

Resolution No: 49-15

Resolution to Disallow Claims of Lakeland Communications Group, LLC.

TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF POLK:

Ladies and Gentlemen:

WHEREAS, Claimant, Lakeland Communications Group, LLC., did serve on Polk County on August 12, 2015 two separate claims for damages dated August 6, 2015, as follows:

1. Claim for money damages in the amount of \$1,006.21 for repair costs incurred for a cable TV pedestal, allegedly damaged on September 11, 2013 by a county employee while conducting mowing activity within the right of way along County Road I near 164<sup>th</sup> Street; and
2. Claim for money damages in the amount of \$580.00 for repair costs incurred for a cable TV pedestal, allegedly damaged on July 16, 2014 by a county employee while conducting mowing activity within the right of way along State Road 35 and 160<sup>th</sup> Street.

WHEREAS, the County's insurance company, after conferring with the Highway Commissioner and the Corporation Counsel, has recommended that the Polk County Board of Supervisors disallow the claims by resolution and issue formal notice of disallowance.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors disallows the two referenced claims of Lakeland Communications Group, LLC., dated August 6, 2015 and served upon Polk County on August 12, 2015.

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, Lakeland Communications Group, LLC .

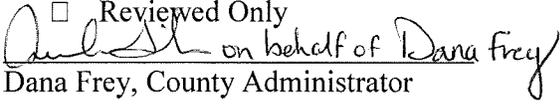
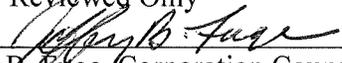
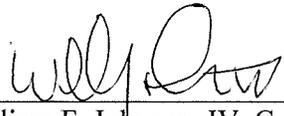
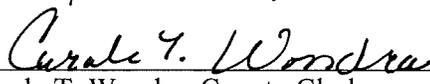
BE IT FURTHER RESOLVED, that pursuant to Wis. Stat. § 893.80(1g), no action or claim may be brought against Polk County or its officers, boards, committees, agents or employees after six months from the date of service of said notice.

(Resolution Continued in Page 2)

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Resolution to Disallow Claims of Lakeland Communications Group, LLC.

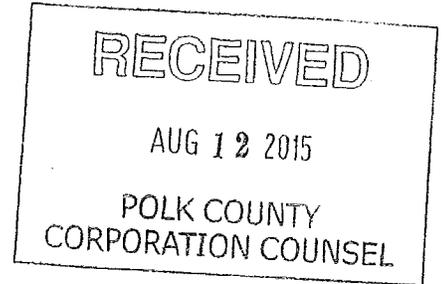
Page 2

Funding Source/ Funding Amount:	Not Applicable
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation:	Not Applicable
Effective Date:	Upon Passage
Dated Submitted To County Board	December 15, 2015
Submitted and Sponsored By: 	_____
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Jeffrey B. Fuge, Corporation Counsel
Acknowledgement of County Board Action	
Mark As Appropriate:  At its regular business meeting on the <u>15<sup>th</sup></u> day of December 2015, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. <u>49</u> -2015: Resolution to Disallow Claims of Lakeland Communications Group, LLC Resolution to as follows:  <input type="checkbox"/> Adopted by simple majority of the board of supervisors by a vote of _____ in favor and _____ against. <input checked="" type="checkbox"/> Adopted by unanimous vote. <input type="checkbox"/> Defeated by a vote of _____ in favor and _____ against. <input type="checkbox"/> Defeated by voice vote. <input type="checkbox"/> Action Deferred by Procedural Action, as follows: _____ _____ _____	
SIGNED BY:  William F. Johnson, IV, County Board Chairperson Attest:  Carole T. Wondra, County Clerk	





825 Innovation Avenue,  
P.O. Box 40  
Milltown, Wisconsin 54858-0040  
Tel. 715.825.2171  
[www.lakeland.ws](http://www.lakeland.ws)



August 6, 2015

Ms. Carole T. Wondra  
100 Polk County Plaza, Suite 100  
Balsam Lake, WI 54810

Dear Ms. Wondra

SUBJECT: NOTICE TO THE COUNTY OF POLK PURSUANT TO WIS. STAT., § 893.80 (1D)

Enclosed please find a Notice to the County of Polk, Wisconsin and supporting documentation (Attachment A).

If you have questions regarding this correspondence please contact me at 715-825-2171.

Sincerely,

John Klatt, President/ CEO  
Lakeland Communications

Enclosures

NOTICE PURSUANT TO WIS. STAT. § 893.80

TO: Polk County  
c/o Carole T. Wondra, Clerk  
100 Polk County Plaza, Suite 110  
Balsam Lake, WI 54810

PLEASE TAKE NOTICE that pursuant to Wis. Stat., § 893.80(1d), Lakeland Communications Group, LLC, a Wisconsin Limited Liability Company ("LCG"), located at 825 Innovation Avenue, Milltown, Wisconsin 54858, hereby gives notice to the County of Polk, Wisconsin (the "County"), as set forth more fully herein.

