



## OFFICE OF CORPORATION COUNSEL

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**DATE:** January 11, 2011

**TO:** Mr. Lee Holloway, Chairman  
Milwaukee County Board of Supervisors

**FROM:** Robert E. Andrews, Deputy Corporation Counsel

**SUBJECT:** Claim filed by: James Vernon  
7313 Edgemount Avenue  
Greendale, WI  
Date Claim Filed: September 28, 2010

On October 12, 2010 Milwaukee County employees from the Highway Department were painting a white stripe on South 76<sup>th</sup> Street for the purpose of determining traffic lanes. It is the practice of the department to travel in a minimum of a two-vehicle convoy while painting lane stripes. The shadow vehicle is to position itself far enough from the painting vehicle so that the stripping has an opportunity to cure prior to allowing the passage of motor vehicles.

In this situation the shadow vehicle was too close to the county truck which resulted in a lane marking that was damp when trailing traffic drove across it. There were no warnings to traffic that the lines were freshly painted. As a result a 2009 Edge owned and operated by James Vernon was splattered with paint kicked up by a vehicle Mr. Vernon was behind. Mr. Vernon submitted an invoice in the amount of \$820.51 for the cost to remove the paint from his vehicle.

Our insurer has agreed that the amount sought by Mr. Vernon is fair and reasonable. Corporation Counsel supports the recommendation of our insurer to pay James Vernon \$820.51 in full settlement of his claim.

Please refer this matter to the Judiciary Committee to be placed on the agenda for its next meeting. Thank you.

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REA/rf

cc: Linda Durham  
Jennifer Mueller  
Barb Pariseau