

MISSOULA COUNTY
SUBDIVISION DEFENSE COSTS POLICY

Purpose and Scope

This policy establishes the costs which the Missoula County Risk Management Fund will pay in connection with subdivision claims or appeals defended by the Missoula County Attorney.

Administration

The Risk Manager has the authority to determine allowable defense costs charged to the Risk Management Fund.

Limitations

Except as provided in this policy, the Missoula County Property and Liability Self-Insurance Plan coverage excludes any claim arising from:

- the exercise of the principles of eminent domain,
- condemnation or inverse condemnation proceedings, and
- land-use planning or regulation of any type.

Policy

If the Missoula County Attorney has occasion to defend the County in a claim or appeal of a subdivision decision, the Missoula County Risk Management Fund will pay for such defense costs as: depositions, transcripts, expert witnesses, photocopies, reproduction of tapes and other media, and other expenses as deemed appropriate. However, the Risk fund will not pay for staff time or overtime.