

Supervisor **KIM B. SAVANT** moved in executive session adoption of the following:

AN ORDER OF THE HARRISON COUNTY BOARD OF SUPERVISORS AUTHORIZING SETTLEMENT IN THE AMOUNT OF \$55,000.00 IN THE CASE STYLED WILLIAM DAVID SEAL V. HARRISON COUNTY, MISSISSIPPI, ET AL. AND TO PAY SAME FROM THE "TORT ACCOUNT" AT HANCOCK BANK, AND DISBURSE SAME AS HEREIN PROVIDED, AND FOR RELATED PURPOSES.

WHEREAS, the Board entered into executive session to discuss a matter involving pending litigation styled William David Seal v. Harrison County, Mississippi, et al, Civil Action No. 1:08-cv-00175-LG-RHW, in the United States District Court for the Southern District of Mississippi, has been compromised and settled; and

WHEREAS, the County's insurance carrier has elected to compromise and settle the above styled civil action and the Board having consented to the same; and

WHEREAS, a check in the amount of \$55,000.00 shall be issued from the Tort Account in full, final, and complete settlement of this claim, which check shall be issued to William David Seal, and his attorneys, Brown Buchanan in trust pending execution of necessary settlement documents; and

WHEREAS, the check from the Tort Account shall delivered to Tim C. Holleman, attorney for the Board of Supervisors of Harrison County, who will deliver it to Brown Buchanan, in exchange for the anticipated final executed Release from William David Seal; and

WHEREAS, after the self insured retention is determined under the County's insurance policy, the insurer shall reimburse the County for the settlement and costs above the self insured retention limit.

NOW THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION I. The findings, conclusions, and statements of fact contained in the foregoing preamble are hereby adopted, ratified, and incorporated herein.

SECTION II. Upon the adoption of this Order, the compromise and settlement of the disputed claim styled William David Seal v. Harrison County, Mississippi, et al, Civil Action No. 1:08-cv-00175-LG-RHW, in the United States District Court for the Southern District of Mississippi, be and is hereby approved.

SECTION III. A check in the amount of \$55,000.00 shall be issued from the Tort Account, payable to William David Seal, and his attorneys, Brown Buchanan, in full, final and complete settlement of the litigation styled William David Seal v. Harrison County, Mississippi, et al, Civil Action No. 1:08-cv-00175-LG-RHW, in the United States District Court for the Southern District of Mississippi.

SECTION IV. The check shall be delivered to Tim C. Holleman, attorney for Harrison County who will deliver same to William David Seal, and his attorneys, Brown Buchanan, in exchange for the execution and delivery of any and all settlement documents necessary to fully resolve this matter.

SECTION V. The necessary settlement documents shall be spread upon the official Minutes of the Harrison County Board of Supervisors upon receipt.

Supervisor **WILLIAM W. MARTIN** seconded the Motion to adopt the above and foregoing Order, whereupon the question was put to a vote with the following results:

Supervisor W. S. SWETMAN III	voted	AYE
Supervisor KIM B. SAVANT	voted	AYE
Supervisor MARLIN R. LADNER	voted	AYE
Supervisor WILLIAM W. MARTIN	voted	AYE
Supervisor CONNIE ROCKCO	voted	(ABSENT & EXCUSED)

The majority of the members present having voted in the affirmative, the Motion was declared carried, and the Order adopted on this the 2nd day of August, 2010.