

SUSAN T. ERTMER
County Clerk



Winnebago County
Office of the County Clerk

The Wave of the Future

415 JACKSON STREET, P.O. BOX 2808
OSHKOSH, WISCONSIN 54903-2808

OSHKOSH (920) 236-4890
FOX CITIES (920) 727-2880
FAX (920) 303-3025
E-mail: countyclerk@co.winnebago.wi.us

NOTICE OF CLAIM

DATE: March 23, 2023
TO: Joel Luepke, Melanie Boelter and Jenny Sonnleitner
FROM: Cassie Smith-Gregor
RE: Claim from Luke Gehl

This claim will be presented to the county board at their April 18, 2023 meeting and forwarded to the Personnel & Finance Committee for action.

Gregor, Cassie

From: Barthels, Julie A
Sent: Wednesday, March 15, 2023 2:41 PM
To: Gregor, Cassie
Subject: FW: Claim
Attachments: Claim vs. County.pdf; Winnebago County Claim.docx; Joel Luepke Gmail - Expo Center Damage.pdf; Callibre Collision Gehl 1.pdf; Vande Hey Brantmeier Gehl.pdf; Windsheild Note.jpg

From: Luke Gehl <gehl275@gmail.com>
Sent: Wednesday, March 15, 2023 12:46 PM
To: Barthels, Julie A <JABarthels@winnebagoountywi.gov>
Subject: Claim

Hi J,

My truck got backed into by a Winnebago County snow plow Feb 25th. After talking with Joel Luepke he sent me a PDF on the process (as well as explaining it over the phone). Here are my forms. I've included:

- 1) The PDF Joel sent me.
- 2) The email exchange between Joel and I.
- 3) The information required for the claim (based on the PDF Joel sent).
- 4) A copy of the note left on my windshield.
- 5) Two estimates for repair (one does not include rental costs and stated I would have to take that up with the county's carrier to make sure that is covered).

If you have any questions, you can either call me at 920.205.1230 or email me back at this address. (Email is perfectly fine!)

Thank you.
Luke Gehl

Winnebago County Claim

- The date/time/location of the incident

The Sunnyview Expo Center north of Oshkosh, Wisconsin on Saturday, February 25, 2023 somewhere between 11:30AM and 2:30PM.

- Description of the property damage or injury sustained and an explanation of how the damage occurred. Photographs are encouraged.

A snowplow truck was apparently plowing the parking lot and backed into my (Luke Gehl) truck. The damage to my truck is between the passenger rear door and the passenger side wheel well. It is a sizable dent. The snowplow truck driver left a note on the windshield (see attachment). I called my insurance company (Progressive) and they recommended calling the local police. The recommendation was based on whether local regulations called for it. I called the city of Oshkosh non-emergency line and an officer responded. After an inspection of the damage, I was given the choice to file a report or not as to the officer it did not look like \$1,000 worth of damage (but she did say she is *definitely not an expert*). Initially, it did not look like that much as well. The officer stated that if I needed to file a report, I could contact her later. When I later went into the expo center, one of the office people (those in the ticket booth) stated that the person who backed into my vehicle had come into the center and it was announced over the speaker system about the incident. I did not hear the announcement (nor did anyone else I was with). This is not unexpected since it can be noisy inside the facility with people talking. The note stated to call Rick Helms the Operations Supervisor on Monday morning to discuss the claim. It did not state who was driving the snowplow.

- An explanation of how the Winnebago County property or personnel involved contributed to the damages.

See the attached note. A county snowplow driven by a Winnebago County employee backed into my truck while in the process of plowing the Sunnyview Expo Center.

- If the claim involves vehicle damage, at least two repair estimates must be submitted.

These are also attached to this email. However, I will require a rental during the vehicle's repair. The second estimate *did not* include this cost but the first did. Estimates for length of time for the repair are about 10 business days.

- If there were witnesses, please include their name, address, and phone number.

I am not aware of any witnesses.

- If a law enforcement agency responded to the incident scene, please include the identity of the responding office, the accident report or the accident report number.

An officer did respond based on a recommendation from my insurance company, but it was decided it was not necessary to fill out a report at that time (but I was given the option of doing so later if necessary).

- Addendum

Included is the email from Joel Luepke regarding an email exchange with him about the insurance claim. I called Rick Helms as recommended on the note left. Rick sent me to Joel.



Luke Gehl <gehl275@gmail.com>

Expo Center Damage

4 messages

Luepke, Joel <JLuepke@winnebagocountywi.gov>
To: "gehl275@gmail.com" <gehl275@gmail.com>

Mon, Feb 27, 2023 at 3:00 PM

Hi Luke,

Thanks for contacting me and for the conversation regarding the damage your vehicle sustained at the Expo Center on Saturday. 2/25/23.

