Lee County Board of County Commissioners Agenda Item Summary

Blue Sheet No. 20030883

1. REQUESTED MOTION:

ACTION REQUESTED: Request approval of settlement offer and authorize Chairman to execute a <u>Release of Property Damage Claim</u> with Ocean Harbor Casualty Insurance Company and Leroy R. Noonan, as 100% recovery for damages to Lee County property totaling \$484.06.

WHY ACTION IS NECESSARY: Board of County Commissioners approval is required for settlement offers and execution of <u>Release and Assignment of All Claims</u> to complete the transaction with Ocean Harbor Casualty Insurance Company for their payment.

WHAT ACTION ACCOMPLISHES: Releases Ocean Harbor Casualty Insurance Company and their client, Leroy R. Noonan, from any further liability to Lee County arising out of a traffic accident on July 1, 2001. The \$484.06 payment represents a 100% recovery of the damages for Lee County.

H										
	MENTAL CAT		DRY:	Cla	\overline{A}	3. MEETING	DATE:	8-10	9-2003	
4. AGENDA:		_	REQUIREM	ENT/PUR	POSE:	6. REQUEST	OR OF I	VFOR	MATION:	
A GOVER	>	(Specify)								
CONSENT		STATUTE				A. COMMISSIONER				
ADMINISTRATIVE			ORDINANCE							
APPEA			ADMIN. C	ODE _					ral Services	
PUBLIC		<u> </u>	OTHER Settlement offer & execution of			BY:				
WALK								County Attorney General Services Coovert Int County Attorney damages to a Lee County Ired by Cash Register Auto gister Insurance since Mr. Irion. Lee County Attorneys y Insurance Company) for GC		
7. BACKGRO	EQUIRED:		Release of I	Property Da	mage Claim		Assistant	Count	y Attorney	
Noonan's police Office was able the accident pe (Continued on	ey expired May 2 e to locate and oriod. Page 2)	001; conta	file was forw act Mr. Noona	rarded to the an's auto in	Lee County A	Attorneys Office f	or collection	on. Lee	County Attorneys	
8. WANAGE	MENT RECON	<u>livir</u>	MUATIONS	<u>5:</u>						
9. RECOMM	ENDED APPR	OV.	AL:							
A Department Director	B Purchasing or Contracts		C Human Resources	D Other	E County Attorney	Budget S	•		· · · · · · · · · · · · · · · · · · ·	
7/3/03			N/A	N/A	- John Co	OA OM Region 850	RISK	GC 449	003.6.03	
16. <u>COMMIS</u>		APP DEN DEF	ROVED HED ERRED		Rec. Date: Time:		COUN	TY ADM	0 2	
		OTH	ER		Forwi	anded To:				

Blue Sheet #:											
Page No.: Subject:	2 Release of Property Damage Claim										
•											
7. BACKGROUND: (Continued)											
Ocean Harbor Casualty Insurance Company investigated the accident and has agreed to pay 100% of the damages in											
return for Release of Property Damage Claim.											
ATTACHMENTS:											
(3) - Or	riginal Release of Property Damage Claim between Ocean Harbor Casualty Insurance Company and Lee										
County	Board of County Commissioners										
Corresp	oondence from Ocean Harbor Casualty Insurance Company requesting release										
Lee Co	unty DOT Invoice										
Traffic	Crash Report										

S:\GS\SSC\Blue She	ects\Noonan-Ocean Harbor Settlement.wrxl										

RELEASE OF CLAIMS

Ocean Harbor Casualty Insurance Company Claim Number: S1107A21-02-14

The LEE COUNTY GOVERNMENT, a political subdivision of the State of Florida, (herein after referred to as "Claimant") for the sole consideration of the payment of Four Hundred Eighty Four Dollars and Six Cents (\$484.06) in receipt of which is hereby acknowledged, release and forever discharge OCEAN HARBOR CASUALTY INSURANCE COMPANY, and Leroy R. Noonan (their/his/her), agents and servants, and all other persons, firms and corporations, associations or partnerships of and from any and all actions, claims and demands whatsoever for property damage which Claimant now has, or may hereafter have, account of, or arising out of, the accident, casualty or event which occurred on or about the 1st day of July 2001, at or near Fort Myers, Florida. In-as-much as all of the Claimant's property damage may not now be fully known and hence may be more severe than is now expected, Claimant agrees, as a further consideration for said sum, that this Release applies to all property damage resulting from said accident, casualty or event, even though now unanticipated, unexpected and unknown, as well as to all property damage which has already developed and which is now known or anticipated.

Claimant, as a further consideration for said sum warrants that no promise or agreement not herein expressed has been made to Claimant; that in executing Release, Claimant is relying upon statement or representation made by the party or parties hereby released or any said party or parties, agents, or representatives concerning the nature, extent or duration of the said damages, and/or legal liability therefore, or concerning any other thing or matter, but is relying solely upon Claimant's own judgement; that the above mentioned sum to be received by Claimant is over eighteen (18) years of age and legally competent to execute this Release and that before signing and sealing this Release, Claimant has fully informed himself of its contents and meaning and has executed it with full knowledge thereof.

