

**RESOLUTION R-2017-104  
LUZERNE COUNTY COUNCIL**

*A Resolution by the Luzerne County Council Approving the Settlement of  
Pending Litigation in the Matter of the Estate of Gary Allen Jones v. Luzerne County*

WHEREAS, Section 4.07.B.3 of the Luzerne County Home Rule Charter provides the County Manager shall have the authority to recommend the settlement of litigation involving the County, subject to the approval of County Council; and

WHEREAS, Section 2.09.B.5 of the Luzerne County Home Rule Charter provides that County Council shall have the power to approve, by resolution adopted by a majority vote of the Council members, a recommendation by the County Manager to settle litigation involving the County; and

WHEREAS, on July 30, 2013, filed a Complaint against Luzerne County alleging that the decedent's death was the result of the negligence of Luzerne County; and

WHEREAS, the Complaint alleges that Gary Allen Jones was lodged at the Luzerne County Correctional Facility on December 21, 2012 when he was discovered hanging from the neck in his cell; and

WHEREAS, the Estate of Gary Allen Jones agrees to settle with Luzerne County in the aforementioned matter; and

WHEREAS, the Luzerne County Manager has recommended settlement of the above-captioned litigation; and

WHEREAS, Luzerne County Council also desires to resolve the pending litigation in this matter.

NOW, THEREFORE, BE IT RESOLVED, the Luzerne County Council approves the settlement of pending litigation for all claims asserted against Luzerne County in the matter of Estate of Gary Allen Jones v. Luzerne County in the amount of \$15,000.00. This settlement is a full and complete settlement and release of any and all claims by the Estate of Gary Allen Jones against Luzerne County.

This resolution shall become effective six days after adoption.

ADOPTED at a meeting of the Luzerne County Council held November 14, 2017.

ROLL CALL VOTE (9-1)

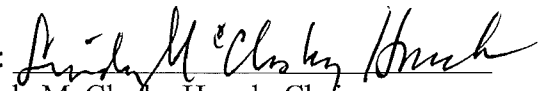
YES: Dobash, Haas, Kelleher, McGinley, Schnee, Sorokas, Waitkus, Williams, and Houck

NO: Brominski

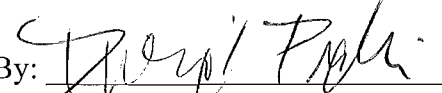
Attest: \_\_\_\_\_

Sharon Lawrence, Clerk of Council

LUZERNE COUNTY COUNCIL

By:   
Linda McClosky Houck, Chair

LUZERNE COUNTY MANAGER

By:   
C. David Pedri, Esq., County Manager