

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION approving the settlement by the County Counselor of the claims of Nicholas Ayers, in the case styled Nicholas Ayers v. Jackson County, Missouri, et al., No. 17-00187-CV-DK, now pending in United States District Court for the Western District of Missouri, for a total payment by the County of \$50,000.00.

RESOLUTION NO. 20118, March 18, 2019

INTRODUCED BY Theresa Galvin, County Legislator

WHEREAS, Nicholas Ayers has filed a lawsuit styled Nicholas Ayers v. Jackson County, Missouri, et al., No. 17-00187-CV-DK, now pending in United States District Court for the Western District of Missouri seeking compensation for alleged violations of his constitutional rights and for alleged damages caused by improper conditions of confinement while in the custody of the Jackson County Detention Center; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$50,000.00 to be paid by the County to Nicholas Ayers and/or his attorneys, Peddicord & Townsend, LLC; 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 Nicholas Ayers 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 claim, payable to Nicholas Ayers and/or his attorneys Peddicord & Townsend, LLC, 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:


Interim County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20118 of March 18, 2019, was duly passed on March 18, 2019 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6

Nays 0

Abstaining 0

Absent 3

3/18/19
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

3/20/19
Date


Chief Administrative Officer