

OKANOGAN COUNTY COMMISSIONERS'

RESOLUTION 204 - 2022

Authorization of Payment of Punitive and Non-Punitive Damages

WHEREAS, a civil complaint, 20-2-cv-00411, was filed against Okanogan County and Miranda Evans, Mitzy Green, Cody Lunn, Brent Rush, Mike Adams, Noah Stewart, Jessie Tapia, and Eric Knapp in the United States District Court, Eastern District of Washington on November 6, 2020; and

WHEREAS, Miranda Evans, Mitzy Green, Cody Lunn, Brent Rush, Mike Adams, Noah Stewart, Jessie Tapia, and Eric Knapp are all current or former employees of Okanogan County; and

WHEREAS, the County is currently providing a defense through the Washington Counties Risk Pool on behalf of Miranda Evans, Mitzy Green, Cody Lunn, Brent Rush, Mike Adams, Noah Stewart, Jessie Tapia, and Eric Knapp; and

WHEREAS, on December 13, 2022 the plaintiff sent each of the above-named individuals Plaintiff's First Set of Interrogatories and Requests for Production. Plaintiff, stating that each above-named individual is a defendant facing punitive damages, requested a significant amount of discovery information about these individuals' personal finances, properties and assets; and

WHEREAS, pursuant to RCW 4.96.041 and the Okanogan County Risk Management Policy, Section I (Res. 018-2013 as amended by Res. 034-2014), Okanogan County may pay punitive damages awarded against current or former employees if the Board of Okanogan County Commissioners specifically so authorizes; and

WHEREAS, pursuant to RCW 4.96.041 and the Okanogan County Risk Management Policy Section I, Okanogan County shall indemnify current or former employees to whom it is providing a defense and who were acting in good faith in the scope of their employment for any non-punitive damages.

NOW, THEREFORE, BE IT RESOLVED by the Board of Okanogan County Commissioners, makes the following findings:

The above recitals are true and correct

The alleged acts forming the basis of the action are alleged to have occurred during the above-named individuals' employment with Okanogan County.

A significant amount of discovery has been completed in this matter and to date every indication is that each of the above-named individuals were acting in good faith within the scope of their employment.

BE IT FURTHER RESOLVED, although the Board of Okanogan County Commissioners does not anticipate that any punitive damages will be awarded against any of the above-

named individuals, if any are awarded, the Board of Okanogan County Commissioners, finding these individuals were acting within the scope of their employment and in good faith, HEREBY authorizes and agrees to pay any such punitive damages on these individuals' behalf. The Board of Okanogan County Commissioners also authorizes payment for any non-punitive damages that may be awarded against these individuals.

DATED at Okanogan, Washington on this 19th day of December 2022.



**BOARD OF COMMISSIONERS
OKANOGAN COUNTY, WASHINGTON**

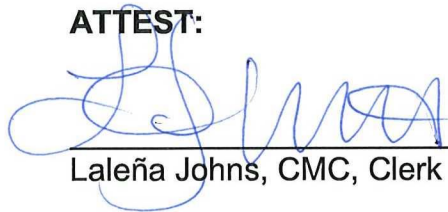


Andy Hover, Chairman of the Board



Chris Branch, Vice Chair

ATTEST:



Laleña Johns, CMC, Clerk of the Board



Jim DeTro, Member