Attached please find the document which species the process of filing a claim against Winnebago County. As I mentioned, I will file a claim with the County's liability insurer as soon as your repair estimates are received.

Every attempt will be made to address your claim as quickly as possible outside of the formal process. Please don't hesitate to contact me with any questions.

Best Regards.

Joel Luepke – Risk Manager

Winnebago County

112 Otter Avenue P.O. Box 2808

Oshkosh, WI 54903-2808

920-232-3459 920-232-3461 fax

New Email as of Sept. 1, 2022: jluepke@winnebagocountywi.gov

**Claim vs. County.pdf**
48K

Luke Gehl <gehl275@gmail.com>
To: "Luepke, Joel" <JLuepke@winnebagocountywi.gov>

Mon, Feb 27, 2023 at 3:19 PM

Joel,

Received the form just fine. Thanks for the form and the call! As soon as I get the estimates, I'll let you know.

Thank you,

3/15/23, 12:40 PM

Gmail - Expo Center Damage

Luke

[Quoted text hidden]

Luke Gehl <gehl275@gmail.com>

Thu, Mar 2, 2023 at 11:17 AM

To: "Luepke, Joel" <JLuepke@winnebagoountywi.gov>

Hey Joel,

I got one estimate and am working on a second estimate. I wasn't able to yesterday or today because we lost power at a datacenter (I do I.T. for a living) and that's all I've been working on. I hope to get the second one maybe tomorrow (long shot to get one later today since I'm still working on the recovery of the datacenter).

Once I have that, I'll start the process and follow the form you sent.

Thanks!

Luke Gehl

[Quoted text hidden]

Luke Gehl <gehl275@gmail.com>

Tue, Mar 7, 2023 at 10:02 AM

To: appletoneast@calibercollision.com

[Quoted text hidden]



Claim vs. County.pdf

48K



CALIBER - APPLETON - EAST
RESTORING THE RHYTHM OF YOUR LIFE
N456 Speel School Rd, APPLETON, WI 54915
Phone: (920) 734-7676
FAX: (920) 738-7676

Workfile ID: 67d4aae8
Federal ID: 33-0730794
State ID: na
Federal EPA: pending
State EPA: pending

Preliminary Estimate

Customer: Gehl, Luke

Written By: Trenton Wiese

Insured: Gehl, Luke Policy #: Claim #: WINNEBAGOCOUNTY
Type of Loss: Date of Loss: Days to Repair: 0
Point of Impact: 04 Right Qtr Post (Right Side)

Owner: Gehl, Luke
(920) 205-1230 Cell

Inspection Location: CALIBER - APPLETON - EAST
N456 Speel School Rd
APPLETON, WI 54915
Repair Facility
(920) 734-7676 Business

Insurance Company: OTHER

VEHICLE

2010 DODG Ram 1500 SLT Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI silver

VIN: 1D7RV1GT0AS258061 Interior Color: black Mileage In: 100,000 Vehicle Out:
License: Exterior Color: silver Mileage Out:
State: Production Date: Condition: Good Job #:

TRANSMISSION

Automatic Transmission
4 Wheel Drive

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Heated Mirrors

DECOR

Dual Mirrors

Privacy Glass

Overhead Console

CONVENIENCE

Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Keyless Entry
Message Center

RADIO

AM Radio
FM Radio

Stereo

Search/Seek

CD Player

Auxiliary Audio Connection

Satellite Radio

SAFETY

Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Traction Control
Stability Control

