the parties jointly request the stay to remain in place for one hundred and eighty (180) days as the Relators continue to work with Respondents on a potential resolution to this case that would terminate the current controversy pending before the Court.

On November 4, 2015, the Wooster-Ashland Council of Governments (“WARCOG”) submitted a new application to the Ohio Development Services Agency (“ODSA”) seeking a grant from the Local Government Innovation Council (“LGIC”). The new application, *inter alia*, includes the City of Orville as a member of the WARCOG and provides additional information on the proposed 911 dispatch center. Through counsel, ODSA informed WARCOG that the “new application . . . cannot be reviewed at the LGIC meeting currently scheduled on December 3 and would need to wait until the next meeting in 2016 (assuming the General Assembly continues the LGIC, which is set to expire at the end of 2015).”<sup>1</sup>

As set forth below, the parties anticipate that the LGIC will be extended and have new meeting dates scheduled for 2016. Under current law, the LGIC would sunset or cease to exist on December 31, 2015. R.C. 189.10. However, Representative Ron Amstutz, who also sits on the LGIC, introduced House Bill (“H.B.”) 340, which, among other things, extends the LGIC

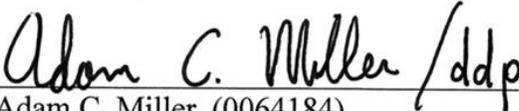
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<sup>1</sup> Each round of applications have a deadline set by ODSA program staff to allow for the applications in that round to be fully reviewed before the next LGIC meeting. Applications submitted after the deadline for a particular round typically may be considered in next round of applications.

until December 31, 2019. The Ohio House of Representatives unanimously passed H.B. 340 on October 27, 2015. The Ohio Senate unanimously passed an amended or substituted H.B. 340 (“Substituted H.B. 340”) on December 9, 2015 that similarly extended the LGIC until December 31, 2019. On December 9, 2015, the Ohio House of Representatives passed Substituted H.B. 340 by a vote of 89-3. Substituted H.B. 340 now is before Governor John Kasich for his consideration. See [www.ohiohouse.gov/ron-amstutz/press/legislation-promoting-efficiency-in-local-governments-passes-ohio-house](http://www.ohiohouse.gov/ron-amstutz/press/legislation-promoting-efficiency-in-local-governments-passes-ohio-house) (quoting Rep. Ron Amstutz) (“This bill now resolves a variety of budget-related provisions that were identified and *agreed to between the House, Senate and Kasich administration.*”) (emphasis added). Once the LGIC is extended, ODSA program staff anticipates that the next LGIC meeting will take place in May 2016.

As such, the parties respectfully request that the Court continue the stay of the procedural schedule for 180 days in order to provide the parties sufficient time to evaluate and address the new application as set forth above. If the Court is agreeable and willing to continue the stay, the parties respectfully request leave to file another status report in 180 days.

Respectfully Submitted,

 /ddp

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **Joint Status Report of Relators and Respondents**, was served via email on this December 17, 2015 on counsel for Respondents at [keith.o'korn@ohioattorneygeneral.gov](mailto:keith.o'korn@ohioattorneygeneral.gov) and [hilary.damaser@ohioattorneygeneral.gov](mailto:hilary.damaser@ohioattorneygeneral.gov).

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