



**Winnebago County**  
Office of the County Clerk

*The Wave of the Future*

**NOTICE OF CLAIM**

Date: August 8, 2017  
To: Doug, Linda and Joan  
Re: Claim from Jon & Kirby Treleven for damage to his property (driveway) after asphalt work was being completed by the County Highway Department.

This claim will be presented to the County Board at their September 19, 2017 meeting.

In the late spring of 2016 the Winnebago County Highway Department completed the install of the finish layer of asphalt in the Blue Belle Farm Subdivision (located just SW of Omro, WI in the Town of Rushford). The finished layer was laid in front of our property at 7389 Bluebird Crossing Omro, WI.

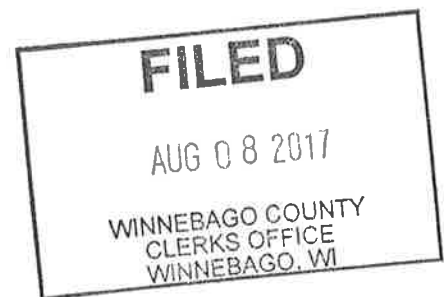
During this install the county ran up the driveway with a heavy vibrating roller to compact the asphalt. The roller ran up the driveway and back to turn. In most cases asphalt abutting concrete is finish compacted with vibrators or tampers that do not run over the concrete. The driveway was poured roughly a month prior to the asphalt work. The roller caused cracking at all control joints it crossed. The added weight stress and vibrations caused further cracking along the top edge of this new concrete approach.

The cracking is clearly visible in the pictures taken shortly after the damage was observed. This is not a frost cracking issue. It went through no freeze thaw cycle prior to pictures being taken of the damage. The non-standard use of this equipment directly caused damage to the concrete approach of the driveway. After almost a year and a meeting with Commissioner Ray Palonen and County Board Member Tom Egan (also on the County Highway Commission) in June, I have been authorized to submit this formal request for damage reimbursement. Attached with this letter is picture documentation and email history of the correspondence of this incident. The above actions and equipment were witnessed by Trevor Krueger (also a claimant for similar damages to his driveway). The pictures clearly demonstrate that the process that took place.

The final set of pictures is the current state of the driveway surface and the compounded damage a year has shown. This damage will continue to compound in short order diminishing the life, usefulness, and esthetics of the driveway prematurely. We are looking for the negligent damages to be covered through replacement of damaged areas.

Jon and Kirby Treleven

420-1587



## Jon Treleven

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**From:** Palonen, Raymond <RPalonen@co.winnebago.wi.us>  
**Sent:** Thursday, April 6, 2017 10:40 AM  
**To:** Jon Treleven  
**Subject:** RE: Treleven / Krueger Driveway

Hello Jon,

Thank you for the email, and the email history related to your driveway and the incident that occurred. Of course, being new to the department I will want to look at the driveway first hand. After I have had an opportunity to observe the condition of the driveway we can discuss what appropriate steps are warranted. I have your address and I will stop by your residence over the next few weeks to look at it, typically what is your availability to meet during the day?

*Raymond G Palonen*

Winnebago County Highway Commissioner  
Office: (920) 232-1700  
Mobile: (920) 420-2150  
Email: rpalonen@co.winnebago.wi.us

**From:** Jon Treleven [mailto:trelevenj@sadoff.com]  
**Sent:** Thursday, April 06, 2017 7:18 AM  
**To:** Palonen, Raymond <RPalonen@co.winnebago.wi.us>  
**Subject:** Treleven / Krueger Driveway

Commissioner Palonen,

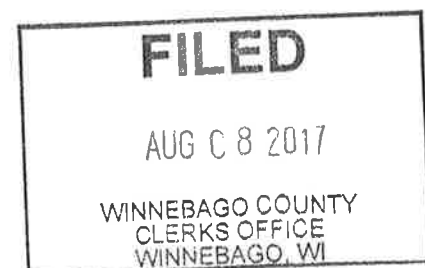
Good morning. My name is Jon Treleven and I am a county resident living just SW of Omro. The county highway department completed the road installation in our subdivision last summer. Former Commissioner Winters had visited my property located in the subdivision, reviewed the issues regarding my complaint, and had put reference in the project file to the damage caused to my driveway. He retired prior to resolution of the damage issue. The below email chain will give you a bit of background on where the issue stands currently.

