

BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SETTLEMENT AGREEMENT
WITH THE NEBRASKA INTERGOVERNMENTAL RISK MANAGEMENT
ASSOCIATION

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2012), the County has the power to do all acts in relation to the concerns of the county necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-112 (Reissue 2012), the County Board shall have the power to settle any claims on behalf of the County; and,

WHEREAS Sarpy County has made a claim for insurance coverage to compensate for the financial loss resulting from the July 25th, 2013 fire damage to the County's 1993 Morbark 1200 Tub Grinder; and,

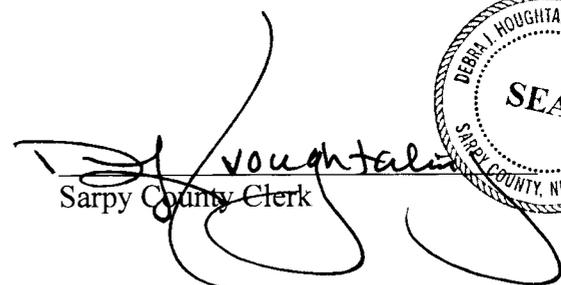
WHEREAS, a settlement agreement has been proposed, and said agreement is fair and reasonable under the circumstances, and is in the best interest of the citizens of Sarpy County.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT, pursuant to the statutory authority set forth above, the Chairman of this Board, together with the County Clerk, be and hereby are authorized to execute on behalf of this Board the Settlement Agreement with the Nebraska Intergovernmental Risk Management Association, a copy of which is attached hereto.

The above and foregoing Resolution was duly approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on this 7th day of January, 2014.



 Chairman, Sarpy County Board



 Sarpy County Clerk



Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE
PAPILLION, NE
593-4155
www.sarpy.com

ADMINISTRATOR Mark Wayne

DEPUTY ADMINISTRATOR Scott Bovick

FISCAL ADMIN./PURCHASING AGT. Brian Hanson



COMMISSIONERS

Don Kelly District 1

Jim Thompson District 2

Tom Richards District 3

Brenda Carlisle District 4

Jim Warren District 5

MEMO

To: Sarpy County Board of Commissioners

From: Brian Hanson

Re: Resolution authorizing Chairman to sign NIRMA Settlement Agreement

In July of 2013 a Morbark tub grinder at the Landfill received fire damage and a subsequent claim was filed with NIRMA. The attached Resolution authorizes the Chairman to sign the Settlement Agreement with NIRMA in the amount of \$49,000 (\$50,000 less \$1,000 deductible). Duwaine Brigman feels that this is a fair settlement on this piece of equipment. I have placed this on the January 7, 2014 agenda for your consideration.

If you have any questions, please feel free to contact me.

January 3, 2014

Brian E Hanson, Fiscal Administrator

BEH/dp

cc: Mark Wayne
Scott Bovick
Deb Houghtaling
Mike Smith
Duwaine Brigman



Nebraska Intergovernmental Risk Management Association

Centerstone • 100 N. 12th, Suite 200 • P.O. Box 85210 • Lincoln, NE 68501-5210
www.nirma.info • 402.742.9220 • 800.642.6671 • 402.742.9230 fax

Craig L. Nelson, Executive Director

SETTLEMENT AGREEMENT (COUNTY AND NIRMA)

This settlement agreement is made and entered into this 11 day of December, 2013, by and between Sarpy County (hereinafter "County") and the Nebraska Intergovernmental Risk Management Association (hereinafter "NIRMA") regarding a Claim submitted by the County as follows:

A claim occurring on the 25th day of July, 2013, involving: Fire damage to a 1993 Morbark 1200 Tub Grinder.

AGREEMENT AND RELEASE

The County and NIRMA agree that the Claim submitted and (paid)/(to be paid) by NIRMA to the County in the amount of \$49,000.00 (Total claim was \$50,000.00 less \$1,000.00 deductible), 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 NIRMA all the information for damages it alleges has incurred, or which may have occurred related to this claim for the consideration for payment as a loss under the NIRMA policy in effect.

Dated this 7th day of January, 2014

COUNTY OF Sarpy, NEBRASKA,

BY: [Signature]
County Board Chairperson

NEBRASKA INTERGOVERNMENTAL RISK MANAGEMENT ASSOCIATION,

BY: [Signature]
Title/Name Don Christensen, Property Liability claim adjuster

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