

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

**A RESOLUTION** transferring \$4,682,356.00 with the 2022 General Fund and authorizing the County Counselor to settle the claims of Douglas Caster, in the case styled Douglas Caster v. Jackson County, Missouri, et al., now pending in the Missouri Court of Appeals, Western District, for a total payment by the County of \$5,300,000.00.

**RESOLUTION NO. 21123**, December 5, 2022

**INTRODUCED BY** Charlie Franklin, County Legislator

WHEREAS, Douglas Caster, filed a lawsuit styled Douglas v. Jackson County, Missouri, et al., No. WD85736, now pending in the Missouri Court of Appeals, Western District, after a jury verdict at trial in his favor, seeking compensation for claims arising out of his employment with the Jackson County Sherriff's Office; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$5,300,000.00 to be paid by the County to Douglas Caster, and/or his attorney's firm, Popham Law Firm, P.C., in two installments, \$2,550,000.00 in 2022 and \$2,750,000.00 in 2023; 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; and,

WHEREAS, in order to fund the settlement, a transfer is necessary; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfer be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund Contingency - State Mandated 3% 001-8003	56830 – Contingency	\$3,983,839	
Prosecuting Attorney 001-4101	55010 – Regular Salaries	\$158,622	
Corrections 001-2701	55010 – Regular Salaries	\$539,895	
County Counselor 001-1101	56380 – Legal Liability Claims		\$4,682,356

and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to settle the claims of Douglas Caster, by the total payment of \$5,300,000.00, in two installments, \$2,550,000.00 in 2022, and \$2,750,000.00 in 2023, 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,

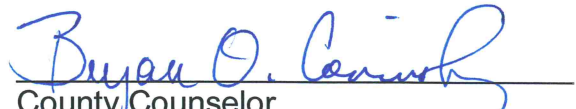
BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute any and all documents necessary to effect this settlement; and,

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 \$5,300,000.00 in full and complete settlement of this claim, payable to Douglas Caster, and/or his attorney's firm, Popham Law Firm, P.C., 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. 21123 of December 5, 2022, was duly passed on December 5, 2022 by the Jackson County Legislature. The votes thereon were as follows:


Yeas 6

Nays 2

Abstaining 0

Absent 1

12/5/2022  
Date

  
Mary Jo Spino, Clerk of Legislature

Funds sufficient for this transfer are available from the sources indicated below.

ACCOUNT NUMBER: 001 8003 56830  
ACCOUNT TITLE: General Fund  
Contingency – State Mandated 3%  
Contingency  
NOT TO EXCEED: \$3,983,839.00

ACCOUNT NUMBER: 001 4101 55010  
ACCOUNT TITLE: General Fund  
Prosecuting Attorney  
Regular Salaries  
NOT TO EXCEED: \$158,622.00

ACCOUNT NUMBER: 001 2701 55010  
ACCOUNT TITLE: General Fund  
Corrections  
Regular Salaries  
NOT TO EXCEED: \$539,895.00

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: 001 1101 56380  
ACCOUNT TITLE: General Fund  
County Counselor  
Legal Liability Claims  
NOT TO EXCEED: \$4,682,356.00

ACCOUNT NUMBER: 060 1101 56380  
ACCOUNT TITLE: Self-Insurance Fund  
County Counselor  
Legal Liability Claims  
NOT TO EXCEED: \$617,644.00

12/2/2022  
Date

  
Chief Administrative Officer