

RURAL MUNICIPALITY OF MORRIS

The Council of the Rural Municipality of Morris held a Committee Meeting of the Whole on Tuesday, April 25, 1989 at 10:00 A.M. in the Council Chambers of the R. M. of Morris.

Reeve Dan Thiessen chaired the meeting.
Councillors present were: Harold Dyck, George St. Hilaire, Dave Waldner, Glenn Curdt, Allan Dickson, Bill Martens.

Council met in a closed session with Mr. Gavin Wood of Newman, MacLean to discuss the legal case involving Mrs. Adella Thiessen vs. the Rural Municipality of Morris.

Mr. Gavin Wood expressed to council the aspect of the uncertainty of the signage that was at the intersection in question at the time of the accident. For our case, there is some certainty that there was at least one warning sign prior to the intersection and that there was a yield sign at the corner and a checkerboard sign at the end of the intersection.

Following the pretrial session with the judge, Mr. Wood felt it necessary to meet with Council to discuss the offer of settlement made by the other party. Their offer of settlement for \$30,000.00 or a sum near that figure was offered and Council is to decide whether to accept or reject the fact of making settlement out of Court.

Mr. Wood has discussed the matter with the insurance adjuster for the case and with the company handling the affairs of Northumberland Insurance Co.. Mr. Wood is of the opinion that as a settlement offer has been made and one which may be seriously considered should the insurance company be fully operational. As the insurance company is in receivership, the problem of coverage is unknown should the settlement offer not be accepted and brings the question of responsibility of legal fees, judgement settlement should the municipality lose the case.

There was much general discussion on the case, however the matter was left for Council to decide whether to proceed with negotiating a settlement or to reject the settlement offer and proceed to court to settle the matter.

Mr. Wood indicated to Council that should they reject the offer to settle, he would be very comfortable in taking our case to court.

After Mr. Wood had left the meeting, Council discussed the matter further and it was the consensus of Council that the matter be left until our May 11, 1989 regular meeting at which time a decision will be made.



G. Macaulay
Committee Secretary