IN WITNESS WHEREOF, Claimant has read the foregoing, fully understands its content and has hereunto set his hand and seal.

DATED this day of	, 2003.
ATTEST: CHARLIE GREEN CLERK OF COURTS	BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA
BY:	BY:
Deputy Clerk	Chairman
	APPROVED AS TO FORM:
	BY:
	Office of the County Attorney

OCEAN HARBOR CASUALTY INS CO

P.O. Box 452799 Summse, 61, 3, 34 (99)yo 954 746 2482 Fax: [954] 746 1159

July 16, 2003

Lee County Board of County Commissioners P.O. Box 398 14. Myers 14, 33902-0398

Mtn:

RE: Your Claim #:

Our Life #: \$1107A21-02-14

Date of loss; July 1, 2001

Dear Mr. Sirs:

Please be advised that we concluded our investigation into the above exptioned class: Accordingly, we have concluded liability at 100 %.

Attached, please find our release in the amount of \$484.06. Said amount represents 100% of your insured's damages.

Please execute said release and forward it back to us in order that we may settle this claim

Should you have any further questions regarding this matter, please feel free to contactor the undersigned.

Respectfully.

, , , ,





BILL TO	
Leroy R Noonan 5642 Rainbow Drive Pine Island, Fl 33922	

FROM

LEE COUNTY DOT RECLAMATION 1500 Monroe Street Fort Myers, FL 33901 941-479-8533

		DATE	INVOICE#	TERMS	CERFI	FIED MAIL - RET
		11/19/2001	1503	Net 30		
ITEM	DESCRIPTION		QTY	RAT	ΓE	AMOUNT
Report #	Florida Traffic Crash Report # 01428628			484.06		484.06
Damage Date Insurance	Damage Guardrail Date 7/1/01 If you have insurance, please forward this your insurance representative.	s information to				
Statement	In the event that you or your representative respond to this request within (30) days, be forced to take further action. Such action suspension of your license, pursuant to Florida Statutes.	the County will ion could result				
Make Checks Paya	able to: LEE COUNTY BOARD OF COUNT	Y COMMISSION	JERS			
FEDERAL I.D. #:	59-6000702	1 COMMISSION	IERS	TOTA	L	\$484.0

Please Remit To:

Lee County Comm. Dev./Public Works Center

1500 Monroe Street

Area Billing

.vrea #:

28

Pine Island

Project Cost:

\$484.06

From:

Wednesday, August 29, 2001

To:

Wednesday, August 29, 2001

Date:	Crew	Cost Account	Work Order Cost	\$484.06	
8/29/20	0600107	0363205	Comments:	24	Linear Feet
23262	Bogenrider/Busbee All Guardrall Repair		PINE ISLAND RD. FIX A		

Equipment	Sub Total:	\$21.54		
19850 Pick Up	3	\$21.54		
Labor	· ·	Sub Total:	\$336.02	
2705 James Bogenrieder	3	\$105.72	•	
3226 Steven Thorp	3	\$78.07		
3789 Ruben Gonzalez	3	\$73.43		
3973 Noe Cisneros Jr	3	\$78.80		
Materials/Misc.		Sub Total:	\$126.50	
Panels, Straight, 12' 6"	2	\$126.50		

		Α	В	С	D		F	G	
			23262]
06-0-0107	RFA#		T]
Crew Sheet	Cost Account Street Location	3-63-205.	363-205	3-14-8-5	3-60420	1-60-270	3-60.22] ,
	Street	STRICEPER	Whit Is	SUNABUR	DANIACS	N-F-M	5. R. 75] /
1. Jun	Location	. 112	05	2	21/257	States.			1 /
Date		120042	7.DE 120.	To-IN	1290.30	Rd	120050	1	, /
Dlal.		i	1567	moiss	1 36				\/
8/29/01		i			1				Y
	Production Qty	24	24	/	2	6	1.]
ı	Unit of Measure	LINTT	Lindfor	EC	<u>E0</u>	ft welf	Each]
	Special Project	2100	2100	2300					1
	Area	28	28	30	30	26	15		Other Total
Chris Davis	2572	Y .			5	,			10
James Bogenrider	2705	-3	(3)	5				!	10
Doug Busbee	2665					5	5		10
Noe Cisneros	3973		-5	4					10
Chad Frahm	3364			.5	5				10
Ruben Gonzalez	3786		3	4	<u> </u>				10
Sam Norton	3184					5	.5		10
Rick Pakosky	4115			5	5		_		10
Steven Thorp	3226		3	4					10
Kevin Troyer	2112					5	5		1/0
00 Ford Pickup	19854					5	5		
Barge Trailer	31789	+							
95 IHC 4x2 Dump	19553				<u> </u>				
00 Ford Spray Truc		 							
85 Cat Trailer	16201								
00 Ford Pickup	19937								
91 Ford Pickup	19331	,				1	5		
84 Ingersol Rand A	16141	, "							
94 Ford Tractor	19528								
00 Ford Pickup	19850	に タ	3	4					
99 Chevy Pick Up	19729			.\$^	5				
94096 94086 18366 11973		i							
94088		/	ユ				ĺ		
18386		1		4					
11473 -				4	1				
98800					2290	10,00			
19219 7				Ö	2				
, , , , , , , , , , , , , , , , , , ,									
-									
<u> </u>	Comments:	0			1	2.0			
		3				3 6 3	1	Ì	
			4		-	12 %			
		1. 18		Ċ.	1 6 Y	[33 5	1		
		1 V V.		1 1	15 1 t	120	\$ 6		
		10 9	4 3°	1,0	ack)	146:22 5 75.065		-	
		1 6 3.	1 ,	3/2	2 4	L v 5	/ hc		
•		12 3	\	1 /2 1	cracks	Match febriat 39 Bouc 5 Febria 4 4815-19435-3195	4,5		
		1.19 1/2/	60	(3)	V 14.	17 6] \ \&		
		10° 22	1 ~ `	N.	Scal	Mate On Bru	11.46/16/19		
		1 2 01/	1 / N		12 / 1	1,0 %	75		
					<u>.1`</u>		l		

