

RESOLUTION NO. 2020-25

RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE DENYING THE PROPERTY DAMAGE CLAIM OF DALTON ADDIS

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

BE IT RESOLVED by the Racine County Board of Supervisors that the property claim of Dalton Addis for \$2,198.36 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 **INFORMATION ONLY**

4
5 **WHEREAS**, on January 24, 2020, a low hanging power line connected to the home of
6 Dalton Addis was struck by a Racine County snowplow; and

7
8 **WHEREAS**, the height of plow 77, driven by Racine County Public Works and
9 Development Services driver Steven Labinski on January 24, 2020, is 11'7"; and

10
11 **WHEREAS**, the Safety Rules for Overhead Lines requires that the minimum height for
12 power lines in residential areas is 15'5"; and

13
14 **WHEREAS**, upon investigation, it was determined that the power line was hanging lower
15 than the height safety rule of 15'5" due to the wet, heavy snow; and

16
17 **WHEREAS**, plow driver Labinski indicated that he did not have the plow box raised as
18 he was driving past Addis's home and the low hanging power line struck the plow and was
19 subsequently pulled from Addis's home; and

20
21 **WHEREAS**, there is no evidence to indicate that the plow box was raised as it drove
22 past Addis's home and it is against protocol for plow operators to drive with the box raised as
23 doing so would result in salt spilling over the back tailgate; and

24
25 **WHEREAS**, the incident was caused by a low hanging WE Energy power line and an
26 "Act of God," and a not by negligence or misconduct on the part of Racine County; and

27
28 **WHEREAS**, based on the findings by the Racine County Public Works and Development
29 Services Department and the Racine County Corporation Counsel Office, a denial is
30 recommended.