



# Nebraska Intergovernmental Risk Management Association

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Serving County Government

Craig L. Nelson, Executive Director

August 21, 2019

Board of Supervisors  
Dodge County  
435 N Park, Room 102  
Fremont NE 68025

21e  
8-28-2019  
Agenda Item #  
Date

 COPY

Dear Board Members,

RE : NIRMA Insured :Dodge County Nebraska  
NIRMA Claim No. :AUTODODGE032480  
Type Claim :Vehicle Damage Loss – Truck Overturn  
Date of Loss :February 23, 2019

I am writing to advise that as this claim is in excess of \$50,000.00 it requires a Settlement Agreement to be approved and signed with the proper authority of the County Board. I have enclosed this agreement for that signature of the Board Chair or proper party to do so for the county. All payments have been made on behalf of Dodge County as represented on the Statement of Loss and copy of the Check Transaction report attached.

Pursuant to Neb. Rev. Stat. §84-713, certain settlement agreements entered into by public entities or insurers are public records. The information available to us indicates that the settlement agreed to in this case would fall within the scope of the legislation because the amount involved is equal to or exceeds \$50,000 in total settlement. The law therefore requires that this settlement be made an agenda item at the County Board's next meeting for official approval by the Board.

Once we have receipt of the approved Agreement it will also be placed on the agenda for the next meeting of the NIRMA Board of Directors, and the settlement as agreed retained for public disclosure upon request as required by law. If you do not agree with our analysis regarding the applicability of Neb. Rev. Stat. §84-713 to this settlement, please notify us as soon as possible.

Sincerely,

Peter E. Eiden, AIC  
NIRMA Property and Liability Claims Manager

Enclosure

Settlement Agreement  
Statement of Loss  
Transaction Report

AUG 21 AM 11:52  
RECEIVED  
Dodge Co Highway Dept

## BOARD OF DIRECTORS

|                                  |                                |                                     |                               |                                |                                |
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SETTLEMENT AGREEMENT

This settlement agreement is made and entered into this 21st day of August, 2019, by and between Dodge County, Nebraska (hereinafter "County") and Nebraska Intergovernmental Risk Management Association (hereinafter "NIRMA") regarding a claim submitted as follows:

A claim occurring on the 23rd day of February 2019, involving:

An employee of Dodge County Road Department overturning a Mack Truck into the road ditch during a major snow event when he tried to go around a vehicle on the road to avoid hitting that vehicle.

AGREEMENT AND RELEASE

The County and NIRMA agree that the claim submitted and paid by NIRMA on behalf of the County in the amount of \$85,719.85 less applicable deductible of \$250.00 for a net paid amount of \$85,469.85, is an amount which the County agrees to accept in full settlement for such claim, and that in consideration of such payment, the County completely releases and forever discharges NIRMA or its agents or assigns regarding such claim listed above, and further represents it has provided to NIRMA all the information for damages it alleges have been incurred, or which may have occurred related to this claim for payment as a loss under the NIRMA policy in effect.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

County of Dodge, Nebraska

Dodge County, Nebraska

By: \_\_\_\_\_  
Chairperson

Nebraska Intergovernmental Risk Management Association,

By: Peter E. Eiden  
Peter E. Eiden, NIRMA Property and Liability Claim Manager

**Insured:** Dodge County  
**CLAIM No:** AUTODODGE032480  
**Date/Claim:** 23-Feb-19  
**Loss Type:** Truck Rollover

| <b>Vehicle Damage as Determined:</b>                                 | <b>Loss</b>        | <b>Claim</b>       |
|--|--------------------|--------------------|
| 1. BTTR - Winch Truck out of Ditch and Tow In                        | 2,350.00           |                    |
| 2. BTTR - Tow Truck to Paul Lucht - Omaha                            | 750.00             |                    |
| 3. Service Call - RDO Truck Center (Mack Dealer)<br>Check out Engine | 812.18             |                    |
| 4. Replace Engine - RDO Truck Center                                 | 49,467.45          |                    |
| 5. Body Damage Repairs - Paul Lucht and Son                          | <u>25,633.26</u>   |                    |
|  | 79,012.89          |                    |
| Less Depreciation Replacement Engine                                 | <u>-2,968.04</u>   |                    |
| Loss/Claim on Truck  | 76,044.85          | 76,044.85          |
| <br><b>Snow Plow Damage as Determined:</b>                           |                    |                    |
| Replace 12" Bonnel Plow - Midwest Service & Sales Co                 | <u>9,675.00</u>    |                    |
| Loss/Claim on Plow   | 9,675.00           | 9,675.00           |
| <br>Combined Loss Amount   | 85,719.85          |                    |
| Less Policy Vehilce Deductible                                       | <u>-250.00</u>     |                    |
| <b>Net Claim Payments Made on Behalf of Dodge County</b>             | <b>\$85,469.85</b> | <b>\$85,469.85</b> |

Peter E. Eiden, AIC  
 Property and Liability Claim Manager  
 8/21/2019

## Transactions

Filter Claim is equal to Dodge County (AUTODodge032480)

| Transaction Date | Check Number | Check Status | Financial Category Description/Payee                       | Payment Amount  |
|------------------|--------------|--------------|--|-----------------|
| 08/20/2019       | 13053        | Issued       | Property Damage Payment - Fi Paul Lucht& Sons, Inc.        | 25,633.26       |
| 07/02/2019       | 12978        | Cleared      | Property Damage Payment - Fi RDO Truck Center Co           | 46,249.41       |
| 06/18/2019       | 12951        | Cleared      | Property Damage Payment - Fi Midwest Service and Sales Co. | 9,675.00        |
| 04/09/2019       | 12847        | Cleared      | Property Damage Payment - Fi RDO Truck Center Co           | 812.18          |
| 03/12/2019       | 12788        | Cleared      | Property Damage Payment - Fi BTTR, LLC                     | 750.00          |
| 03/05/2019       | 12781        | Cleared      | Property Damage Payment - Fi BTTR, LLC                     | <u>2,350.00</u> |
|                  |              |              | Claim Payments Made  | 85,469.85       |