

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2016 - 122

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A STIPULATION AND AGREEMENT IN THE MATTER OF LAWANNA LASTRAPE V. CLAYTON COUNTY BOARD OF COMMISSIONERS BEFORE THE STATE BOARD OF WORKERS' COMPENSATION FOR THE STATE OF GEORGIA; TO AUTHORIZE THE CHAIRMAN OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE, ALL AS MAY BE REQUIRED UNDER THE TERMS OF THE AGREEMENT; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County desires to enter into a Stipulation and Agreement (hereinafter "Agreement") in the matter of Lawanna Lastrape v. Clayton County Board of Commissioners as approved by the State Board of Workers' Compensation for the State of Georgia on May 26, 2016; and

WHEREAS, the County and Ms. Lastrape agree to forever and irrevocably settle any and all claims and issues arising out of the underlying accident by entering into the Agreement which will not be subject to appeal, modification, alteration, reconsideration or amendment with the County maintaining the right to bring a subrogation lien pursuant to O.C.G.A. §34-9-11.1; and

WHEREAS, the parties agree that the total settlement amount is \$6,600.00 with Clayton County Board of Commissioners paying the claimant \$3,129.20 to Ms. Lastrape and \$1,250.00 payable to Dylan Bess, Esq., as Ms. Lastrapes's attorney. Expenses are

payable in the amount of \$620.80. Although no future medical care is expected which is related to claimed injuries, the parties, in consideration of Medicare's interests, agree that the sum of ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) NO/100 in addition to this settlement, is intended to cover future medical expenses. In addition, \$100.00 will be paid for the release of all claims; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into the Agreement as for the reasons stated herein.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED.

Section 1. The Board of Commissioners hereby authorizes the County to enter into a Stipulation and Agreement in the matter of Lawanna Lastrape v. Clayton County Board of Commissioners before the State Board of Workers' Compensation for the State of Georgia to forever and irrevocably settle any and all claims and issues arising out of the underlying accident by entering into the Agreement which will not be subject to appeal, modification, alteration, reconsideration or amendment with the County maintaining the right to bring a subrogation lien pursuant to O.C.G.A. §34-9-11.1. Further, the Board hereby authorizes the Chairman or his designee to execute the Agreement and otherwise to perform all acts necessary to accomplish the intent of this Resolution. The Board of Commissioners authorizes the Chief Financial Officer to amend the Budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the Agreement. The Agreement shall contain the terms and conditions in the form attached hereto.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 21st day of June, 2016.

CLAYTON COUNTY BOARD OF COMMISSIONERS

Absent

JEFFREY E. TURNER, CHAIRMAN

Absent

SONNA GREGORY, VICE CHAIRMAN

Absent

MICHAEL EDMONDSON, COMMISSIONER

Absent

GAIL B. HAMBRICK, COMMISSIONER

Absent

SHANA M. ROOKS, COMMISSIONER

ATTEST:

Sandra T. Davis

SANDRA T. DAVIS, CLERK