

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**A RESOLUTION** authorizing the County Executive to execute an indemnification agreement with Merchants Bonding Company of Des Moines, IA, in support of surety bonds for the use and benefit of the Public Administrator in the performance of her statutory duties, at no additional cost to the County.

**RESOLUTION #17225**, March 29, 2010

**INTRODUCED BY** Theresa Garza Ruiz, County Legislator

WHEREAS, Section §473.730.2, Revised Statutes of Missouri provides that the County shall defend and indemnify the public administrator against any alleged breach of duty, within the scope of her fiduciary duties under the supervision of the Probate Court; and,

WHEREAS, the Public Administrator is required to obtain bonds for the assets of estates for which the Public Administrator serves as fiduciary as ordered by the Probate Court; and,

WHEREAS, due to changes within the surety bond industry, the long-time bond issuers utilized by the Public Administrator have reduced their available risk coverage limit; and,

WHEREAS, Merchants Bonding Company of Des Moines, IA, has been recommended by the insurance broker advising the Public Administrator for additional surety bond coverage; and,

WHEREAS, the Public Administrator is nearing the current risk coverage limit and needs to secure additional surety bond coverage forthwith; and,

WHEREAS, Merchants Bonding Company is willing to provide such coverage but requires a general indemnification agreement ("Agreement") from the County; and,

WHEREAS, there is no direct cost to Jackson County associated with the Agreement and the Agreement essentially restates the statutory duty of the County to defend and indemnify the Public Administrator's actions; and,

WHEREAS, the proposed Agreement is attached hereto as Exhibit A; and,

WHEREAS, the Agreement is in the best interests, health, safety and welfare of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Executive is hereby authorized to execute the proposed General Indemnification Agreement in a form to be approved by the County Counselor.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Pamela Fellen  
Deputy/Assistant County Counselor

Tommy E. Snyden  
Acting County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17225 of March 29, 2010, was duly passed on March 29, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

3/29/10  
Date

Mary Jo Spino  
Mary Jo Spino, Clerk of Legislature