Supervisor :

3		LAW ENFORCEMENT SI DRIVER REPORT OF TR DRIVER EXCHANGE OF	AFFIC CRASh	DO NOT WRITE	IN THIS SPACE	·······	•••••••••••	
	Time & Location	5 1 11 11052 110.	Feet or Miles FEET / MILES	N S E W CTT N S E W CTT N S E W ROAD ROAD 1 2 2	OR TOWN N NO. OF LAHES N NO. OF LAHES	ID DIVIDED ON 2 UNDMIDED UNDMIDED	STREET, ROAD OR H	GHWAY
S e c t	Vehicle	Cheek Front RYFront L Front	R · Side L / Side Fear R	EHICLE LICENSE TAG NO. STATI	YEAR VEHICLE ANY (LIABILITY OR PIP) ANY (LIABILITY OR PIP)	IDENTIFICATION HOMBER I W 14/4 CITY A	POLICY NO STATE	The Late of the Control of the Contr
o n 1	Pedestrian	DRIVER'S LICENSE MUNISER DRIVER'S PEDESTRIAN HOME PHONE	ert Ameri	5K 5647	TATE LIC. TYPE	Mare or Birth Mare or Birth Day VENICLE VENICLE	RACE SEX REMOVED BY:	ZIP CODE EST. AMOUNT OF DAMAGE 1. Trem Robbson Let 2. Trem Robbson Let 2. Trem Damary Request ZIP CODE AGE
S e c t i o n	Vehicle	Check Front R / Front L / Front Vertical Company OWNER'S FULL NAME [Check if Same	R / Side Rear R /	ADDRESS (Number and Str ADDRESS (Number and Str	NY (LIABILITY OR PIP) eet)	CITY AN	POUCY NO STATE D STATE	O. ZIP CODE
2	Pedestrian	DRIVER / PEDESTRIAN HOME PHONE Are Code PASSENGER'S NAME	<u> </u>	DRIVER / PEDESTRIAN BUSINESS () PHONE Are Code ADDRESS (Number and Sire		State of the State	RACE SEX REMOVED BY:	1. Tow Rotesian List 2. Tow Owner's Require 1. Tow Rotesian List 2. Tow Owner's Require 2. Tow Country 2. Tow Country 3. Other 2. Tow Country 3. Other 3. Other 3. Other 3. Other 4. Other 4. Other 4. Other 4. Other 4. Other
S e c t i o	Vehir	YEAR MAKE TYPE (Check Front Front L / Front Check Front Denote Check Front Check Same DRIVER (Exactly as on Diver License)	as Driver)	CLE LICENSE TAG NO. STATE Rear L / Rear INSURANCE COMPAN ADORESS (Number and Sire ADORESS (Number and Sire)	Y (LIABILITY OR PIP) et)	CITY AND		
3	festrian	DRIVER'S LICENSE HOMBER DRIVER / PEDESTRIAN HOME PHONE AND COOP PASSENGER'S NAME		DRIVER / PEDESTRIAN BUSINESS (PHONE ARE COC ADDRESS (Number Core		DATE OF BIRTH Mo. Day VEHICLE R	RACE SEX L	ST. AMOUNT OF DAMAGE
			DOT Operation	Entere Fineck	ed by:	Copied by	Flee	J Cry / State / Zo
Ĺ	WITE CITA PASS RANK A	MESSES RY TAN ENGERS NO SIGNATURE AND SEQUENCE REV 11 991 S	ESTIGATING OFFICER	ADDRESS - Name and LD. / BADGE NO. ADDRESS - Name and LD. / BADGE NO. ADDRESS - Name and LD. / BADGE NO.	DEPARTMENT	50 - NATE BUT IN TO T	City State	1