Background Information

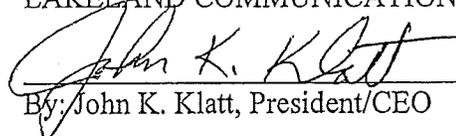
On September 11, 2013, while mowing the grass, an employee of the County negligently damaged a Cable TV pedestal owned by LCG. The Cable TV pedestal was located on County Road I near 164<sup>th</sup> Street between Fire Nos. 1655 and 1669. The attached invoice No. 14-005 was sent to the Polk County Highway Department on October 15, 2013, with an itemization of the repair costs totaling \$1,006.21 (See, Attachment A).

Wis. Stat. § 893.80(1d)(b) Notice of Claim

As a result of the foregoing conduct by the County, LCG seeks damages in the amount of \$1,006.21 for the costs arising out of the damage to the Cable TV pedestal, and repairing the same.

Dated this 6th day of August, 2015.

LAKELAND COMMUNICATIONS GROUP, LLC

  
By: John K. Klatt, President/CEO

ATTACHMENT A



Lakeland Communications

825 Innovation Avenue PO Box 40, Milltown, WI 54858-0040

TO: Polk County Highway Dept  
100 Polk County Plaza  
Balsam Lake WI 54810

INVOICE NO. 13-0007

DATE October 15, 2013

DUE DATE October 25, 2013

Net 10

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1.00	Service Call	\$ 50.00	\$ 50.00
0.00	External Contractor: Plowing		
0.00	External Contractor: Cable Splicing		
3.00	Work Order Labor	70.00	210.00
5.00	Premise Labor	70.00	350.00
5.00	Vehicle	25.00	125.00
5.00	Specialty Tools & Test Equipment	10.00	50.00
3.00	Materials	221.21	221.21

This invoice is for a Cable TV Pedestal that was damaged while mowing on 09/11/13 on County Rd 1 near 164th St between Fire # 1655 & 1669.

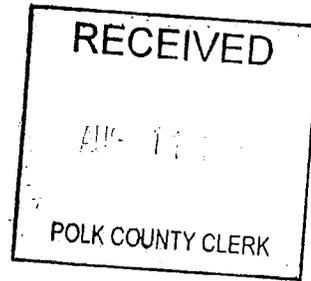
If you have any questions regarding this invoice, please contact:

Sheri Thorsbakken at 715-825-5104.

SUBTOTAL \$ 1,006.21

Make check payable to:  
Lakeland Communications  
PO Box 40  
Milltown WI 54858-0040  
Thank You!

TOTAL 1,006.21



825 Innovation Avenue,  
P.O. Box 40  
Milltown, Wisconsin 54858-0040  
Tel. 715.825.2171  
[www.lakeland.ws](http://www.lakeland.ws)

August 6, 2015

Ms. Carole T. Wondra  
100 Polk County Plaza, Suite 100  
Balsam Lake, WI 54810

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Sincerely,

John Klatt, President/ CEO  
Lakeland Communications

Enclosures

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TO: Polk County  
c/o Carole T. Wondra, Clerk  
100 Polk County Plaza, Suite 110  
Balsam Lake, WI 54810

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Background Information

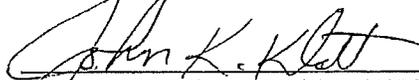
On July 16, 2014, while mowing the grass, an employee of the County negligently damaged a pedestal owned by LCG. The pedestal was located at State Road 35 and 160<sup>th</sup> Street, in the Township of Balsam Lake. The attached invoice No. 13-0007 was sent to the Polk County Highway Department on July 21, 2014, with an itemization of the repair costs totaling \$580.00 (See, Attachment A).

Wis. Stat. § 893.80(1d)(b) Notice of Claim

As a result of the foregoing conduct by the County, LCG seeks damages in the amount of \$580.00 for the costs arising out of the damage to the Cable TV pedestal, and repairing the same.

Dated this 6<sup>th</sup> day of August, 2015.

LAKELAND COMMUNICATIONS GROUP, LLC

  
By: John K. Klatt, President/CEO

ATTACHMENT A



Lakeland Communications

825 Innovation Avenue PO Box 40, Milltown, WI 54858-0040

TO: Polk County Highway Dept  
 Attn: Steve Warrdahl - Commissioner  
 100 Polk County Plaza  
 Balsam Lake WI 54810

INVOICE NO. 14-005  
 DATE July 21, 2014  
 DUE DATE July 31, 2014

Net 10

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1.00	Service Call	\$ 50.00	50.00
0.00	External Contractor Paylog		
0.00	External Contractor Cable Splicing		
3.00	Work Order Labor	70.00	210.00
2.00	Premise Labor	70.00	140.00
2.00	Vehicle	25.00	50.00
2.00	Specialty Tools & Test Equipment	10.00	20.00
1.00	Materials	110.00	110.00

This is to repair pedestal that was damaged on 07/16/14 at  
 State Rd 35 & 160th St

If you have any questions regarding this invoice, please contact:

Sheri Thorsbakken at 715-825-5104.

SUBTOTAL \$ 580.00

Make check payable to:  
 Lakeland Communications  
 PO Box 40  
 Milltown WI 54858-0040

TOTAL 580.00

Thank You!