



RESOLUTION # 26-7/09

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY
BOARD OF SUPERVISORS

ITEM # 10/7

BOARD ACTION

Adopted: ☒
For: 33
Against: 0
Abs/Excd: 2
Vote Req: _____
Other Action: _____

EXECUTIVE
COMMITTEE

Adopted: ☒
For: 8
Against: —
Abs/Excd: 1

RE: CLAIM OF THE ESTATE OF WILLIAM HARTER, AMANDA STENBERG, ERIKA HUBBELL
AND JOSHUA HARTER

WHEREAS, the Estate of William E. Harter, Amanda Stenberg (daughter), Erika Hubbell (daughter), and Joshua Harter (son) have filed a Notice of Claim for Damages alleging that La Crosse County was negligent in not properly maintaining the sidewalk area on the south side of Clinton Street, La Crosse, Wisconsin resulting in the death of William E. Harter on December 31, 2008 and the claimants are seeking damages in the total amount of \$625,000.00 against the County; and,

WHEREAS, Wisconsin Municipal Mutual Insurance Company (WMMIC) has reviewed the information, investigated the facts and recommended formal disallowance of this claim by the La Crosse County Board; and,

WHEREAS, this claim does not appear to be meritorious and should be disallowed.

NOW THEREFORE BE IT RESOLVED, that the claims of the Estate of William E. Harter, Amanda Stenberg, Erika Hubbell and Joshua Harter against La Crosse County, its officers, officials, employees, and agents are hereby disallowed and notice of disallowance of the claims shall be served on each of the claimants by registered or certified mail and the receipt therefore, signed by the claimants, or the returned registered letter, shall be proof of service.

BE IT FURTHER RESOLVED, that the claimants are notified that no action on the claims against La Crosse County, nor against any of its officers, officials, agents, or employees, may be brought after 6 months from the date of service of the notice of disallowance and the notice of disallowance shall contain a statement to that effect.

FISCAL NOTE: No cost to La Crosse County.

Date: 7-8-09

[Signature]
COMMITTEE CHAIR

Date: 7/8/09

[Signature]
RECORDING CLERK

	Reviewed Only	Recommended	Not Recommended	
Co. Admin.	<u>SD</u>			Requested By: WMMIC
Fin. Director		<u>BT</u>		Date Requested: June 29, 2009
Corp. Counsel		<u>WAS</u>		Drafted By: Corporation Counsel
Bd. Chair	<u>SD/mx</u>			

Adopted by the La Crosse County Board this 16th Day of JULY, 2009

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STATE OF WISCONSIN
COUNTY OF LA CROSSE

I, Linda A. Stone, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 16th day of July, 2009.

[Signature]
Linda A. Stone, La Crosse County Clerk