

Kittitas County Prosecutor

Agenda Staff Report

AGENDA DATE:

9/7/2011

ACTION REQUESTED:

Consider Claim against County

BACKGROUND:

The Slater's windshield was cracked when a rock was thrown from a County mower that was mowing a roads or ditch. The Slaters claimed, and Public Works confirmed, that the guard on the mower was not in the proper position, and hence failed to prevent rocks from being thrown by the mower.

INTERACTION:

The Slaters spoke with the mower operator and filed a claim against the County. The Prosecutor's office received information from Public Works.

RECOMMENDATION:

Approve claim in the amount of \$189.35 conditioned upon receipt of a release of claim. If a chip is caused by an action of the County that we actually have dominion and control over - using a mower with the guard not in its proper place - then the County has responsibility for foreseeable harms that flow from that.

HANDLING:

The Slaters filed a claim with the Auditor, the Prosecutor received a copy, and Public works submitted an incident report and an email recommending payment of the claim.

LEAD STAFF:

Neil Caulkins