

RESOLUTION 52-10

RESOLUTION TO DISALLOW CLAIM OF REBECCA HIMLIE

WHEREAS, on April 19, 2010, Claimant, Rebecca Himlie, served a Notice of Circumstances of Claim for Damages Pursuant to Wis. Stat. § 893.80(1)(b) and Itemized Claim for Damages (hereinafter "Claim"), upon the Polk County Clerk; and

WHEREAS, said Claim demands against Polk County to pay Claimant the sum of \$50,000.00 (fifty thousand dollars), allegedly for damages that Claimant asserts to have incurred as a result of the negligence of the Polk County Highway Department in failing to construct, maintain and/or repair County Road S; and

WHEREAS, upon review of said Claim, the County's insurance company has recommended that the County Board disallow said Claim.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors disallows the Claim of Rebecca Himlie, as served upon the Polk County Clerk on April 19, 2010.

BE IT FURTHER RESOLVED, that pursuant to Wis. Stat. § 893.80(1g), no action or claim may be brought against Polk County or its officers, boards, committees, agents or employees after six months from the date of service of this notice.

BE IT FURTHER RESOLVED, that this resolution shall constitute a Notice of Disallowance, and that a certified copy of the same shall be served by certified mail, return receipt requested, upon Claimant, Rebecca Himlie, and her attorney.

Funding Source:	N/A	Funding Amount:	N/A
Date Finance Committee Advised:	August 11, 2010	Recommendation:	Passage
Effective date:	Upon Passage		
Approved as to Form:	<u>Jeffrey B. Fuge</u> Jeffrey B. Fuge, Corporation Counsel		
Date Submitted to the Polk County Board:	August 17, 2010		
Sponsored and submitted by the Finance Committee:			

B. R. Martin 8/5/10 _____

At its regular business meeting on August 17, 2010, the Polk County Board of Supervisors adopted the above resolution, Resolution ____-10; Resolution to Disallow Claim of Rebecca Himlie, by a vote of _____ in favor and _____, against.

William Johnson, IV, County Board Chairperson

*Resolution adopted by
unanimous voice vote*

Attest: _____
Carole Wondra, Polk County Clerk

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Carole T. Wondra, Clerk for Polk County, do hereby certify that the attached is a true and correct copy of Resolution No. 52-10 that was adopted by the Polk County Board of Supervisors on Aug. 17, 2010.

Carole T. Wondra 8-24-10
Carole T. Wondra Date
Polk County Clerk