

Warren County Board of Supervisors

RESOLUTION NO. 87 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, CONOVER, BEATY, FRASIER, WILD, BRAYMER AND RUNYON

AUTHORIZING COUNTY ATTORNEY TO NEGOTIATE AND TENDER AN AMOUNT UP TO THE COUNTY INSURANCE POLICY DEDUCTIBLE TO SETTLE ALL CLAIMS IN THE MATTER OF QUESTOR FRENCH V. DEREK WILLIAMS

WHEREAS, Plaintiff, Questor French, filed a Federal lawsuit against Derek Williams, and other County employees, on January 18, 2021, Case No. 9:21-cv-60, in the United States District Court for the Northern District of New York, alleging in part, violations of Plaintiff's constitutional rights and protections, pursuant to 42 U.S.C. 1983, along with other claims, and

WHEREAS, the parties mutually agreed to voluntarily discontinue the lawsuit against all named County employees, except for Derek Williams, in exchange for the prompt release by the County of security video footage from inside the Warren County Corrections Center taken at the time of the alleged incident, and

WHEREAS, Plaintiff did discontinue the lawsuit against all County employees, except Derek Williams, and

WHEREAS, the County Attorney is requesting authority from the Warren County Board of Supervisors to engage in negotiations and mediation sessions, by and through the County's insurance carrier, Zurich, to pursue a possible settlement agreement in the matter of *French v. Williams*, Case No. 9:21-cv-60; now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and approves the County Attorney to engage in negotiations and mediation sessions, by and through the insurance carrier, Zurich, for a settlement agreement of all claims in this legal action, and such negotiations may include any amount of the County's deductible, up to the full insurance deductible of Fifty Thousand Dollars (\$50,000.00), and be it further

RESOLVED, that the Chairman of the Board of Supervisors may execute any future settlement documents on behalf of the County, in a form approved by the County Attorney, and issue payment up to the amount of the County's insurance deductible, which is not to exceed Fifty Thousand Dollars (\$50,000.00).