

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**A RESOLUTION** authorizing the County Counselor to settle the claims of Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Bonavia, and Mika Rae Thurman in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO, relating to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$50,000.00.

**RESOLUTION NO. 20455**, June 29, 2020

**INTRODUCED BY** Theresa Cass Galvin, County Legislator

WHEREAS, section 1606.1(3), Jackson County Code, 1984, authorizes the settlement of claims in excess of \$5,000.00 upon recommendation of the County Counselor, by Resolution of the Legislature; and,

WHEREAS, Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Bonavia, and Mika Rae Thurman, the surviving children of ReGina Thurman, have brought a claim against the County for alleged negligent acts regarding medical care within the Jackson County Detention Center in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement of this case in the amount of \$50,000.00 to be paid by the County to Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Bonavia, and Mika Rae Thurman and/or attorneys Cynthia Dodge and John Kurtz; and,

WHEREAS, the proposed settlement will limit the County's financial obligation in this matter

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

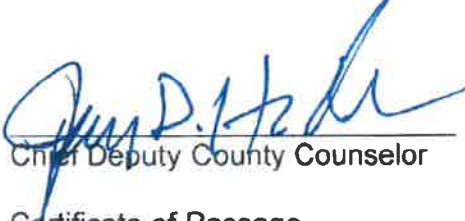
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the County Counselor be and hereby is authorized to settle the claims of Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Bonavia, and Mika Rae Thurman in the case of Aguirre et al. vs. Correct Care Solutions, LLC, et al., Case No. 1916-CV12993, now pending in the Circuit Court of Jackson County, MO, by the total payment of \$50,000.00, in full, final, and complete release of all of the claims against the County and all of its employees, officers, agents, and servants, as to any damages incurred; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effect this settlement; and,

BE IT FURTHER RESOLVED that the Director of Finance and Purchasing be and hereby is authorized to issue a check or checks in an amount totaling \$50,000.00 in full and complete settlement of this case, payable to Nichole Renee Aguirre, Dominic Michael Bonavia, Joe Carl Anthony Bonavia, and Mika Rae Thurman and/or attorneys Cynthia Dodge and John Kurtz, pursuant to the specific direction of the County Counselor.

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

APPROVED AS TO FORM:

  
Chief Deputy County Counselor

  
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20455 of June 29, 2020, was duly passed on June 29, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6

Nays 0

Abstaining 1

Absent 2

6.29.2020  
Date

  
Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 060 5160 56380  
ACCOUNT TITLE: Self Insurance Fund  
Non-Departmental  
Uninsured Claimants  
NOT TO EXCEED: \$50,000.00

6-29-2020  
Date

  
Chief Administrative Officer