Currently the driveway condition, as figured, has gotten worse with freeze thaw. There are further cracks and damage visible from the weight and vibration of the roller running up and down the driveway. I would like to get this resolved as it has taken long enough to get this far. Please let me know after you have reviewed the documentation Com. Winters left and the email chain so that we can meet to discuss a resolution.

Thank you for your time.

Jon Treleven

7389 Bluebird Crossing, Omro  
920-420-1587  
[trelevenj@sadoff.com](mailto:trelevenj@sadoff.com)



**From:** Jon Treleven  
**Sent:** Wednesday, January 4, 2017 2:52 PM  
**To:** Winters, Ernest <[EWinters@co.winnebago.wi.us](mailto:EWinters@co.winnebago.wi.us)>  
**Subject:** RE: Treleven / Krueger Driveway

Mr. Winters,

I appreciate you getting back to me on this.

It sounds like your opinion has changed regarding this issue from our meeting this summer. The damage (as we agreed) was clearly visible and clearly caused by the counties equipment. So I don't see a reason that any potential fixes wouldn't fall to the responsibility of the county. We did agree that an immediate fix did not seem necessary as the driveway was still usable "as is." It did not make sense to tear it out at the moment. It was also agreed that there was serious potential for the cracks to enlarge and compound based on WI freeze thaw cycles. For this reason we had agreed on the letter and filing with the job number the record of this incident and causation. Your below email sounds contradictory to what we discussed.... I can appreciate that you are short on time with your current position, but this issue is mine to deal with for the remainder of my time in my home. I will certainly take this up with the next commissioner and the county board if I must. The bottom line is that damage was done to personal property by construction methods (rolling up the approach of brand new concrete with a vibrating roller) that did not match what should have been done (vibrapacking or hand packing to the edge of concrete drive). This caused a clearly visible issue that at the very least ruined it esthetically but more probably will compound to fracturing that would not have been there otherwise. This is not deniable. This was further confirmed by my concrete contractor (the same that poured it a month prior) that came out to inspect and assess the damage.

Having laid out my feelings regarding this pending issue, I will take a second to wish you, personally, a happy and healthy retirement. I sincerely hope you find your new free time rewarding. Thank you for your years of service!

*Jon Treleven*

FDL NF Operations Manager



THE PREFERRED CHOICE IN RECYCLING

240 W Arndt Street  
Fond du Lac, WI 54935

Cell: 920-420-1587  
Email: [trelevenj@sadoff.com](mailto:trelevenj@sadoff.com)  
visit us at: [www.sadoff.com](http://www.sadoff.com)

**From:** Winters, Ernest [<mailto:EWinters@co.winnebago.wi.us>]  
**Sent:** Tuesday, January 03, 2017 3:08 PM  
**To:** Jon Treleven <[trelevenj@sadoff.com](mailto:trelevenj@sadoff.com)>  
**Subject:** RE: Treleven / Krueger Driveway

Hi Jon,

I've got one foot out the door and have not been able to get this letter to you. I struggle with committing the department to an action that may not occur for many, many years. I did not observe any appreciable damage when I looked at your driveway. It's a big stretch to say that the County did damage.

I've put a note in my transition file regarding this issue. You may want to consider contacting the next Commissioner and asking him or her to meet with you to discuss.

Thanks,

Ernie

**From:** Jon Treleven [<mailto:trelevenj@sadoff.com>]  
**Sent:** Tuesday, December 06, 2016 10:51 AM  
**To:** Winters, Ernest <[EWinters@co.winnebago.wi.us](mailto:EWinters@co.winnebago.wi.us)>  
**Subject:** Treleven / Krueger Driveway

Mr. Winters –

I hear congratulations are in order on your upcoming retirement. I hope the time treats you well!

I am emailing you in search of the written confirmation we discussed this summer regarding the driveways of myself (Jon Treleven) and my neighbor, Trevor Krueger in the Blue Belle subdivision just outside Omro. You had said you would send us a written confirmation of the issue and causation that would be added to the file for review as the problems associated got worse and warranted correction. Just looking for this to maintain with our records as we would anticipate some fix needed in coming years.

Thank you and best of luck in the coming years!

