

RESOLUTION # 60-2018

Resolution to join class-action lawsuit for money owed by United States government.

Resolution offered by the Supervisors of the Administration Committee

WHEREAS, The United States Court of Federal Claims has certified the pending case entitled Kane County, Utah v. United States, Case Nos. 1-739C and 17-1991C (Consolidated), as a class action lawsuit, allowing local governments such as Oneida County to opt in as a member of the class to qualify for a potentially substantial financial award owed to it by the government of the United States under the Payments in Lieu of Taxes Act (PILT Act) for the fiscal years 2015, 2016, and 2017; and

WHEREAS, the County must formally file a Class Action Opt-In Notice Form with the Court in order to qualify for its share of the class action recovery, and there is no risk or "downside" to the County's participation as a member of the class;

NOW, THEREFORE, the Oneida County Board of Supervisors shall and hereby does approve the participation of Oneida County as a party in said class action lawsuit and authorize Oneida County Corporation Counsel Brian J. Desmond to complete and file a Class Action Opt-In Notice Form on behalf of the County prior to the September 14, 2018 deadline for filing with the Court, as the official act of Oneida County.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes No _____ as reviewed by the Corporation Counsel, [Signature], Date: 8/13/18

Approved by the Administration Committee this _____ day of August, 2018.

Consent Agenda Item: YES NO

Offered and passage moved by:

[Signature] Supervisor
[Signature] Supervisor
Bob Mott Supervisor
[Signature] Supervisor
Supervisor

_____ Ayes
_____ Nays

52 _____ Absent

53

54 _____ Abstain

55

56 _____ Adopted

57

58 by the County Board of Supervisors this _____ day _____, 2018.

59

60 _____ Defeated

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62

63 _____
Tracy Hartman, County Clerk

David Hintz, County Board Chair