



BOARD OF COUNTY COMMISSIONERS

DATE: August 6, 2013
AGENDA ITEM NO. 14

Consent Agenda ☒

Regular Agenda ☐

Public Hearing ☐

County Administrator's Signature

Subject:

Receipt and File - Quarterly Report of Claim Settlements

Department:

County Attorney and Risk Management

Staff Member Responsible:

James L. Bennett and Virginia E. Holscher

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS RECEIVE AND FILE THE QUARTERLY REPORT OF CLAIM SETTLEMENTS FOR THE PERIOD OF APRIL THROUGH JUNE 2013, FOR CLAIMS REQUIRING THE MUTUAL CONSENT OF THE COUNTY ATTORNEY AND RISK MANAGEMENT IN THE SETTLEMENT RANGE OF \$25,001.00 - \$50,000.00.

Summary Explanation/Background:

Attached is a memo dated July 10, 2013, regarding a claim settlement for an incident that occurred on the trail in the Palm Harbor area. This claim settled in mediation for \$50,000.00.

Fiscal Impact/Cost/Revenue Summary:

\$50,000.00

Exhibits/Attachments Attached:

Memo from Virginia E. Holscher, Bureau Director, Risk Management, to James L. Bennett, County Attorney, dated July 10, 2013.

Department of Risk Management

Virginia Holscher
Bureau Director

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MEMORANDUM

To: James Bennett, County Attorney
Mark Woodard, Assistant County Administrator

From: Virginia E. Holscher, Bureau Director of Risk Management *VEH*

Subject: County Attorney's Office Quarterly Report for April 1 through June 30,
2013 on claims settled between \$25,001 and \$50,000

Date: July 10, 2013

This is the Quarterly Report that goes to The Board of County Commissioners to be received and filed for informational purposes only.

Claim of Sandra Day, Claim Number: 1103124

On April 2, 2011, a volunteer trail ranger was picking up debris on the Trail in the Palm Harbor area. Two married couples, riding southbound on the Trail on bicycles with the wives in the lead, approached the ranger. The citizens alleged that at the last moment the ranger jumped at them waving his arms and shouting a warning about debris. The ranger denied this, stating he made a minimal gesture and told them to move over then turned his back on the riders. Sandra Day apparently hit her front brakes and flipped over the bicycle handlebars landing face first on the asphalt trail. She suffered multiple fractures to her head, face and hand plus broke a front tooth requiring a root canal and bridge. Medical bills exceeded \$30,000. Testimony in the case would be four plaintiff's witnesses against one County volunteer.

At mediation, the claimant's attorney valued the case at \$250,000 gross. The claim was settled post mediation based upon the plaintiff's comparative negligence for \$50,000, which is 20% of the gross value.

There are no Workers' Compensation claim settlements to report for the quarter that required our mutual consent for the settlement range of \$25,001 - \$50,000.