

RESOLUTION AUTHORIZING SETTLEMENT FOR DAMAGES INCIDENT TO A FLOODING EVENT

WHEREAS, MS Joyce Taylor, a Madison County resident, attended a regular board meeting of the Madison County Board of Supervisors and presented a claim for damages to her home, incident to a flooding event, wherein she alleged that the county was complicit in causing some of the damage to said property, based upon previous work done by the county to direct drainage flowing into an adjacent creek; and

WHEREAS, upon due consideration, the board directed the County Engineer to investigate the matter, and the engineer in so doing, reported to the board that additional work was needed to improve drainage to help ensure that future flooding events could be mitigated; and

WHEREAS, upon the advice of the County Engineer, in addition to the existing 18" pipe, the county undertook to install a new culvert to help control and direct drainage, and to mitigate the excessive water flow that would threaten nearby residential homes and streets; and

WHEREAS, pursuant to discussion, as reflected upon the official minutes of April 17, 2023, (as attached), the Madison County Board of Supervisors approved the sum of Six-Thousand dollars (\$6,000.00), to be offered to Ms. Joyce Taylor, as settlement of her aforementioned damage claim, conditioned upon her acceptance of the settlement amount, and further conditioned upon her waiver of liability against the county, for any claims relating to damages from flooding, improper drainage, negligence, or from the faulty repair or installation of pipes, culverts, or any other related, matter(s), now, or at any time in the future; and

WHEREAS, the county being fully advised in the matter, disclaimed all liability from any damage to Ms. Taylor's property, but nonetheless, directed counsel and the county engineer, to make the offer of settlement and to draft the necessary documents.

THEREFORE, BE IT RESOLVED and DIRECTED that the Madison County Board of Supervisors would, and hereby sets aside the sum of Six-Thousand dollars (\$6,000.00), as offer of settlement to Ms. Joyce Taylor, a Madison County resident, for any damages that might have occurred to her home incident to a flooding event.

BE IT FURTHER RESOLVED that the Madison County Board of Supervisors preconditioned Ms. Joyce Taylor's acceptance of the sum of Six-Thousand dollars, upon her willful act to indemnify, and to waive liability against Madison County, for any damages that accrued, or might accrue in the future, incident to flooding events or faulty drainage that she might have experienced. And, Madison County, in disclaiming any liability for damages that might have occurred to Ms. Taylor's property, nonetheless acknowledged that it directed the county engineer to install additional culverts and water control measures to protect against excessive water flow that might threaten homes and properties in the area.

BE IT FURTHER RESOLVED, that the upon signature of the President of the Board of Supervisors and upon the signature of claimant, Joyce Taylor, indicating acceptance of the terms of this Settlement Resolution, that the county Chief Financial Officer (CFO), would present a check to Ms. Joyce Taylor, in the amount of Six-Thousand dollars.

Upon motion made by Supervisor _____, and seconded by Supervisor, _____, the following vote was recorded:

District 1 Supervisor Sheila Jones _____

District 2 Supervisor Trey Baxter _____

District 3 Supervisor Gerald Steen _____

District 4 Supervisor Karl Banks _____

District 5 Supervisor Paul Griffin _____

For Madison County:

For Claimant:

Gerald Steen, President
MC Board of Supervisors

Joyce Taylor
Madison County Resident

Acknowledgment:

Witness, on this day, Appeared Before me, the above-signed Joyce Taylor, who acknowledged. that she signed the foregoing S Settlement Resolution.

Ronny Lott
Chancery Clerk

Notary Public

(SEAL)

(SEAL)

