



Board of Light, Gas and Water Commissioners

220 S. Main Street
Memphis, TN 38103

www.mlgw.com

Board Meeting

~ Minutes ~

Thursday, January 19, 2012

3:00 PM

Board Room

CALL TO ORDER AND OPENING REMARKS:

Chairman Brittenum

The meeting was called to order at 3:00 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Brittenum

The Pledge of Allegiance was recited.

ROLL CALL:

Dana Jeanes

The Secretary-Treasurer called the roll:

Attendee Name	Title	Status	Arrived
Rick Masson	Board Member	Present	
V Lynn Evans	Board Member	Present	
Steven Wishnia	Vice Chairman	Present	
Dedrick Brittenum	Chairman	Present	
Darrell Cobbins	Board Member	Present	

The following staff members were present: Jerry R. Collins, Jr., President and CEO; Dana Jeanes, Vice President, CFO and Secretary-Treasurer; Cheryl Patterson, Vice President and General Counsel; Nick Newman, Vice President, Construction and Maintenance; Christopher Bieber, Vice President, Customer Care; Alonzo Weaver, Vice President, Engineering and Operations; Von W. Goodloe, Vice President, Human Resources; and Lashell M. Vaughn, Vice President and Chief Technology Officer.

Janis Fullilove of the Memphis City Council was in attendance.

APPROVALS:

Motion To: Approve the Minutes of Meeting of January 5, 2012

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	V Lynn Evans, Board Member
SECONDER:	Rick Masson, Board Member
AYES:	Masson, Evans, Wishnia, Brittenum, Cobbins

COMMITTEE APPOINTMENTS:

Chairman Brittenum stated for the record the following Committee assignments, effective January 1, 2012 through December 31, 2013:

1. Supplier Diversity Committee – Vice Chairman Wishnia
2. Customer Appeal Committee (Claims Only) – Commissioner Masson
3. Audit Committee – Commissioner Evans, Chair
4. Human Resources Committee – Commissioner Cobbins
5. Natural Gas Hedging Committee – Commissioner Cobbins
6. Finance Committee – Commissioner Masson

Chairman Brittenum appointed Commissioner Cobbins as the liaison to the Administration regarding the Controller position.

CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated January 3, 2012, Items 8 through 20, approving items approved by the MLGW Board at its meeting held December 15, 2011 (see Minute File No. 1348).

AMENDMENT TO CONSENT AGENDA:

Without objection, Chairman Brittenum moved Item 12 from the Consent Agenda to the Regular Agenda.

REGULAR AGENDA

(Item 12)

12. Resolution commending former MLGW employee Al Bourell and current MLGW employees Roderick Truitt, Rick Cox, Curtis Washington and David Morton for their efforts and outstanding work in receiving an official patent for the solid state sump pump control. (Jerry R. Collins, Jr.)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rick Masson, Board Member
SECONDER:	Steven Wishnia, Vice Chairman
AYES:	Masson, Evans, Wishnia, Brittenum, Cobbins

Chairman Brittenum read Resolution 12 into the record and recognized those involved in receiving the patent.

GENERAL STATEMENTS FROM THE PUBLIC:

1. Calvin Glass, MLGW employee, appeared before the Board regarding promotions in Gas Distribution. Other employees joining Mr. Glass were: Greg Bohanon, Tony Baker, John Johnson, and Curtis Watson.

Chairman Brittenum asked President Collins to look into the matter along with Commissioner Cobbins, Human Resources Committee Chairman, and requested an answer by the next Board meeting.

AMENDMENT TO CONSENT AGENDA:

Motion To: Add Item 14 to the Consent Agenda

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steven Wishnia, Vice Chairman
SECONDER:	V Lynn Evans, Board Member
AYES:	Masson, Evans, Wishnia, Brittenum, Cobbins

The original of the resolutions and documents relating to each item is filed in the vault on the fifth floor of the MLGW Administration Building, 220 South Main. The original documents shall control in the event of any conflict between the description in these minutes and the original documents.

