

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: 9 March 2005

SUBJECT: Settlement of lawsuit

ATTACHMENT(S): None

SUMMARY OF REQUEST:

Henderson County has been defending the following lawsuit:

DAN TONEY,
Plaintiff,
v.
HENDERSON COUNTY, NORTH CAROLINA,
Defendant
(Henderson County Clerk of Court file number 04 CVS 772)

on behalf of the Henderson County Parks and Recreation Department.

A tentative settlement has been reached whereby the North Carolina Association of County Commissioners' Risk Management Pool is to pay the sum of \$16,000.00 in full and final settlement of all claims against Henderson County and Henderson County Parks and Recreation Department, and the employees of the County.

N.C. Gen. Stat. § 143-318.11(a)(3) requires that a settlement of a claim against the County be publicly reported and entered into the Board of Commissioner's minutes within a reasonable time after the settlement is concluded. You are requested to confirm this settlement and enter it into the minutes of today's meeting.