

*final*

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' SPECIAL  
MEETING

Thursday, October 1, 1987

Page 1

COMMISSIONERS PRESENT: Dean J. Kinkade, Chairman  
Gerald J. Creasy, Vice-Chairman  
Gerald A. Woodward, Commissioner

STAFF PRESENT: Kathy Kelso, Personnel Director  
Dorene Sheldon, Recording Secretary

CALL TO ORDER: By Chairman Kinkade at 2:30 p.m. in the  
Commissioners' Conference Room.

Ms. Kelso said the SAIF claim is in regard to Ruby Hannah, the election worker who had a table fall on her and broke her hip. This has been a very expensive claim for the county.

Ms. Kelso said Ms. Hannah died three months ago, and her family filed a claim to SAIF for additional compensation, above what she was already awarded. Ms. Hannah received a 15% schedule award totaling \$1,875. Her family has put in another claim for an additional 15%.

Ms. Kelso said SAIF called this morning and needs to contact Mr. Westmoreland, the family's attorney, to determine whether the county can settle out of court or has to go to a hearing. SAIF felt if the county goes to a hearing, the family will get a minimum of 5%, and could receive as much as 15%. The fact the woman died is not in the county's favor, even though she didn't die as a result of the injury. Cost for settling at 5% is \$937.50, at 10% is \$1,875.00, and at 15% is \$2,812.50.

Ms. Kelso said SAIF would like authority from the Board to try and negotiate a settlement, somewhere between 5 and 10 percent.

Ms. Kelso said Ms. Hannah's last doctor's report showed no loss of length in the leg, as a result of the injury. SAIF felt that report is in the county's favor.

Chairman Kinkade asked why the case was reopened. Ms. Kelso said anytime a claim is closed, a person has the right to reopen and charge that the damage is more than the award was. Ms. Kelso received a notice the case was closed in April, and Ms. Hannah died the end of April. SAIF said Ms. Hannah and her family filed the claim prior to her death. The family had the option of withdrawing the claim, but they didn't.

Ms. Kelso felt if the county went to a hearing, it would have to pay at least 5%, as Workers Compensation is very liberal in Oregon.

MINUTES - TILLAMOOK COUNTY BOARD OF COMMISSIONERS' SPECIAL  
MEETING  
Thursday, October 1, 1987  
Page 2

By consensus, the Board allowed SAIF to pursue a settlement for no more than 10%. If it is anything more than 10%, it will go to hearing.

Chairman Kinkade adjourned the meeting at 2:45 p.m.

RESPECTFULLY Submitted this 2<sup>nd</sup> day of October, 1987.

Dorene Sheldon  
Dorene Sheldon, Recording Secretary

APPROVED BY:

DJK  
DJK

GJC  
GJC

GAW  
GAW