



Jackson County Missouri

Jackson County Courthouse
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Legislation Details (With Text)

File #: 2553 **Version:** 0 **Name:** defense/indemnity of county officials
Type: Ordinance **Status:** Passed
File created: 7/1/1996 **In control:** Finance and Audit Committee
On agenda: **Final action:** 7/22/1996
Title: Repealing §1606.1, Jackson County Code, 1984, relating to defense and indemnification of county officials, and enacting, in lieu thereof, one new section relating to the same subject.
Sponsors: John Patrick Burnett
Indexes: JACKSON COUNTY CODE
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
7/22/1996	0	County Legislature	Consent Agenda	Pass
7/22/1996	0	County Legislature	adopt	Pass
7/15/1996	0	Finance and Audit Committee	recommend for perfection	Pass
7/15/1996	0	County Legislature	Consent Agenda	Pass
7/15/1996	0	County Legislature	perfect	Pass
7/2/1996	0	County Legislature	Go To 1st Perfection	Pass
7/1/1996	0	County Legislature	assign to committee	Pass

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing 1606., Jackson County Code, 1984, relating to defense and indemnification of county officials, and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE 2553, July 1, 1996

INTRODUCED BY John Patrick Burnett, County Legislator

WHEREAS, chapter 16 of the Jackson County Code, which provides for the defense and indemnification of county officers and employees against claims arising out of the course and scope of their official duties, was adopted in 1987; and,

WHEREAS, since the chapter's adoption, the Legislature has taken up the settlement of claim upon the recommendation of the County Counselor on numerous occasions; and,

WHEREAS, the Legislature now believes it appropriate to increase the threshold amounts of claims which may be settled by the County Counselor on her own authority, and claims the settlement of which may be authorized by the Claims Settlement Committee; and,

WHEREAS, under the new scheme the Legislature will remain the final settlement authority for claims in excess of \$5,000; and,

WHEREAS, the adoption of this ordinance is in the best interest of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Section 1606., Jackson County Code, 1984, is hereby repealed, and one new section enacted in lieu thereof, to be known as 1606., to read as follows:

1606. Satisfaction of Judgments, Claims and Settlement of Litigation.

Judgments entered against employees or officials, except judgments for punitive or exemplary damages, shall be self-executing and shall not require any further legislative action. The [Manager of the Division of Revenue] Director of Department of Finance is authorized to pay any and

all such judgments upon the advice of the County Counselor. Payment of judgments shall include all court-ordered costs and attorney's fees.

1606.1 Settlement of Claims/Suits.

Settlement of claims and suits shall be accomplished in the following manner:

- 1) Claims of \$[500] 1,000 or less may be settled by the County Counselor without legislative approval; the [Manager of the Division of Revenue] Director of Department of Finance is authorized to pay any and all such claims, upon the advise of the County Counselor;
- 2) Claims of \$[2,500] 5,000 or less may be settled upon recommendation of the County Counselor and approved by [the Claims Settlement Committee, consisting of the] any three of the following officers: Chairman of the Legislature, the Chairman of the Legislature's Finance and Audit Committee, [or, in his absence, such other legislator as the Legislature's Chairman may select,] the Manager of the Division of [Finance and] Operations, the Manager of the Division of [Revenue] Administration, [or such other person as the County Executive may select,] and the County Counselor; the [Manager of the Division of Revenue] Director of Department of Finance is authorized to pay any and all such claims upon receipt of a [resolution of the Claims Settlement Committee,] payment request signed by at least three of [its members] the above;
- 3) Claims over \$[2,500] 5,000 may only be settled upon recommendation of the County Counselor and approval by resolution of the Legislature as a whole.

Effective Date: This Ordinance shall be effective immediately upon its passage by the County Executive.

APPROVED AS TO FORM:

County Counselor

I hereby certify that the attached Ordinance, Ordinance #2553 introduced on July 1, 1996, was duly passed on _____ July 22 _____, 1996 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 8 _____ Nays _____ 0 _____

Abstaining _____ 0 _____ Absent _____ 1 _____

This Ordinance is hereby transmitted to the County Executive for her signature.

Date Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2553.

Date Katheryn J. Shields, County Executive