Front Side Impact Air Bags

Head/Curtain Air Bags

SEATS

Cloth Seats

WHEELS

Aluminum/Alloy Wheels

PAINT

Clear Coat Paint

TRUCK

Rear Step Bumper
Power Rear Window

Preliminary Estimate

Customer: Gehl, Luke

2010 DODG Ram 1500 SLT Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI silver

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		PICK UP BOX					
2	Repl	RT Side panel	68146556AB	1	1,065.00	11.0	3.9
3		Add for Clear Coat					1.6
4	*	R&I RT Front seal				0.2	
5	R&I	RT Splash shield				0.3	
6	R&I	R&I tailgate assy				Incl.	
7	R&I	RT Protector front				0.2	
8	R&I	RT Protector rear				0.2	
9	R&I	RT Rail cover				0.3	
10	Repl	RT Outer wheelhouse	68106088AA	1	259.00	1.5	0.4
11		Overlap Minor Panel					-0.2
12		Add for Clear Coat					0.1
13	*	Rpr RT Inner wheelhouse				4.0	0.4
		Note: repair time for adjacent panel for outer wheelhouse replace					
14		Add for Clear Coat					0.1
open	R&I	R&I box assy				2.5	
16		REAR LAMPS					
17	R&I	RT Tail lamp				Incl.	
18	#	Repl Corrosion Protection / Primer		1	15.00 T	0.3	
19	#	Cover Car for Overspray		1	12.00 T	0.3	
20	#	DeNib and Polish		1	18.00 T	1.0	
21	#	Subl Hazardous Waste Disposal		1	4.00 T		
22	#	Mask for Primer		1	12.00 T	0.3	
23	#	Pre-repair scan		1	40.00 T	0.5	
24	#	Post-repair scan		1	80.00 T	0.5	
SUBTOTALS					1,505.00	23.1	6.3

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			1,324.00
Body Labor	23.1 hrs @	\$ 78.00 /hr	1,801.80
Paint Labor	6.3 hrs @	\$ 78.00 /hr	491.40
Paint Supplies	6.3 hrs @	\$ 53.00 /hr	333.90
Miscellaneous			181.00
Subtotal			4,132.10
Sales Tax	\$ 4,132.10 @	5.5000 %	227.27
Grand Total			4,359.37
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			4,359.37

Preliminary Estimate

Customer: Gehl, Luke

2010 DODG Ram 1500 SLT Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI silver

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Caliber Collision is the industry leader in quality collision repair. Since day one, our highest purpose has been to get people just like you back on the road as quickly as possible and fully restored to the rhythm of your life. You can be sure we do everything possible to ensure your complete satisfaction including:

- Personalized, high quality service from the largest collision repair company in the U.S.
- Consistently ranked among the highest customer satisfaction scores in the industry.
- Approved by every major insurance company in the U.S.
- Expedited car rental and towing services to get you back on the road again in no time.
- Repair work backed by a written, lifetime warranty honored at every location.
- 24/7/365 customer service to answer questions and put your mind at ease.

This is a preliminary estimate based on visible damage. There may be additional repairs needed once the vehicle is taken apart by our I-CAR Gold Class technicians to identify any additional damage.

If an insurance company has written an estimate for you, please provide us with a copy. Properly endorsed insurance company checks are welcome as payment for the repair of your vehicle. Caliber Collision gladly accepts all major credit cards, debit cards, cashier's and traveler's checks. See your Caliber Collision center for details on acceptance of personal checks.

Before leaving your vehicle with us, please remove all important personal and valuable items from your vehicle. Caliber Collision is not responsible for belongings left in your vehicle.

Please let us know how we can be of further assistance, and when we can schedule an appointment for your vehicle to be repaired.

Caliber Collision - Restoring The Rhythm Of Your Life

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MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS. ADM. CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911, MADISON, WISCONSIN 53708-8911.

Preliminary Estimate

Customer: Gehl, Luke

2010 DODG Ram 1500 SLT Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI silver

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DE3TM09, CCC Data Date 03/01/2023, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2023 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Intelligent Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

**VANDE HEY BRANTMEIER BUICK
INC**

108 E. Breed St., PO Box 231, Chilton, WI 53014
Phone: (920) 849-7030
FAX: (920) 849-7845

Workfile ID: 1641ae65
PartsShare: 7dgs3L
Federal ID: 391703352

Preliminary Estimate

Customer: Gehl, Luke

Job Number:

Written By: Rob Bennin

Insured: Gehl, Luke

Policy #:

Claim #:

Type of Loss:

Date of Loss:

Days to Repair: 7

Point of Impact: 04 Right Qtr Post (Right Side)

Owner:

Gehl, Luke
W2022 Crosstown Rd
Hilbert, WI 54129
(920) 205-1330 Cell

Inspection Location:

VANDE HEY BRANTMEIER BUICK INC
108 E. Breed St.
PO Box 231
Chilton, WI 53014
Repair Facility
(920) 849-7030 Business

Insurance Company:

VEHICLE

2010 DODG Ram 1500 Sport Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI Gray

VIN: 1D7RV1GT0AS258061

Interior Color:

Mileage In: 161,644

Vehicle Out:

License: JK5874

Exterior Color: Gray

Mileage Out:

State: WI

Production Date:

Condition:

Job #:

TRANSMISSION

Automatic Transmission
4 Wheel Drive

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Heated Mirrors
Power Driver Seat

DECOR

Dual Mirrors
Privacy Glass

Overhead Console

CONVENIENCE

Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Keyless Entry
Message Center
Steering Wheel Touch Controls
Home Link

