BOARD OF COUNTY COMMISSIONERS  
SARPY COUNTY, NEBRASKA

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SETTLEMENT AGREEMENT WITH THE NEBRASKA INTERGOVERNMENTAL RISK MANAGEMENT ASSOCIATION (NIRMA) FOR WIND DAMAGE TO REAL PROPERTY AND VEHICLES AS A RESULT OF THE JUNE 16, 2017 STORM

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104(6), 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, the powers of the County as a body are exercised by the County Board; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-112, 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 June 16, 2017 storm damage to real property and vehicles belonging to the County; and,

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

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS THAT this Board hereby approves the agreement and authorizes the Board Chairman to sign the Settlement Agreement with the Nebraska Intergovernmental Risk Management Association (NIRMA) for wind damage to real property and vehicles as a result of the June 16, 2017 storm.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 20th day of March, 2018.

Attest

SEAL

Sarpy County Board Chairman

County Clerk
To: Board of Commissioners

From: Brian Hanson

Re: Insurance Settlement

At the March 20, 2018 County Board Meeting, the Board will be asked to approve the attached Resolution and Settlement Agreement. The Settlement Agreement discloses the $254,696.62 received from NIRMA for damage done to Sarpy County property during the June, 2017 windstorm. The payment has been reviewed and confirmed by Ross Richards. An attachment to the Settlement Agreement itemizes the loss to each building and vehicle. Please let me know if you have any questions.

Yours Truly,

[Signature]
Brian Hanson, Fiscal Administrator

cc: Dan Hoins
    Scott Bovick
    Deb Houghtaling
    Ross Richards
March 8, 2018

Dear Board Members,

RE: NIRMA Insured : Sarpy County Nebraska
    NIRMA Claim No. : GCSARPY031291
    Type Claim : Wind Damage to Real Property and Vehicles
    Date of Loss : June 16, 2017

I am writing to advise that as this claim is in excess of $50,000.00 it requires a Proof of Loss and Settlement Agreement to be approved and signed with the proper authority of the County Board. I have enclosed both documents for the signature of the Board Chair or proper party to do so for the county. Upon receipt of these documents a check will be issued to Sarpy County for the net claim payment in the amount of $254,696.62.

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 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 Agreements they 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.

The payment as noted above has been reviewed and agreed to be inclusive of all damages from the noted storm per my review with Ross Richards, Facilities Manager for Sarpy County.

Sincerely,

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

Enclosure
Settlement Agreement
Proof of Loss
Statement of Loss

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**BOARD OF DIRECTORS**

<table>
<thead>
<tr>
<th>Board of Directors</th>
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<tbody>
<tr>
<td>Doris Karloff</td>
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<tr>
<td>Saunders County</td>
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<tr>
<td>Jim Graves</td>
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<tr>
<td>Merrick County</td>
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<td>Brian Hanson</td>
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<td>Sarpy County</td>
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<td>Jean Andrews</td>
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<td>Dodge County</td>
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<td>Larry Cerny</td>
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<td>Fillmore County</td>
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<td>Beth Fiegenschuh</td>
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<td>Cheyenne County</td>
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<td>Willis Luedke</td>
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<td>Saline County</td>
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<td>Ken Luettel</td>
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<td>Boone County</td>
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<td>Mark Masterton</td>
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<td>Scotts Bluff County</td>
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<td>Ron Schmidt</td>
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<tr>
<td>Madison County</td>
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<tr>
<td>R. Buddy Small</td>
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<tr>
<td>Brown County</td>
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</table>
SETTLEMENT AGREEMENT

Sarpy County Nebraska

This settlement agreement is made and entered into this 20th day of March, 2018, by and between Sarpy County, Nebraska and Nebraska Intergovernmental Risk Management Association (“NIRMA”) regarding a claim occurring on the 16th day of June 2017, involving:

Wind damage to real property and vehicles which have been evaluated for damage and considered in this settlement.

AGREEMENT AND RELEASE

Sarpy County and NIRMA agree that the claim submitted and to be paid by NIRMA to Sarpy County in the amount of $255,696.62 less applicable deductible of $1,000.00 for a net paid amount of $254,696.62, which Sarpy County agrees to accept in full settlement for such claim, and that in consideration of such payment, Sarpy 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 20th day of March, 2018.

County of Sarpy, Nebraska

By: [Signature]

Board of Commissioners, Chairperson

Nebraska Intergovernmental Risk Management Association (NIRMA)

By: [Signature] 03-08-2018

Peter E. Eiden, NIRMA Property and Liability Claim Manager
Sworn Statement In Proof Of Loss

WARNING
FRAUD PREVENTION

Any person who, knowingly and with intent to defraud any insurance company or other person, files or conceals, for the purpose of misleading, an application for insurance or a statement of claim containing any materially false information, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and subjects such a person to criminal and civil penalties.

To the Nebraska Intergovernmental Risk Management Association

of

At time of loss, by the above indicated policy of Insurance, you insured the interest of—

Sarpy County Nebraska

against loss by all risk of physical damage to the property described according to the terms and conditions of said policy and all forms, endorsements, transfers and assignments attached thereto.

TIME AND ORIGIN

A windstorm loss occurred about the hour of o'clock, on the 16th day of June, 2017, the cause and origin of the said loss was: Wind damage to real property and vehicles.

OCCUPANCY

The building described, or containing the property described, was occupied at the time of the loss as follows, and for no other purpose whatever:

County Business

TITLE AND INTEREST

At the time of loss, the interest of your Insured in the property described therein was titleholder.

