

<p>MEMPHIS LIGHT, GAS & WATER DIVISION OFFICIAL MINUTES</p>	
<p>Meeting Time: April 16, 2009 at 3:00 P.M.</p>	

Meeting Location: Board Room, Fifth Floor,
Administration Building, Memphis, Tennessee



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

Chairman Evans congratulated Vice Chairman Cobbins on the birth of his son.

The Secretary-Treasurer called the roll. The following Board Members were present: V. Lynn Evans, Chairman; Darrell T. Cobbins, Vice Chairman; Dedrick Brittenum, Jr.; and Steven Wishnia. Rick Masson was not present.

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; Nick Newman, Vice President, Construction and Maintenance; 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.

Commissioner Wishnia moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held April 2, 2009, that they be recorded as the official record, seconded by Vice Chairman Cobbins and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated April 7, 2009, Items 9 through 16, approving items approved by the MLGW Board at its meeting held March 19, 2009 (see Minute File No. 1315).

GENERAL STATEMENTS FROM THE PUBLIC:

1. Oke Ananaba, 7455 Macon Road, Cordova, TN addressed the Board regarding his personal utility bill.

2. Bill Hawkins, Assistant Business Manager, 4000 Clearpool Circle, addressed the Board regarding Item No. 3 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. 11248, Property and Boiler Insurance, to FM Global in the funded amount of \$1,080,894.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

2. Resolution awarding Contract No. 11325, North Community Office HVAC Replacement, to Barnes and Brower, Inc. in the funded amount of \$222,927.00.

ITEM NO. 2 WAS DELETED FROM THE CONSENT AGENDA

3. It was moved by Vice Chairman Cobbins, seconded by Commissioner Wishnia and unanimously carried, that Item No. 3 be moved from the Consent Agenda to the Regular Agenda.

ITEM NO. 3 MOVED FROM CONSENT AGENDA TO REGULAR AGENDA**CONSENT AGENDA (Continued)**

4. Resolution approving Change No. 3 to Contract No. 11079, Vector Control Fee, with the Memphis and Shelby County Health Department. (This change renews the current contract for the third of four renewal terms, October 1, 2008 through September 30, 2009, and ratifies collection of fees during contract negotiations at the end of the second renewal period of September 30, 2008 to the date of approval of this Change).

APPROVED

5. Resolution awarding contract for one vertical turbine pump and motor to Layne Christensen Company in the amount of \$99,600.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

6. Resolution awarding 12-month contract for fluorosilicic acid to Pencco, Inc. in the amount of \$790,272.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

7. Resolution awarding 36-month contract for concrete to Memphis Ready Mix in the amount of \$3,694,513.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

8. Resolution approving payment of 2009 annual membership dues to the Greater Memphis Chamber in the amount of \$25,000.00, provided that no part of this funding shall be used for lobbying public officials or to oppose or promote ballot initiatives.

APPROVED – (The minutes for Item No. 8 were held until May 21, 2009)

9. Resolution approving Contract No. 00074295 between MLGW and TVA to help support industrial recruitment, development and expansion of business and industry in the Memphis/Shelby County area, whereby MLGW will make payment to the Greater Memphis Chamber in the amount of \$80,000.00, provided that no part of this funding shall be used for lobbying public officials or to oppose or promote ballot initiatives. TVA will reimburse MLGW in the amount of \$40,000.00.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL) - (The minutes for Item No. 9 were held until May 21, 2009)

10. Resolution approving contract with the Greater Memphis Chamber in the amount of \$175,000.00 for the 2009 commitment to Memphis 2005 Economic Development Strategic Plan, and its successor, the Memphis ED Plan, provided that no part of this funding shall be used for lobbying public officials or to oppose or promote ballot initiatives.

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL) - (The minutes for Item No. 10 were held until May 21, 2009)

11. Resolution approving the March 31, 2009 Quarterly Report of the Customer Appeal Committee.

APPROVED

12. Resolution approving Position No. 00743, Apprentice Lineman and Position No. 05505, Design Engineer II.

APPROVED

13. Resolution approving the employment of Wiseman Bray, PLLC, on an as-needed basis at agreed-upon hourly rates, as follows:

Attorneys	-	\$160.00
Paralegals/Assistants	-	\$ 85.00

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

14. Resolution approving the employment of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, on an as-needed basis at agreed-upon hourly rates, as follows:

Shareholder	-	\$230.00
Associates	-	\$200.00
Paralegals	-	\$100.00
Leo Bearman, Jr.	-	\$485.00

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

15. Resolution approving release of the following easements:

Partial release of 3.5-ft.-wide utility easement, located along the east line of property located at 8442 Stenerbridge Lane, Germantown, TN, to Edgar C. Fell and wife, Evonne E. Fell, or their successors in title, for the sum of \$1.00.

Partial release of 5-ft.-wide utility easement, located along the north line of property located at 8442 Stenerbridge Lane, Germantown, TN, to Edgar C. Fell and wife, Evonne E. Fell, or their successors in title, for the sum of \$1.00.

APPROVED

REGULAR AGENDA

3. Resolution approving Change No. 7 to Contract No. 11016, Drug and Alcohol Collection Provider, with True Test Collection in the funded amount of \$57,936.00. (This change renews the current contract for the fourth and final renewal term, May 6, 2009 through May 5, 2010. This change does not reflect a rate increase from the previous year; however, the number of employees tested increased the contract amount by 106.91% due to the change in MLGW HR Policy No. 23-09, Post Alcohol and Drug Testing).

APPROVED (SUBJECT TO CITY COUNCIL APPROVAL)

ROLL CALL CONSENT AGENDA – (Items 1, and 4 through 15)

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

Commissioner Brittenum recused himself from Item 4.

CONSENT AGENDA APPROVED

ROLL CALL REGULAR AGENDA (Item 3)

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

REGULAR AGENDA APPROVED

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

SEE MINUTE FILE NO. 1316.

Secretary-Treasurer