

San Juan County Public Hospital District #3

DBA Orcas Island Health Care District

Resolution 2022-2

RESOLUTION APPOINTING AN AGENT TO RECEIVE CLAIMS

WHEREAS the Board of Commissioners of the Orcas Island Health Care District is required by RCW 65.04.045 to appoint an agent to receive any claims for damages made against the District under Chapter 4.96 RCW to avoid waiving certain legal defenses available to the District if a claim for damages is made against the District, or against any District officer, employee, or volunteer, acting in such capacity; and

WHEREAS, the identity of the District's agent and the address where the agent may be reached during the District's normal business hours are required to be public records and are required to be recorded with the San Juan County Auditor; and

WHEREAS, all claims for damages against the District, or against any District officer, employee, or volunteer, acting in such capacity, must be presented to the agent within the applicable period of limitations within which an action must be commenced; and

WHEREAS, the failure of the District to comply with the requirements of RCW 65.04.045 would preclude that District from raising a defense under Chapter 4.96 RCW; and.

WHEREAS, the Board had previously appointed Anne Presson as agent for receiving claims with all claims to be sent to the law firm of Ogden, Murray, Wallace, PLLC; and

WHEREAS, Anne Presson is no longer employed by the District and Tom Eversole is now employed as Interim Superintendent and the Board wished to appoint him as agent to receive claims; and

WHEREAS, the District now has a physical office where it can receive claims so the Board wishes to have claims sent there rather than to the offices of Oden, Murray, Wallace PLLC.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Orcas Island Health Care District appoints the District Interim Superintendent, Tom Eversole, to serve as the District's Agent to Receive Claims with all claims against the District, or against any District officer, employee, or volunteer, acting in such to be delivered to the District's office located at 410 Prune Alley, Unit B, Eastsound, WA 98245, during the District's normal business hours; and

FURTHER RESOLVED, that the Interim Superintendent is directed to record a copy of this resolution with the San Juan County Auditor in compliance with the provisions of RCW 65.04.045.

Adopted this ____ day of January, 2022.

Commissioner, Richard Fralick

President and Commissioner, Pegi A. Groundwater

Commissioner, Art Lange

Secretary and Commissioner, Diane Boteler, M.D.

Commissioner, David Zoeller