*Jon Treleven*

FDL NF Operations Manager

**SR** SADOFF IRON &  
METAL COMPANY

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visit us at: [www.sadoff.com](http://www.sadoff.com)

**Jon Treleven**

---

**From:** Jon Treleven  
**Sent:** Monday, September 19, 2016 8:23 AM  
**To:** ewinters@co.winnebago.wi.us  
**Subject:** Treleven Driveway

Mr. Winters –

Below are the pictures promised regarding my driveway on Bluebird Crossing.

Thank you!

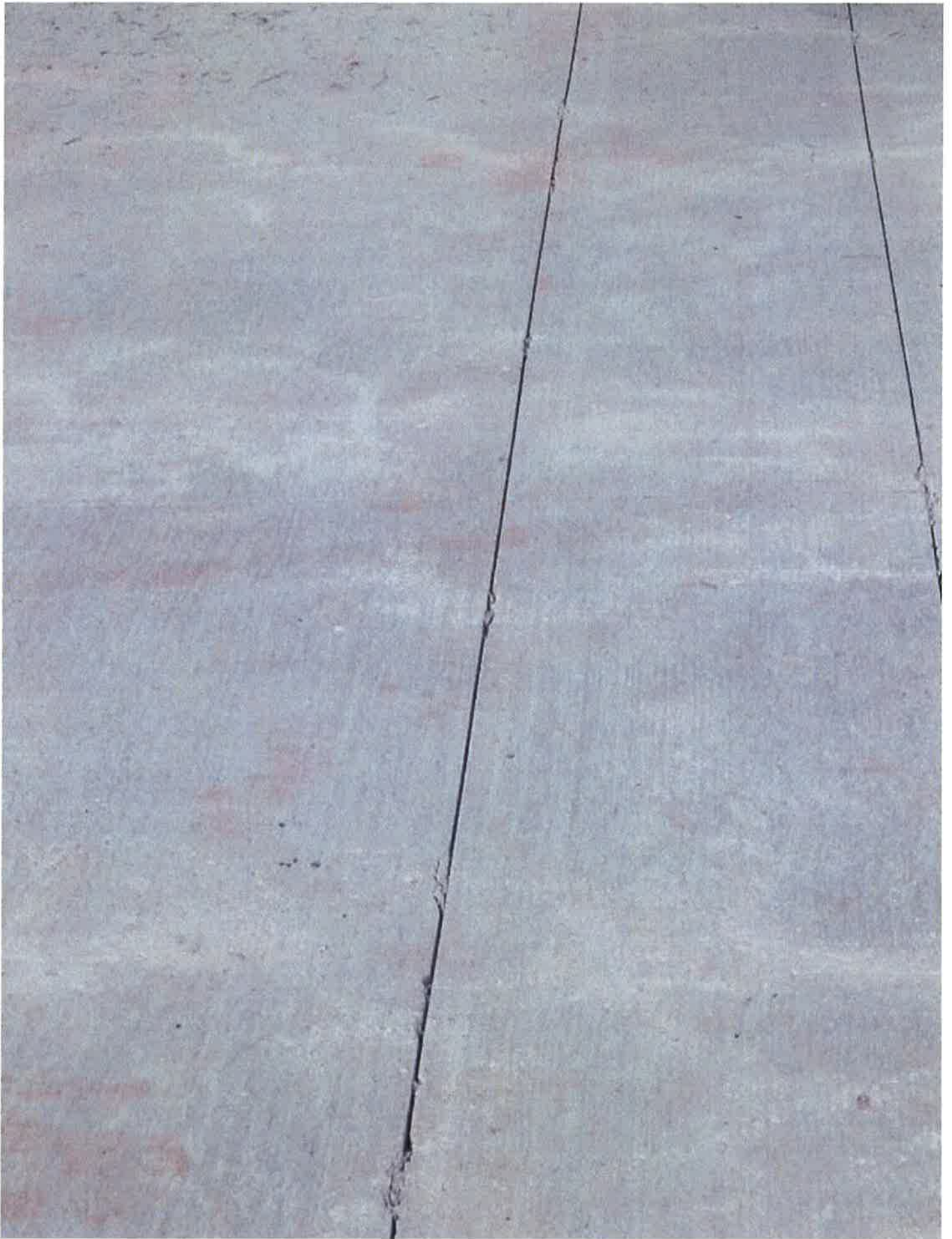
**FILED**  
AUG 08 2017  
WINNEBAGO COUNTY  
CLERKS OFFICE  
WINNEBAGO, WI





























*Jon Treleven*

FDL NF Operations Manager



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