



BOARD OF COUNTY COMMISSIONERS

DATE: February 10, 2015

AGENDA ITEM NO. 13

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 OCTOBER 1 THROUGH DECEMBER 31, 2014, 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 January 6, 2015, that references two general liability claim settlements. Both matters are auto liability claims that arose from motor vehicle incidents involving a County employee in a County vehicle. The first claim settled at mediation for \$50,000.00. The second claim settled at mediation for \$35,000.00.

There were no workers' compensation claims for this quarter.

Fiscal Impact/Cost/Revenue Summary:

Total amount for claims paid was \$85,000.00

Exhibits/Attachments Attached:

Memo from Virginia Holscher, Bureau Director of Risk Management, dated January 6, 2015

Department of Risk Management

Virginia Holscher , CPCU
Bureau Director

Tel. No. (727) 464-3664
Fax. No. (727) 464-4060

MEMORANDUM

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

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

Subject: County Attorney's Office Quarterly Report for October 1 through
December 31, 2014 on claims settled between \$25,001 and \$50,000

Date: January 6, 2015

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

Claim of Leslie Pevey, Claim Number 10-02221, Auto Liability. On November 15, 2010, a County employee was driving a Public Works truck that was stopped at a stop light. The light turned green the truck moved forward and struck the back of the private vehicle in front of it. The County employee was at fault in the accident. The other vehicle was being driven by citizen Leslie Pevey. Ms. Pevey suffered two cervical disc herniations. Claimant had no PIP or health insurance at the time of the crash. Medically she was known as an "egg shell" claimant, meaning her prior medical conditions made her prone to injury from minor physical events. The claim was litigated and settled for \$50,000 at mediation.

Claim of Daniel Machado Claim Number 11-03833, Auto Liability. On September 21, 2011 a County employee driving a Public Works truck rear ended a private work truck operated by Daniel Machado as the two vehicles approached a road construction area. The County driver was at fault in the accident. The claimant treated under his employers Workers Compensation coverage who presented a lien for \$68,000. Claimant attempted to return to work for about a month but was unable to sustain the level of activity required for his job. After his initial attempts he did not return to work. He alleged low back, upper back, TMJ, Tinnitus and vertigo injuries. The claim was litigated and settled at mediation for \$35,000.

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.