

**Otter Lake Water Commission
Executive Session**

October 13, 2015

At 5:45 pm Chairman Jake Rettberg with all Commissioners present except Judi Bivin and Doyle Worlow entered into Executive Session to discuss pending litigation and personnel. Other present included Tom Moroney, Bob Dill, Dennis Ross and Laura Sommerfeld.

Litigation: McWard vs. OLWC & McNaught

The plaintiff has amended the claim to include "willful and wanton" action on the part of the Commission. This case is being heard by Judge Deihl.

We have been informed by Cincinnati Insurance that in the event a judgment is awarded to the plaintiff under the willful and wanton action claim, we are not covered. They will however continue to defend the case. The Commission has the option of hiring other counsel to defend the case at its own expense.

On October 5th our current counsel appeared in front of Judge Deihl requesting the Commission be dismissed from this case. The Judge has not made a judgment yet.

At this point I see no reason to seek other counsel.

Personnel:

Tom Moroney, Bob Dill and Laura Sommerfeld were asked to leave at this point. The Compensation Committee brought to the Board a proposal regarding employee contracts and employee raises.

At 6:24 pm the Board came out of Executive Session.

Laura Sommerfeld

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