



Agenda Item Summary

File #: 24-00545

Agenda Date: 6/11/2024

Agenda Item Name:

Authorization to settle liability claim of Sherry Cummisford v. Alachua County

Presenter:

Bob Swain, Deputy County Attorney

Description:

Request for approval of a negotiated settlement of a personal injury action in the amount of \$75,000 which is above the Authority of the County Manager.

Recommended Action:

Approve the settlement with Ms. Cummisford for \$75,000 and authorize the County Attorney and Risk Management to take the necessary to bring the matter to a conclusion.

Prior Board Motions:

None

Fiscal Note:

Payment will be from the Self Insurance Fund 501.18.1853.513.45.68

Strategic Guide:

All Other Mandatory and Discretionary Services

Background:

This is a trip and fall accident that happened on April 9, 2021 at the Agriculture and Equestrian Center. This was right after the Center was partially opened for certain events while construction continued on the location. Ms. Cummisford was attending the 4th event held there and was walking from her horse trailer to the stall where her horse was stabled for the event. As she was stepping up on to the concrete skirting around the stable, her foot became entangled in a nylon mesh which was used as part of the sod which had been laid in the area. The sod was worn and had not been irrigated and there had been a problem with the mesh poking up from the sod in several areas where the sod had died or had broken apart. As a result of the fall she sustained an injury to her right hand. She is seeking reimbursement of medical bills and a loss of income from her failure to use her right hand to play the piano and organ as she had done over the course of her teaching career. She also claims significant pain and suffering from being unable to engage in these activities. Based upon all the factors of liability and the damages, Risk Management and the County Attorney agrees that this is a reasonable settlement. A confidential memo will be provided to the members of the Board which will be released once the settlement is finalized.