

<b>MEMPHIS LIGHT, GAS &amp; WATER DIVISION OFFICIAL MINUTES</b>	
<b>Meeting Time:</b> August 20, 2009 at 3:00 P.M.	
<b>Meeting Location:</b> Board Room, Fifth Floor, Administration Building, Memphis, Tennessee	



The meeting was called to order by Chairman Evans at 3:30 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; and Dedrick Brittenum, Jr. Steven Wishnia 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; Alonzo Weaver, Vice President, Engineering and Operations; Steve Day, Acting Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer. Nick Newman, Vice President, Construction and Maintenance, and Christopher Bieber, Vice President, Customer Care, were not present. Barbara Swearengen Ware, City Council Member, was present.

Vice Chairman Cobbins moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held August 6, 2009, that they be recorded as the official record, seconded by Commissioner Masson and unanimously carried.

The Secretary-Treasurer acknowledged receipt of Certified Copies of City Council Resolutions dated August 4, 2009, Items 13 through 15, approving items approved by the MLGW Board at its meeting held July 16, 2009. (See Minute File No. 1319).

**GENERAL STATEMENTS FROM THE PUBLIC:**

1. Nancy Ream, Chickasaw Group, addressed the Board regarding the aquifer.
2. Art Wolff, 5445 Shady Grove Terrace, addressed the Board regarding the water supply and the aquifer.

**COMMITTEE REPORT:**

1. Human Resources Committee Update– Commissioner Brittenum  
Steve Day, Acting VP, Human Resources, addressed the Board.

**OLD BUSINESS:**

The Motion to rescind the action taken by the Board of Light, Gas and Water Commissioners at its meeting held July 16, 2009, relating to Contract No. 11340, was deferred to the next Board meeting to be held on September 3, 2009.

**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. 11370, Electronic Bill Presentment and Payment Services, to Metavante Corporation in the funded amount of \$1,250,000.00.

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

2. Resolution rejecting the proposal received on Contract No. 11328, Worker's Compensation Stop Loss Broker; the proposals will be re-solicited.

**APPROVED**

3. Resolution rejecting bids received on Contract No. 11344, UPS/Generator Replacement – Administration Building.

**APPROVED**

4. Resolution awarding contract for multiplexer parts to GE Digital Energy Lentrionics in the amount of \$236,510.40.

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

5. Resolution awarding 60-month contract for tap and terminal kits to H D Supply in the amount of \$924,254.00.

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

6. Resolution awarding 36-month contract for 65' painted steel poles to M. D. Henry Company, Inc. in the amount of \$1,428,300.00.

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

7. Resolution awarding 60-month contract for URD secondary cable to H D Supply in the amount of \$9,753,588.00.

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

8. Resolution adopting the MLGW Land Use Policy, effective September 1, 2009.

**APPROVED**

9. Resolution approving release of the following easement for the sum of \$1.00:

Property located on the south side of Old Ivy Cove, approximately 159.3 feet west of the centerline of Black Water Trail, to Delta Builders, Inc., a Tennessee Corporation or their successors in title.

**APPROVED**

10. Resolution approving amendments to the 2009 Gas Service Policy and the 2009 Gas Schedule of Charges, effective immediately.

**APPROVED**

**ROLL CALL TO DIVIDE THE QUESTION ON ITEM #8 OF TODAY'S AGENDA:**

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

**APPROVED**

Commissioner Brittenum offered an amendment to Item No. 8, that the final authority to allow the use, pursuant to the MLGW Land Use Policy, be with the Board and this authority would be implemented beginning October 1, 2009. The amendment failed for the lack of a second.

**ROLL CALL ITEM #8:**

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

**ITEM #8 APPROVED**

**ROLL CALL CONSENT AGENDA, AS AMENDED (Items 1 through 7, 9 and 10)**

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

**CONSENT AGENDA APPROVED, AS AMENDED**

**APPROVAL OF THE MINUTES OF ITEM #10 OF TODAY'S AGENDA:**

Vice Chairman Cobbins moved that the minutes of Item No. 10 of today's agenda be approved, seconded by Commissioner Masson and unanimously carried.

**OTHER BUSINESS:**

Commissioner Brittenum requested a quarterly report on the MLGW Land Use Policy. Commissioner Masson seconded the request.

Chairman Evans commended the MIFA/Plus-1 Program.

There being no further business, the meeting was adjourned at 4:30 p.m.

SEE MINUTE FILE NO. 1320.

Secretary-Treasurer