No other persons had any interest therein or encumbrance thereon, except:

No exceptions

CHANGES

Since the said policy was issued, there has been no assignment thereof, of change of interest, use, occupancy, possession, location or exposure or the property described, except:

No exceptions

TOTAL

THE TOTAL AMOUNT OF INSURANCE upon the property described by this policy was, at the time of the loss, $9,309,422.00

INSURANCE

as more particularly specified in the apportionment attached, besides which there was no policy or other contract of insurance, written or oral, valid or invalid.

VALUE

THE ACTUAL CASH VALUE of said property at the time of the loss was: $9,309,422.00

LOSS

THE WHOLE LOSS AND DAMAGE was:

$255,696.62

AMOUNTclaimed

THE AMOUNT CLAIMED under the above numbered policy is:

$254,696.62

$1000.00 Deductible

STATEMENTS OF INSURED

The said loss did not originate by any act, design or procurement on the part of your Insured, or this affiant; nothing has been done by or with the approval or consent of your Insured or this affiant, to violate the conditions of the policy, or render it void; no articles are mentioned herein or in annexed schedules but such as were destroyed or damaged at the time of said loss; no property saved has in any manner been concealed, and no attempt to deceive the said company, as to the extent of said loss, has in any manner been made. Any other information that may be required will be furnished and considered a part of this proof.

The furnishing of this blank or the preparation of proofs by a representative of the above insurance company is not a waiver of any of its rights.

State of Nebraska

County of Sarpy

Subscribed and sworn before me this 27th day of March, 2018

Chairman, Sarpy County Board

* Inscibed Insured

Christine Anne Vance
My Comm. Exp. May 7, 2018

GENERAL NOTARY - State of Nebraska
CHRISTINE ANNE VANCE
Notary Public
Occurrence Date: 16-Jun-17  
Loss Type: Windstorm  
Locations Involved: Sarpy County Nebraska  
GCSARPY031291

<table>
<thead>
<tr>
<th>Loss As Determined:</th>
<th>Value</th>
<th>Loss</th>
<th>Claim</th>
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</thead>
<tbody>
<tr>
<td>Sarpy County Nebraska Landfill Area:</td>
<td>Value per Schedule on File</td>
<td>410,670.00</td>
<td></td>
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<tr>
<td>Maintenance Shop Facility 14414 S 156th, Springfield NE</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1. Boone Brothers Invoice</td>
<td>51,590.80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tear off remaining metal roof, decking, and installation and install new</td>
<td></td>
<td></td>
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<tr>
<td>2. Boone Brothers Roofing Quote</td>
<td>57,000.00</td>
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<tr>
<td>Install new Standing Seam Metal Panels</td>
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<tr>
<td>3. Repair Block Walls Per Sudbeck Proposal</td>
<td>2,100.00</td>
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<tr>
<td>4. Replace Overhead Door Split in Storm (Overhead Door Invoice)</td>
<td>6,260.00</td>
<td></td>
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<tr>
<td>North Quonset Building 14414 S 156th Street Springfield NE</td>
<td>Value per Schedule</td>
<td>56,996.00</td>
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<tr>
<td>1. Demolition Cost to Tear Down (per Christensen Excavating)</td>
<td>3,700.00</td>
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<tr>
<td>2. Replace with Pole Barn Structure (80x 40 Ft) - offer per Scheduled Valuation</td>
<td>56,996.00</td>
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<tr>
<td>Landfill Loss</td>
<td>177,646.80</td>
<td>177,646.80</td>
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<tr>
<td>Sheriff Office Area: Law Enforcement Center 8335 Platteview Road Papillion NE</td>
<td>Value as per Schedule - Sheriff Office</td>
<td>6,776,179.00</td>
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<tr>
<td>Value as per Schedule - Garages</td>
<td>441,605.00</td>
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<tr>
<td>1. Temporary Cover Office Roof (per Boone Bros invoice)</td>
<td>1,180.00</td>
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<tr>
<td>2. Replace Section of Sarnafil Membrane</td>
<td>27,600.00</td>
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</tbody>
</table>
3. Replace Gutters on Roof Edge  
   (per Boone Bros. invoice)  2,500.00
4. Temporary Garage Repairs  
   (Invoice Langfeldt Overhead Door)  320.00
5. Replace (3) Overhead Doors  
   (per Acme Dock Specialists)  19,500.00
   Sheriff Department Loss  51,100.00  51,100.00

**Platteview Hwy Dept Shop Area**
Storage Building and Salt Tarp
84th and Platteview Road
Papillion NE
Value as per Schedule - Storage  81,507.00
Value as per Schedule - Salt Tarp  55,135.00

1. Asphalt Shingle Replacement Storage  
   (per Boone Bros Invoice)  2,800.00
2. Storage Bunker - Tarp Damage  
   (Invoice Friedman Distributing)  13,829.09
   Hwy Department Loss  16,629.09  16,629.09

**Courthouse Area:**
West Annex Building
1257 Golden Gate Drive
Papillion NE
Value as per Schedule  1,478,330.00

1. Inspect AC Condensor Issues  
   (Invoice Prairie Mechanical)  190.00
2. Replace Condensor from AC Unit  
   blown over in storm  2,884.00
   (Invoice Prairie Mechanical)
3. Quote to Repair Damaged Awnings  
   (Heartland Awnings)  3,900.00
   Courthouse Loss  6,974.00  6,974.00

**Werner Ballpark**
1. Replace Single Light Fixture  
   (Invoice Miller Electric)  700.33  700.33

**Vehicle Damage:**
Sarpy County
2014 Chevrolet Equinox  1,750.80
2016 Honda CRV  895.60
Total Projected Vehicle Damage  2,646.40  2,646.40
   255,696.62
Value and Loss $9,300,422.00 $255,696.62
Less Policy Deductible -1,000.00
Claim $254,696.62 $254,696.62

Pete Eiden, AIC
Property and Liability Claims Manager
2/28/2018