



removed a tree with roots growing through the street and a driveway belonging to Cody Heimann. During the removal process, a tree limb fell, damaging a portion of the sewer line. This caused a sewer backup into Mr. Heimann's home. Initially, the NDOT crew attempted to repair the damaged portion of the service line. Mr. Heimann did not have problems immediately, but six days later had a sewer backup in the lower level of his home. Mr. Heimann called a plumber who was unable to locate the source of the problem. A Metro Water Services crew arrived the next day and located a broken piece of cap in the clean out pipe. The crew removed the cap and resolved the problem.

The sewer backup occurred in Mr. Heimann's downstairs bathroom, living room, playroom, kitchen, foyer, pantry, and laundry. The area required drying and the removal of water. Drywall, baseboards, and flooring in the area required removal and replacement. Walls were painted and sealed. The total cost of the repairs was \$18,212.15.

The Department of Law recommends settlement of this property damage claim for \$18,212.15.

No disciplinary action was taken in connection with this incident.

*Fiscal Note: This \$18,212.15 settlement, along with the settlement per Resolution Nos. RS2022-1735, RS2022-1754 and RS2022-1756 would be the 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$251,875. The fund balance would be \$12,744,483 after these payments.*