

RESOLUTION NO. 2014-14

RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE DENYING THE CLAIM OF ERIE INSURANCE ON BEHALF OF ITS INSUREDS PAUL AND KERRIE MCCULLOUGH

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 Erie Insurance on behalf of its insureds Paul and Kerrie McCullough in the amount of \$1,206.99 be and is hereby denied.

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

Q.A. Shakoor, II, Chairman

Adopted _____

For _____

Against _____

Absent _____

Robert N. Miller, Vice-Chairman

VOTE REQUIRED: Majority

Thomas Pringle, Secretary

Prepared by: Corporation Counsel

Janet Bernberg

Donnie Snow

John A. Wisch

Russell A. Clark

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

Approved: _____

Vetoed: _____

Date: _____,

James A. Ladwig, County Executive

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4
5
6 **INFORMATION ONLY**
7

8 **WHEREAS**, Erie Insurance has filed a claim with Racine County on behalf of its
9 insureds, Paul and Kerrie McCullough in the amount of \$1,206.99 for damage caused to
10 their 2011 Kia Soul after it allegedly hit a series of potholes while traveling in the right lane
11 of Highway MM near Northwestern Avenue on February 19, 2014; and
12

13 **WHEREAS**, after the passage of 2011 WI ACT 132, the County has the
14 discretionary act immunity provided in Wis. Stat. Sec. 893.80(4) in addition to any standard
15 negligence defenses; and
16

17 **WHEREAS**, the Corporation Counsel and the Racine County Public Works
18 Department have investigated this claim and recommend denial.
19