

## RESOLUTION TO APPROVE A PARTIAL RELEASE OF LIABILITY

**WHEREAS**, on 19 May 2021, a 2015 fire engine (“the Engine”), owned by Albemarle County, Virginia, and operated by Albemarle County Fire and Rescue personnel, was hit from behind by another driver while stopped at a traffic light; and

**WHEREAS**, damage to the Engine is being assessed and repaired; and

**WHEREAS**, Travelers Insurance, the insurance company for the involved driver, has agreed to advance 6 months of loss of use of the Engine and rental engine payments in the amount of \$71,272.82 in exchange for a partial release of liability (“the Release”) and for further payments for loss of use; and

**WHEREAS**, execution of the Release and the acceptance of the offered lump payment does not limit the recovery for damage and repair to the Engine;

**WHEREAS**, the Board of Supervisors finds it is in the best interest of the County to approve executing the Release and accepting a payment of \$71,272.82 in lieu of future loss of use and rental payments from Travelers Insurance.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Albemarle County, Virginia hereby approves a Release and authorizes the County Executive to execute the Release on behalf of the Board subject to its approval as to substance and form by the County Attorney.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County by a vote of \_\_\_\_ to \_\_\_\_, as recorded below, at a meeting held on \_\_\_\_\_.

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Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Gallaway	___	___
Ms. LaPisto-Kirtley	___	___
Ms. Mallek	___	___
Ms. McKeel	___	___
Ms. Palmer	___	___
Ms. Price	___	___