

**Otter Lake Water Commission
Executive Session Meeting Minutes**

August 11, 2015

At 5:28 pm Chairman Jake Rettberg with all Commissioners present entered into Executive Session to discuss litigation. Others present included; Tom Moroney, Bob Dill, Dennis Ross and Laura Sommerfeld.

Dennis Ross reported that on July 23, 2015 we were served a summons for the case Lisa McWard vs Theresa McNaught and Otter Lake Water Commission.

This case stems from an accident at the covered boat slip lease by David McNaught. Occurring on July 20, 2014. Mr. McNaught passed on June 3, 2014.

The reported accident involved Theresa McNaught driving her late husband's boat, she had a difficult time while trying to park the boat in the covered slip, it was reported to Tom Moroney that she hit the end of the dock 3 or 4 times. Lisa McWard stuck her leg out of the boat; her leg came into contact with the side of the dock resulting in a compound fracture.

The suit claims the Commission "failed to put proper hand rails or assists to enable Plaintiff and others to exit a watercraft onto the dock" and "failed to provide adequate buffering on its dock so as to protect the Plaintiff and others using the docking facilities".

This has been turned over to our insurance provider. Matt Champlain with Hepler Broom will handle our case. In the event the Plaintiff receives a judgment in her favor, the Commission would have a \$10,000 deductible. Mr. Champlain will be filing a motion to dismiss.

At 5:42 pm the Board came out of Executive Session.

Laura Sommerfeld

These minutes were approved by the Board 12/12/2017.