



Jackson County Missouri

Jackson County Courthouse
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Legislation Details (With Text)

File #: 19851 **Version:** 0 **Name:**
Type: Resolution **Status:** Passed
File created: 4/30/2018 **In control:** County Legislature
On agenda: 4/30/2018 **Final action:** 4/30/2018
Title: A RESOLUTION approving the settlement by the County Counselor of the claims of the heirs and/or estate of Richard Degraffenreid related to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$150,000.00.

Sponsors:

Indexes: SETTLEMENT OF CLAIM

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/30/2018	0	County Legislature	adopt	
4/30/2018	0	County Legislature	adopt	Pass

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION approving the settlement by the County Counselor of the claims of the heirs and/or estate of Richard Degraffenreid related to alleged negligent acts within the Jackson County Detention Center, for a total payment by the County of \$150,000.00.

RESOLUTION NO. 19851, April 30, 2018

INTRODUCED BY Scott Burnett, 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, the estate and/or heirs of Richard Degraffenreid have made a claim against the County for alleged negligent acts within the Jackson County Detention Center; and,

WHEREAS, after a thorough investigation and negotiations, the County Counselor recommends a settlement in the amount of \$150,000.00 to be paid by the County to the heirs and/or estate of Richard Degraffenreid, and attorney John Picerno; and,

WHEREAS, the proposed settlement will limit the County's potential 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 the heirs and/or estate of Richard Degraffenreid, by the total payment of \$150,000.00, 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 Department of Finance and Purchasing be and hereby is authorized to issue a check or checks in an amount totaling \$150,000.00 in full and complete settlement of this claim, payable to the heirs and/or estate of Richard Degraffenreid, and attorney John Picerno, pursuant to the specific direction of the County Counselor regarding specific names of payees and specific amounts.

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. 19851 of April 30, 2018, was duly passed on April 30, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 6 _____

Nays _____ 0 _____

Abstaining _____ 0 _____

Absent _____ 3 _____

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: \$150,000.00

Date

Chief Administrative Officer