

<p><b>MEMPHIS LIGHT, GAS &amp; WATER DIVISION OFFICIAL MINUTES</b></p>	
<p><b>Meeting Time:</b> April 2, 2009 at 3:00 P.M.</p>	
<p><b>Meeting Location:</b> Board Room, Fifth Floor, Administration Building, Memphis, Tennessee</p>	



The meeting was called to order by Chairman Evans at 3:15 p.m.

The Secretary-Treasurer called the roll. The following Board Members were present: V. Lynn Evans, Chairman; Darrell T. Cobbins, Vice Chairman; Rick Masson; Dedrick Brittenum, Jr.; and Steven Wishnia.

The following staff members were present: Jerry R. Collins, Jr., President and CEO; John McCullough, Vice President, CFO and Secretary-Treasurer; Cheryl Patterson, Vice President and General Counsel; Christopher Bieber, Vice President, Customer Care; Alonzo Weaver, Vice President, Engineering and Operations; Charmiane Claxton, Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer. Nick Newman, Vice President, Construction and Maintenance, was not present.

Commissioner Masson moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held March 19, 2009, that they be recorded as the official record, seconded by Commissioner Wishnia and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated March 19, 2009, Items 15 through 25, approving items approved by the MLGW Board at its meeting held March 5, 2009 (see Minute File No. 1315).

**GENERAL STATEMENTS FROM THE PUBLIC:**

1. Robert F. Stark, Jr., 7989 Highway 70, Bartlett, TN, 38133, addressed the Board regarding disability benefits for MLGW employees.
2. Diane Barron, 5118 Aureen Drive, addressed the Board disputing her utility bill.
3. Bill Hawkins, Assistant Business Manager, 4000 Clearpool Circle, addressed the Board regarding Items 1, 5 and 6 of today's agenda.

**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**

1. Resolution awarding Contract No. 11290, Right-of-Way Mowing, to Rotolo Consultants, Inc. in the funded amount of \$236,016.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

2. Resolution awarding Contract No. 11304, Insulation and Jacketing Repairs, to Insulation and Refractories Services, Inc., in the funded amount of \$34,500.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

3. Resolution approving Change No. 6 to Contract No. 9955, Partial Funding of Pollution Control/Ground Water Quality Control Program, with Memphis & Shelby County Health Department, in the funded amount of \$141,017.80. (This change renews the contract for 2009).

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

4. Resolution approving Change No. 8 to Contract No. 10979, Network Maintenance, with Venture Technologies in the funded amount of \$511,407.25. (This change extends the current contract to include an additional one-year term, July 1, 2009 to June 30, 2010, to allow time to re-bid the contract).

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

5. Resolution approving Change No. 2 to Contract No. 11190, Mowing/Grounds Maintenance Well Lots, with Bean & Prince Contractors, Inc., in the funded amount of \$61,228.44. (This change renews the contract for the second of four renewal terms, May 17, 2009 to May 16, 2010, and includes a 2.7% increase to remain in compliance with the mandate of the City of Memphis Living Wage Ordinance).

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

6. Resolution approving Change No. 1 to Contract No. 11258, Grounds Maintenance, with Bean & Prince Contractors, Inc., in the funded amount of \$617,752.45. (This change renews the contract for the first of four renewal terms, May 16, 2009 to May 15, 2010, and includes a 2.7% increase to remain in compliance with the mandate of the City of Memphis Living Wage Ordinance).

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

7. Resolution awarding contract for the purchase and installation of six fuel dispensers at the North Service Center to The Southern Company, in the amount of \$43,677.00.

**APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)**

8. Resolution approving MLGW Human Resources Policy No. 23-16 - Changes on Accounts of Employees and/or Their Relatives.

**APPROVED**

9. Resolution approving Position No. 00320, Transformer Repairer Apprentice; Position No. 00747, Supervisor, Transportation; Position No. 01898, Electric Meter Shop Technician Apprentice; Position No. 03113, Residential Marketing Representative; Position No. 06239, Coordinator Cross Connection; and Position No. 06310, Customer Accounts Representative.

**APPROVED**

10. Resolution approving W. R. No. C3J74512 to transfer capital funds in the amount of \$110,000.00 for the completion of the filter media replacement project at the Lichterman Water Pumping Station. (Funds in the amount of \$110,000.00 will be substituted from the 2009 Water Division Budget Item 26-4, "Construct New Well", Shaw Pumping Station, to the 2009 Water Division Budget Item 25-19, "Filter Media Replacement", Lichterman Pumping Station, increasing this line item from \$100,000.00 to \$210,000.00 for 2009. The total project cost is \$320,000.00).

**APPROVED**

11. Resolution approving W. R. No. C3K39419 to transfer capital funds in the total amount of \$243,000.00 for the completion of the installation of Well 35B at the Mallory Water Pumping Station. (Funds in the amount of \$243,000.00 will be substituted from the 2009 Water Division Budget Item 25-16, "Construct Replacement Well", Lichterman Pumping Station, to W. R. No. C3K39419).

**APPROVED**

12. Resolution approving W. R. No. C3K39436 to transfer capital funds in the total amount of \$192,000.00 for the completion of the installation of Well R86 at the Sheahan Water Pumping Station. (Funds in the amount of \$192,000.00 will be substituted from the 2009 Water Division Budget Item 25-16, "Construct Replacement Well", Lichterman Pumping Station, to W. R. No. C3K39436).

**APPROVED**

13. Resolution approving W. R. No. C3K40287 to transfer capital funds in the total amount of \$35,000.00 for the completion of the seismic well retrofit at Morton Water Pumping Station. (Funds in the amount of \$35,000.00 will be substituted from the 2009 Water Division Budget Item 25-16, "Construct Replacement Well", Lichterman Pumping Station, to W. R. No. C3K40287).

**APPROVED**

14. Resolution approving W. R. No. C3K43301 to transfer capital funds in the total amount of \$110,000.00 for the installation of additional aerator media at the Allen Water Pumping Station. (Funds in the amount of \$75,000.00 will be taken from the 2009 Water Division Budget Item 28-13, "Lichterman Well Collection Main", and funds in the amount of \$35,000.00 will be taken from the 2009 Water Division Budget Item 26-4, "Construct New Well", Shaw Pumping Station, for a total of \$110,000.00, to W. R. No. C3K43301).

**APPROVED**

**ROLL CALL CONSENT AGENDA**

MOTION: Commissioner Masson  
 SECOND: Commissioner Wishnia  
 AYES: Commissioner Masson, Commissioner Brittenum, Commissioner Wishnia,  
 Vice Chairman Cobbins and Chairman Evans

**CONSENT AGENDA APPROVED**

**ROLL CALL FOR APPROVAL OF MINUTES OF ITEM NO. 9 OF TODAY'S AGENDA  
 POSITION NO. 06310:**

MOTION: Vice Chairman Cobbins  
 SECOND: Commissioner Masson  
 AYES: Commissioner Masson, Commissioner Brittenum, Commissioner Wishnia,  
 Vice Chairman Cobbins and Chairman Evans

**MINUTES FOR POSITION NO. 06310 OF ITEM NO. 9 OF TODAY'S AGENDA  
 APPROVED**

Happy Birthday Wishes were extended to Chairman Evans.

**OTHER BUSINESS:**

Commissioner Brittenum expressed concern regarding e-mails he had received regarding Residency Policy termination and utility bill issues. He requested a legal opinion on whether or not the Board makes the final decision on terminations.

There being no further business, the meeting was adjourned at 3:40 p.m.

SEE MINUTE FILE NO. 1316.

Secretary-Treasurer