CONSENT AGENDA

(Items 1 through 11 and Item 14)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steven Wishnia, Vice Chairman
SECONDER:	Rick Masson, Board Member
AYES:	Masson, Evans, Wishnia, Brittenum, Cobbins

CONSTRUCTION & MAINTENANCE DIVISION

1. Resolution awarding Contract No. 11510, Roof Replacement at the MLGW Sheahan Pumping Station, to B Four Plyed, Inc. in the funded amount of \$839,730.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
2. Resolution awarding contract to Wagner Smith Equipment Company for rental of wire pulling equipment for a six-month period in the amount of \$172,668.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving payment of 2012 annual membership dues, plus locate request tickets, to Tennessee One-Call System, Inc. in the amount of \$90,112.04. (Nick Newman) (REQUIRES CITY COUNCIL APPROVAL)

CUSTOMER CARE DIVISION

4. Resolution approving Change No. 3 to Contract No. 10907, Data Feed Analysis, with CQG, Inc. in the funded amount of \$39,000.00. (This change renews the contract for an additional term, February 22, 2012 through February 21, 2013, in the amount of \$30,120.00, and includes additional fees in the amount of \$8,880.00 based on external

factors which includes price changes driven by exchanges, change in functionality driven by the market, and price changes driven by litigation). (Jozelle Booker)
(REQUIRES CITY COUNCIL APPROVAL)

5. Resolution awarding 12-month blanket contracts for electric meters to Utilicor in the amount of \$527,460.00 and WESCO Distribution in the amount of \$136,206.44, for a total amount of both awards being approximately \$663,666.44. (Jozelle Booker)
(REQUIRES CITY COUNCIL APPROVAL)

ENGINEERING & OPERATIONS DIVISION

6. Resolution awarding contract for three-phase auto transformers to Howard Industries, Inc. in the amount of \$642,735.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution approving release of anchor guy easement to CVS 4992 TN, LLC, property located on the north side of Linden Avenue, west of the west line of Cooper Street, for the sum of \$1.00. (Philip Lim)
8. Resolution approving release of easement to CVS 4992, TN, LLC, property located on the southwest corner of Union Avenue and Cooper Street, for the sum of \$1.00. (Philip Lim)

FINANCE DIVISION

9. Resolution awarding 12-month contract to StressCrete, Inc. for concrete standards in the amount of \$65,280.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

GENERAL COUNSEL DIVISION

10. Resolution approving and adopting the revised Rules of Procedure as the official rules governing the procedures of the meetings of the Board of Light, Gas and Water Commissioners, to provide for a new time for Board meetings, the Agenda for which will incorporate the presentations and discussions formerly held during the President's Briefing, effective March 1, 2012. (Cheryl Patterson)

HUMAN RESOURCES DIVISION

11. Resolution approving Position No. 00079, Clerical Support III; Position No. 00341, Helper; Position No. 00633, Clerical Support III; Position No. 04666, Clerical Support III; and Position No. 04667, Clerical Support III. (Jerry R. Collins, Jr.)

INFORMATION SERVICES DIVISION

(None)

PRESIDENT'S DIVISION

12. Without objection, Chairman Brittenum moved Item 12 from the Consent Agenda to the Regular Agenda. (See page 8)
13. See Regular Agenda for Item 13.

ENGINEERING & OPERATIONS DIVISION

14. Resolution awarding Contract No. 11487, MLGW Arlington LNG Plant Decommission Project, to Memphis Wrecking Company in the funded amount of \$294,000.00. (Jozelle Booker) (REQUIRES CITY COUNCIL APPROVAL)

CONSENT AGENDA APPROVED, AS AMENDED**REGULAR AGENDA**

(Item 13)

Each of Chairman Brittenum and Vice Chairman Wishnia requested that the record reflect their recusal on Regular Agenda Item 13. Chairman Brittenum handed the gavel to former Chairman Cobbins to preside as Chairman during this portion of the meeting.

13. Consideration of the Board's authority and Management's request that the Board reject the Arbitrator's award in the Belinda McIntyre Grievance and the taking of such action relating to the matter as the Board deems appropriate.

Jeff Weintraub, legal counsel for MLGW Management, and Deborah Godwin, legal counsel for IBEW Local 1288 and Belinda McIntyre, addressed the Board regarding the Belinda McIntyre award. After discussion, the Board voted as follows:

Motion To: Deny Management's appeal to reconsider, and uphold the Arbitrator's decision in the matter of Belinda McIntyre.

RESULT:	ADOPTED [3 TO 0]
MOVER:	V Lynn Evans, Board Member
SECONDER:	Rick Masson, Board Member
AYES:	Rick Masson, V Lynn Evans, Darrell Cobbins
RECUSE:	Steven Wishnia, Dedrick Brittenum

It was noted earlier in the meeting that the April 5, 2012 Board of Light, Gas and Water Commissioners' meeting will be changed to April 12, 2012.

There being no further business, the meeting was adjourned at 4:38 p.m.

SEE MINUTE FILE NO. 1349.

APPROVED WITHOUT INTERLINEATION

Chairman

**These Minutes Compiled by Undersigned
and are Correct**

Secretary-Treasurer