

THE SEWER BOARD OF THE CIVIL CITY OF NEW ALBANY, INDIANA, HELD A SPECIAL MEETING IN THE MAYOR'S OFFICE ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING ON THURSDAY, OCTOBER 11, 2012 AT 8:30 A.M.

PRESENT: Mayor Gahan, Mr. Brinkworth and Mr. Wilkinson

ALSO PRESENT: Vicki Glotzbach

Mayor Gahan called the meeting to order at 8:40 a.m.

Mayor Gahan asked Mr. Gerard to come forward and share a little about his background with the board.

James Gerard thanked the board for having him and stated that he is an attorney and has been working the last ten years in the public sector doing mostly government work. He explained that he spent 2 ½ years in Indianapolis as the Public Works Director and for the last several years he has been working in Evansville as a consultant including 2 years as the interim Utility Director and bringing operations back in house. He stated that he is currently the point person dealing with the litigation between EMC and Evansville and continues serve as a consultant for the city.

Mayor Gahan stated that they have a professional service agreement before them between the City and Mr. Gerard to be the Utility Director while they transition EMC and IN-AWC out of the management post and become part of the public utility under public management.

Mr. Gibson explained that item no. 3 which goes through the professional services requested can be added to or deleted at either party's discretion and most everything else is standard legal language.

Mr. Brinkworth asked the number of hours he would be onsite.

Mr. Gerard stated that he would be here at least 15 hours per week.

Mr. Gibson stated that was one of the areas of concern and there is language in the contract that stipulates that he dedicates a minimum of 15 hours per weeks down here and it will probably be more than that at times.

Mr. Brinkworth asked if the \$12,500.00 is a fixed number other than expenses.

Mr. Gerard replied yes.

Mayor Gahan stated that EMC has done a superb job and hopes they continue on with that tradition.

Mr. Brinkworth stated that he and Mr. Wilkinson have a difference of opinion on how to deal with the EMC contract and before they hire Mr. Gerard he would like to say that he is totally opposed to pursuing legal action against EMC unless they are completely sure it is warranted.

Mr. Gibson stated that he is interested in is having a fresh set of eyes and an honest opinion regarding this. He explained that he has made his own evaluation but Mr. Gerard isn't from here and he will bring an unbiased opinion to the board.

Mr. Brinkworth stated that he isn't totally comfortable with this but he wants to believe what was said at the last meeting with regards to looking at everything and not just pursuing legal action to do it. He just wants his opinion on record.

Mr. Gibson stated that he noticed a typo that needs to be changed and then they will get the singed contract to them.

Mr. Wilkinson moved to approve the contract with James Gerard, Mr. Brinkworth second, all voted in favor.

ADJOURN:

There being no further business before the board, the meeting adjourned at 8:55 a.m.

Mayor Gahan

Vicki Glotzbach, City Clerk