



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: August 3, 2021
SUBJECT: Resolution Regarding Defense and Indemnification of Michael Drumright as a Defendant Pursuant to C.R.S. § 24-10-101, et seq., 19cv32002
FROM: Heidi Miller, County Attorney, County Attorney and Kerri Booth, Assistant County Attorney
AGENCY/DEPARTMENT: County Attorney's Office
HEARD AT STUDY SESSION ON N/A
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners Adopt the Resolution Regarding Defense and Indemnification of Michael Drumright as a Defendant Pursuant to C.R.S. § 24-10-101, et seq.

BACKGROUND:

The Board of County Commissioners formally indemnifies employees and elected officials who are named in civil lawsuits. This lawsuit is brought by Lee Phillips who claims her husband, Aaron M. Phillips, was killed and daughter, Sophia Phillips, was seriously injured in a car accident at the intersection of Sable Boulevard and East 144th Avenue in Adams County. Ms. Phillips further alleges that Michael Drumright was notified, prior to the fatal accident, that a stop sign controlling the cross-traffic at the intersection of Sable Boulevard and East 144th Avenue was down and that he allegedly failed to take any action.

The County Attorney's Office has reviewed the facts of this lawsuit and it has been determined that Michael Drumright was acting within the course and scope of his employment at all relevant times relevant to this lawsuit. Therefore, the County Attorney's Office is recommending that Michael Drumright be indemnified for any potential damages that might arise out of this litigation.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

ATTACHED DOCUMENTS:

RESOLUTION REGARDING DEFENSE AND INDEMNIFICATION OF MICHAEL DRUMRIGHT
AS A DEFENDANT PURSUANT TO C.R.S. § 24-10-101, ET SEQ.

FISCAL IMPACT:

Please check if there is no fiscal impact ☐. If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			

New FTEs requested: ☐ YES ☐ NO

Future Amendment Needed: ☐ YES ☐ NO

Additional Note:

Potential fiscal impact is unknown. If litigation results in settlement or judgment against the County or its employees/elected officials, there would be a fiscal impact. The potential amount of that impact is impossible to estimate at this time.