

MADISON COUNTY BOARD
Wednesday, March 17, 2021

EXECUTIVE SESSION

PRESENT: Kuhn, Pace, Meyer, Ross, Madison, Doucleff, Walters, Holliday, Malone, Gray, Pollard, King, Babcock, Eaker, Hankins, Valentine, Minner, Messner, Wiehardt, Foster, Petrillo, Glasper, Goggin, Guy, Harriss, Mueller-Jones, and Dalton

OTHERS: K. Prenzler, J. Hanson, A. Carruthers, D. Ming-Mendoza, A. Schoeberle, T. Haine, D. Michael, C. Slusser

Executive Session was called to order to discuss pending litigation involving Kristen Poshard and the mediation that took place.

A. Carruthers communicated to the board members information that came from the day of mediation. Mr. Carruthers reported that Poshard's original settlement demand, before mediation, was \$4M. Ms. Poshard's opening demand, the day of mediation, was \$2.3M and finished the day with a demand of \$1.35M. The opening settlement offer from the County was \$225k. The settlement offer by the end of the day was \$600k, to be accepted by noon the following day. It was noted the range of settlement would most likely be around \$900k.

Further discussion was held regarding legal fees. It was noted that the county's legal fees are upwards of \$500k. Also, in depth discussion was held on insurance and the risk/downsides of reaching the Self Insured Retention (SIR).

It was noted that a Settlement Conference will be on Thursday with Magistrate Judge Beatty. Mr. Carruthers asked for feedback and/or advice from the board members on settling under on a sum under \$1M.

The board members and Mr. Carruthers spoke about how legal fees are billed, mitigating damages, and confidentiality agreements.

Mr. Carruthers reiterated the importance of keeping the information discussed in closed sessions confidential.

Mr. Walters moved, seconded by Mr. Foster to return to open session.

The ayes and nays being called on the motion to approve resulted in a vote as follows:

*Pace and Minner left before closed session concluded.

AYES: Kuhn, Meyer, Ross, Madison, Doucleff, Walters, Holliday, Malone, Gray, Pollard, King, Babcock, Eaker, Hankins, Valentine, Messner, Wiehardt, Foster, Petrillo, Glasper, Goggin, Guy, Harriss, Mueller-Jones, and Dalton

NAYS: None

AYES: 25. **NAYS:** 0. Whereupon the Chairman declared we move back into open session.

/mds

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