

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 11/17/23	PREPARED BY: Jeff Briggs
Meeting Date Requested: 11/22/23	PRESENTED BY: Jeff Briggs
ITEM: (Select One Consent Agenda x Brought Before the Board Time needed: 10 minutes)	
SUBJECT: Settlement with Dairyland for damaged Sheriff Department vehicle.	
FISCAL IMPACT: County will receive \$25,000 in settlement dollars but will be precluded from further litigation.	
BACKGROUND: On November 18, 2022, a County Police Cruiser was struck by a vehicle negligently operated by Alex Muro. The damages to the vehicle appear to greatly exceed the insured's policy limits of \$25,000.00. The 3 rd party insurance has tendered policy limits of \$25,000.00 and is requesting a signed release prior to issuance of a check. The release will prevent any further claims or litigation by the County.	
COORDINATION: Jeff Briggs, Senior Deputy Prosecuting Attorney; Montey Huber, Franklin County Undersheriff; Mike Gonzalez, Franklin County Administrator; Erika Padilla, Senior Claims Representative, Dairyland Insurance.	
RECOMMENDATION: I recommend a motion authorizing Mike Gonzalez to sign the release on behalf of the County.	
ATTACHMENTS: (Documents you are submitting to the Board) ASR, Release of liability	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list name(s) of party(s) that will need a pdf.) Original : Clerk of the Board Teresa Alvarez Copy: Jeff Briggs, Attorney Mike Gonzalez, County Administrator Tim Anderson, Budget Director	

I certify the above information is accurate and complete.

Name: Mike Gonzalez, County Administrator

Middlesex Insurance Company
P.O. Box 8038
Stevens Point, WI 54481

September 06, 2023

0003961

Dairyland

Claim Number: 96A060873-490
Insured: ANGEL MURO
Claimant Name: FRANKLIN COUNTY
Date of Loss: 11/18/2022

FRANKLIN COUNTY
1016 N 4TH AVE B328
PASCO WA 99301-3706



This will confirm our conversation regarding the settlement of your claim in the amount of \$25,000.00.

Per our agreement you will find an enclosed Release. This is a legally binding document. Please have your client sign it, have it notarized and return it to us. Once we have received it, properly completed, we will forward our check.

If you have any questions, contact me.

Erika Padilla, Claims Rep Senior
Middlesex Insurance Company
A Member of the Sentry Insurance Group
503-566-4278 Phone
888-729-2225 Fax
erika.padilla@sentry.com

Enclosure: Release of All Claims



RELEASE OF ALL CLAIMS

I, FRANKLIN COUNTY, being of lawful age, acknowledge receipt of twenty-five thousand and 00/100 dollars (\$25,000.00) in return for which I, FRANKLIN COUNTY, hereby release Middlesex Insurance Company and ANGEL MURO, their subsidiaries, affiliates, stockholders, officers, directors, employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, from any and all claims and damages as a result of an accident on and or about November 18, 2022 at or near Ringold Rd, Frco, WA. This release includes all known and unknown damage and injury. In making this agreement I, FRANKLIN COUNTY, am relying wholly on my own judgment concerning the nature and extent of damage and injury and I, FRANKLIN COUNTY, understand this release is full and final.

I, FRANKLIN COUNTY, do hereby covenant with Middlesex Insurance Company and ANGEL MURO, their subsidiaries, affiliates, stockholders, officers, directors, employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, to indemnify and hold them harmless from all claims arising out of said accident as to all FRANKLIN COUNTY's damage and injury.

I, FRANKLIN COUNTY, also understand this is a compromise of a disputed claim for which liability is expressly denied. This agreement is not to be construed or considered an admission of liability on the part of Middlesex Insurance Company and ANGEL MURO, their subsidiaries, affiliates, stockholders, officers, directors, employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, who expressly reserve the right to prosecute a claim for any damages sustained.

The undersigned agrees any Medicare Conditional Payments will be repaid to Medicare before the settlement funds are disbursed for other purposes. The undersigned further agrees to indemnify and hold harmless Middlesex Insurance Company and ANGEL MURO, their subsidiaries, affiliates, stockholders, officers, directors, employees, agents, insurers, attorneys, predecessors, heirs, successors, and assigns, from any lien or claim, which any Federal or State Government entity, or any other entity may have now or in the future, including but not limited to Medicare, Medicaid, Social Security or any other lawful lien.

