

**RESOLUTION NO. 2020-24**

**RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE DENYING THE CLAIM OF ANNE T. STARK**

To the Honorable Members of the Racine County Board of Supervisors:

**BE IT RESOLVED** by the Racine County Board of Supervisors that the claim of Anne T. Stark for \$73,403.74 be and is hereby denied; and

**BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that the County Clerk is directed to serve a copy of this denial upon the claimant.

Respectfully submitted,

1st Reading \_\_\_\_\_

**FINANCE AND HUMAN RESOURCES COMMITTEE**

2nd Reading \_\_\_\_\_

BOARD ACTION

\_\_\_\_\_  
Robert N. Miller, Chairman

Adopted \_\_\_\_\_

For \_\_\_\_\_

Against \_\_\_\_\_

Absent \_\_\_\_\_

\_\_\_\_\_  
Q.A. Shakoor, II, Vice-Chairman

VOTE REQUIRED: Majority

\_\_\_\_\_  
Rusty Russell Clark, Secretary

Prepared by:  
Corporation Counsel

\_\_\_\_\_  
Nick Demske

\_\_\_\_\_  
John A. Wisch

\_\_\_\_\_  
Thomas Pringle

\_\_\_\_\_  
Donald J. Trottier

**The foregoing legislation adopted by the County Board of Supervisors of Racine County, Wisconsin, is hereby:**

**Approved:** \_\_\_\_\_

**Vetoed:** \_\_\_\_\_

**Date:** \_\_\_\_\_,

\_\_\_\_\_  
**Jonathan Delagrave, County Executive**

3  
4 **INFORMATION ONLY**  
5

6 **WHEREAS**, on July 18, 2019, Anne Stark failed to stop at a stop sign at the intersection  
7 of HWY 11 (Durand Avenue) and HWY J (S. English Settlement Avenue) and caused a motor  
8 vehicle accident resulting in injuries to herself and the death and serious injuries to two  
9 individuals riding in another vehicle; and

10  
11 **WHEREAS**, on February 27, 2020, by way of her Attorney Robert J. Dvorak, Anne Stark  
12 filed a claim against the Racine County Traffic Safety Commission (and the Wisconsin DOT)  
13 alleging negligence on behalf of the County and the State claiming the intersection was known  
14 to be unsafe but that the named parties failed to take proper precautions to improve the safety  
15 of the intersection; and

16  
17 **WHEREAS**, the Public Works and Development Services Department and the Office of  
18 the Corporation Counsel investigated the claim and found that the intersection of HWY 11  
19 (Durand Avenue) and HWY J (S. English Settlement Avenue) is under the sole jurisdiction of the  
20 Wisconsin DOT; and

21  
22 **WHEREAS**, Racine County has taken voluntary and proactive actions to improve the  
23 intersection; and

24  
25 **WHEREAS**, witness statements reported to the Racine County Sheriff's Office, which  
26 investigated the accident, indicate that Anne Stark was seen driving recklessly just before the  
27 incident; and

28  
29 **WHEREAS**, Anne Stark was cited and found in default for Failure to Stop at a Stop Sign  
30 and Failure to Stop at a Stop Sign Resulting in Death; and

31  
32 **WHEREAS**, the deadline for Anne Stark to file a Notice of Claim was November 15,  
33 2020 but her claim was not filed until February 27, 2020, therefore the filing is not timely; and

34  
35 **WHEREAS**, Anne Stark's actions resulted in her injuries and the death and injuries of  
36 the other parties; and

37  
38 **WHEREAS**, the Racine County Corporation Counsel Office and Public Works and  
39 Development Services Department have reviewed this matter, and both recommend denial of  
40 this claim.