

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Counselor to settle the claims of Harvey J. Gregory, in the case styled Harvey J. Gregory v. Jackson County, Missouri, et al, No. 1316-CV02822, now pending in the Circuit Court of Jackson County, Missouri, for a total payment by the County of \$275,000.00.

RESOLUTION NO. 18556, June 23, 2014

INTRODUCED BY Scott Burnett, County Legislator

WHEREAS, Harvey J. Gregory filed a lawsuit styled, Harvey J. Gregory v. Jackson County, Missouri, et al, No. 1316-CV02822, now pending in the Circuit Court of Jackson County, Missouri, seeking compensation for damages from a vehicle accident allegedly caused at least in part by overgrown vegetation on a County-owned road; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$275,000.00 to be paid by the County to Harvey J. Gregory, through his attorney Andrew J. Gelbach; 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 Harvey J. Gregory, in the case styled Harvey J. Gregory v. Jackson County, Missouri, et al, No. 1316-CV02822, by the total payment of \$275,000.00, 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 \$275,000.00 in full and complete settlement of this claim, payable to Harvey J. Gregory and/or his attorney, Andrew J. Gelbach, 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:

John D. Hadd
Chief Deputy County Counselor

W. Stephen Ruffin
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 18556 of June 23, 2014, was duly passed on *June 23*, 2014 by the Jackson County Legislature. The votes thereon were as follows:

Yeas *8*

Nays *0*

Abstaining *0*

Absent *0*

Excused *1*

6-23-14
Date

Mary Jo Spino
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: \$275,000.00

June 23, 2014
Date

[Signature]
Director of Finance and Purchasing