Warren County Board of Supervisors

RESOLUTION NO. 516 OF 2023

RESOLUTION INTRODUCED BY SUPERVISORS WILD, THOMAS, FRASIER, RUNYON, MCDEVITT, BEATY AND ETU

AUTHORIZING ACCEPTANCE OF SETTLEMENT AND SETTLEMENT PROCEEDS FOR LAWSUITS AGAINST ESTATE OF JOSEPH A. GARRY AND THE GARRY FAMILY TRUST

WHEREAS, Warren County commenced a collections lawsuit against the Estate of Joseph A. Garry (Estate), during 2010 for non-payment of services rendered by Westmount Health Facility (Westmount) and thereafter retained the Clements Law Firm in 2012 to pursue collection of the original Ninety-Four Thousand Eight Hundred Eighty Dollar ($94,880.00) debt and thereafter commenced litigation against The Garry Family Trust (Trust) to collect the debt, and

WHEREAS, the County Attorney requested and the Personnel, Administration & Higher Education Committee approved settlement of this collection action for the total amount of One Hundred Sixty Thousand Dollars ($160,000.00), now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the settlement of all claims between Warren County, the Trust, and the Estate, as currently set forth in the books and records of the County's General Fund for Resident Number 958 (#958), for the gross settlement amount of $160,000.00, after accounting for expenses paid, and payment of attorney's fees due to the Clements Law Firm under a Legal Services Agreement, dated July 18, 2012, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute all documents necessary to complete this settlement, and be it further

RESOLVED, that the Warren County Treasurer is hereby authorized to accept an additional payment from the Estate in the amount of One Hundred Fifty Dollars ($150.00) for reimbursement of expenses incurred by Warren County, and thereafter to write-off any remaining balance of accrued and unpaid interest due from #958 which is not satisfied by the settlement of this matter.