RADIO

AM Radio
FM Radio
Stereo

Search/Seek

CD Player

Auxiliary Audio Connection

Satellite Radio

SAFETY

Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Traction Control
Stability Control
Front Side Impact Air Bags
Head/Curtain Air Bags

SEATS

Cloth Seats

Bucket Seats

WHEELS

20" Or Larger Wheels
Locking Wheels

PAINT

Clear Coat Paint

OTHER

Fog Lamps
Signal Integrated Mirrors

TRUCK

Rear Step Bumper
Power Rear Window

Get live updates at www.carwise.com/e/4spGsv

Preliminary Estimate

Customer: Gehl, Luke

Job Number:

2010 DODG Ram 1500 Sport Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI Gray

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		PICK UP BOX					
2	Repl	RT Side panel	68146556AB	1	1,065.00	11.0	3.9
3		Add for Clear Coat					1.6
4	R&I	RT Protector rear				0.2	
5	R&I	RT Protector front				0.2	
6	*	R&I Mud guard accessory kit, Ram logo w/o wheel flare				0.2	
7	R&I	RT Rail cover				0.3	
8	Repl	RT Splash shield	55277444AD	1	75.10	0.3	
9	#	R&I Tonneau cover				1.0	
open		R&I R&I box assy				2.5	
11	Repl	RT Outer wheelhouse	68106088AA	1	259.00	1.5	0.4
12		Overlap Minor Panel					-0.2
13		Add for Clear Coat					0.1
14		REAR BUMPER					
15	R&I	R&I bumper assy				Incl.	
16	#	Repl Restore Corrosion Protection		1	10.00	0.3	
17	#	Cover car		1	10.00	0.2	
18	#	Subl Hazardous waste removal		1	3.00		
19	#	Repl Seam sealer		1	30.00		
20	#	Repl Panel bond adhesive		1	30.00		
21	#	Repl Cavity wax		1	20.00		
22	#	Color tint		1			0.5
23		VEHICLE DIAGNOSTICS					
24	*	Rpr Pre-repair scan				m 0.5 M	
25	*	Rpr Post-repair scan				m 0.5 M	
26	#	Car rental charges		1	360.00		
		Note: 9 days @ \$40.00 per day					
SUBTOTALS					1,862.10	18.7	6.3

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			1,862.10
Body Labor	17.7 hrs @	\$ 72.00 /hr	1,274.40
Paint Labor	6.3 hrs @	\$ 72.00 /hr	453.60
Mechanical Labor	1.0 hrs @	\$ 155.00 /hr	155.00
Paint	6.3 hrs @	\$ 52.00 /hr	327.60
Subtotal			4,072.70
Sales Tax	\$ 4,072.70 @	5.5000 %	224.00
Grand Total			4,296.70

Preliminary Estimate

Customer: Gehl, Luke

Job Number:

2010 DODG Ram 1500 Sport Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI Gray

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Preliminary Estimate

Customer: Gehl, Luke

Job Number:

2010 DODG Ram 1500 Sport Quad Cab 140.5" WB 4WD 4D P/U 8-5.7L Gasoline SMPI Gray

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Hello,

I am a County Employee.
I accidentally damaged your
vehicle while snow plowing.

Please Contact

Rick Helms
Operations Supervisor
Monday Morning at
* 920 232-1942
to Discuss Claim.

To file a claim for damages against Winnebago County, Wisconsin Statutes Chapter 893.80 (1) (b) requires a written "claim containing the address of the claimant and an itemized statement of the relief sought...to the appropriate clerk". The appropriate clerk is the Winnebago County Clerk.

A claim must be filed with the Winnebago County Clerk, 112 Otter Avenue, PO Box 2808, Oshkosh, WI 54903 or to jabarthels@co.winnebago.wi.us

The following information must be included:

- ❖ The date, time, and location of the incident.
- ❖ Description of the property damage or injury sustained and an explanation of how the damage occurred. Photographs are encouraged.
- ❖ An explanation of how the Winnebago County property or personnel involved contributed to the damages.
- ❖ If the claim involves vehicle damage, at least two repair estimates must be submitted.
- ❖ If there were witnesses, please include their name, address, and phone number.
- ❖ If a law enforcement agency responded to the incident scene, please include the identity of the responding officer, the accident report or the accident report number.

Supplying this information will expedite the investigation of the incident. Claims must be filed within 120 days after the occurrence of the event giving rise to the claim.

All claims will be reviewed, however, there is no guarantee of acceptance/payment of the claim. The County may be immune from some types of claims, or may not be legally responsible for the damages.

Wisconsin Statute information may be found at:
<https://docs.legis.wisconsin.gov/statutes/893/VII/80>

