



Kane County

KC Legal Affairs and Claims

Agenda

Government Center
719 S. Batavia Ave., Bldg. A
Geneva, IL 60134

PIEROG, Ford, Gumz, Juby, Williams

Thursday, November 14, 2024

10:30 AM

County Boardroom

1. **Call To Order**
2. **Roll Call**
3. **Remote Attendance Requests**
4. **Approval of Minutes: August 15, 2024**
5. **Public Comment**
6. **Executive Session**
 - A. Pending Litigation
7. **Open Session**
 - A. Vote Settlement Approval for Case 2024SC2527
 - B. Vote of Settlement Approval for Case 2024SC986
 - C. **Resolution:** Amending Section 2-193 of the Kane County Code - Expenditures of Funds for Settlement of Claims
8. **Adjournment**

STATE OF ILLINOIS)

SS.

COUNTY OF KANE)

RESOLUTION NO. TMP-24-3194

AMENDING SECTION 2-193 OF THE KANE COUNTY CODE - EXPENDITURES OF FUNDS FOR SETTLEMENT OF CLAIMS

WHEREAS, pursuant to section 5-1004 of the Counties Code (55 ILCS 5/5-1004), the Kane County Board shall exercise the powers of the County of Kane as a body corporate or politic; and

WHEREAS, pursuant to section 1-6006 of the Counties Code (55 ILCS 5/1-6006), the Kane County Board may delegate the authority to allow or disallow claims made against the County of Kane; and

WHEREAS, the Kane County Board has delegated the authority to allow or disallow claims made against the County of Kane up to \$50,000 to a special committee known as the legal affairs and claims committee; and

WHEREAS, pursuant to section 3-9005 of the Counties Code (55 ILCS 5/3-9005), the State's Attorney has the duty to commence and prosecute all actions in which the people of the State or the County of Kane may be concerned, and the duty to defend all actions and proceedings against the County of Kane; and

WHEREAS, in accordance with the Kane County Code and past practice, the State's Attorney, by and through her Assistant State's Attorneys, requests authority to settle claims initiated by the County of Kane and to settle claims against the County of Kane up to \$50,000 from the legal affairs and claims committee; and

WHEREAS, the County Board has determined it is the best interests of the County, for purposes of efficiency, to authorize the State's Attorney, by and through her Assistant State's Attorneys, to settle claims initiated by the County of Kane and to settle claims against the County of Kane, at her discretion up to \$10,000; and

NOW, THEREFORE, BE IT ORDAINED by the Kane County Board that Kane County Code Chapter 2 (Administration), Article V (Financial Affairs), Division 1 (Generally), Section 2-193 - Expenditure of Funds for Settlement of Claims, is hereby amended as provided for in the attached Exhibit A.

Passed by the Kane County Board on December 10, 2024.

John A. Cunningham, MBA, JD, JD
Clerk, County Board
Kane County, Illinois

Corinne M. Pierog MA, MBA
Chairman, County Board
Kane County, Illinois

Vote:

EXHIBIT A

Kane County Code Chapter 2 (Administration), Article V (Financial Affairs), Division 1 (Generally), Section 2-193 – Expenditure of Funds for Settlement of Claims is hereby amended as follows (underline indicates insertion of text; strike-through indicates deletion):

2-193: EXPENDITURE OF FUNDS ~~FOR~~ AND SETTLEMENT OF CLAIMS:

Since the county is self-insured, the Kane County board hereby delegates to the State's Attorney, by and through Assistant State's Attorneys, the authority to determine whether claims initiated by the County, its officers, employees or agents should be allowed or disallowed, and whether claims against the County, its officers, employees or agents should be allowed or disallowed, up to the sum of ten thousand dollars (\$10,000), if sufficient funds have been budgeted and are available in the appropriate county fund. For all claims that exceed ten thousand dollars (\$10,000), the Kane County board hereby delegates to a special committee of the county board to be known as the "legal affairs and claims committee", to be appointed by the chairman of the county board with the advice and consent of the county board the authority to determine whether claims initiated by the county, its officers, employees or agents should be allowed or disallowed, and whether claims against the county, its officers, employees or agents should be allowed or disallowed, up to the sum of fifty one hundred thousand dollars (~~\$5~~100,000.00) per claim, if sufficient funds have been budgeted and are available in the appropriate county fund. If there is a dissenting vote by a committee member on the allowance of any claim, the claim shall be referred to the county board for final action. The authority herein delegated shall not extend to any claims arising from goods, products or services furnished to the county which are the subject of article VI of this chapter. The finance director is authorized to expend from the insurance liability fund the amount authorized by the legal affairs and claims committee to settle such claim without further resolution of the Kane County board.

A. Legal Affairs And Claims Committee: The legal affairs and claims committee shall be a subcommittee of the county board executive committee and shall consist of four (4) members thereof appointed by the chairman of the county board with the advice and consent of the county board, and a chairman, who shall be the chairman of the county board. The chairman may vote on all matters considered by the committee. The committee shall have the powers and duties set out in this section, and such

other duties as may be assigned or delegated to it from time to time. The committee shall meet at the call of the chair.

B. Monthly Reports On Claims: The county auditor shall file a monthly report of all claims paid in the prior month to the chairman and all other members of the county board. For each claim paid, the monthly report shall identify the claimant, the nature of the claim and the official or department, if any, against which the claim was made, the fund from which the payment was made, the amount of the payment and the date the check was issued.



RESOLUTION/ORDINANCE EXECUTIVE SUMMARY

Resolution: No.

Amending Section 2-193 of the Kane County Code – Expenditure of Funds for Settlement of Claims

Committee Flow: Legal Affairs & Claims Committee, Executive, County Board

Contact: Elizabeth Tabor, 630.232.3545

Budget Information:

Was this item budgeted? N/A	Appropriation Amount: N/A
If not budgeted, explain funding source: N/A	

Summary:

The Kane County Board desires to amend the Kane County Code, Section 2-193 – Expenditure of Funds for Settlement of Claims, to authorize the State’s Attorney, by and through her Assistant State’s Attorneys, to settle claims initiated by the County of Kane and to settle claims against the County of Kane, at her discretion up to \$10,000. The Kane County Board also desires to amend the Kane County Code, Section 2-193 – Expenditure of Funds for Settlement of Claims, to authorize the legal affairs and claims committee to allow or disallow claims initiated by the County of Kane or claims made against the County of Kane up to \$100,000