

<b>MEMPHIS LIGHT, GAS &amp; WATER DIVISION OFFICIAL MINUTES</b>	
<b>Meeting Time:</b> July 16, 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 3:13 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; Nick Newman, Vice President, Construction and Maintenance; Christopher Bieber, Vice President, Customer Care; Alonzo Weaver, Vice President, Engineering and Operations; and Linda Peppers, Vice President and Chief Technology Officer. Steve Day, Acting Vice President, Human Resources, was not present.

Commissioner Wishnia moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held July 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 July 7, 2009, Items 14 through 18, approving items approved by the MLGW Board at its meeting held June 18, 2009; and Item 19, approving item approved by the MLGW Board at its meeting held June 4, 2009 (see Minute File No. 1318).

**GENERAL STATEMENTS FROM THE PUBLIC:**

1. Bill Hawkins, Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, Memphis, TN, addressed the Board regarding Item 1 of today's agenda.
2. Edward Goodman, 5673 Rich Road, addressed the Board regarding charges related to natural gas installation.

**PRESENTATION:**

1. Nick Newman, Vice President, Construction and Maintenance, presented the 2009 American Water Works Association Award to Chairman Evans and President Collins.

**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. 11340, Transmission Line Construction from Substation 79 to Substation 86 - Section "C", to Pike Electric, Inc. in the funded amount of \$1,264,860.00.

**ITEM 1 FAILED**

2. Resolution approving that the effective date of Contract No. 8122, Interlocal Agreement between MLGW and the Public Works Division of Shelby County, Tennessee approved by this Board on May 7, 2009, be delayed until October 16, 2009 and the term of MLGW's current contract with Shelby County Government be extended for a 90-day period beginning July 16, 2009 and ending October 16, 2009, to provide for the continued collection of fire fees and related service fees on the County's behalf by MLGW during the period of such delay.

**APPROVED**

3. Resolution approving Change No. 5 to Contract No. 10931, EcoBuild Inspector, with Engineered Comfort, Inc., with no increase in contract value. (This renews the contract for the fourth and final renewal term, July 1, 2009 through June 30, 2010, and includes pre-drywall inspections).

**APPROVED**

4. Resolution awarding 12-month maintenance contract for inserter machine to Bowe Bell & Howell in the amount of \$54,342.56.

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

5. Resolution awarding contract for two galvanized dead-end structures to Valmont-Newark in the amount of \$59,990.00.

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

6. Resolution awarding contract for SCADA historical data software, licenses, implementation and maintenance to GE Energy Management Services, Inc. in the amount of \$67,073.00.

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

7. Resolution approving the June 30, 2009 Quarterly Report of the Customer Appeal Committee.

**ITEM 7 WAS DELETED**

8. Resolution approving Position No. 01286, Systems Operator I Gas; Position No. 01688, Service Advisor; Position No. 06299, Customer Service Assistant; Position No. 06300, Customer Service Technician III; Position No. 06301, Customer Service Technician III; Position No. 06302, Customer Service Technician III; Position No. 06303, Customer Service Technician III; and Position No. 06304, Customer Service Technician III.

**APPROVED**

**ROLL CALL CONSENT AGENDA, AS AMENDED**

MOTION: Commissioner Masson  
SECOND: Vice Chairman Cobbins

Commissioner Brittenum moved to divide the question (vote on Item 1 separately) without objection.

**ITEM 1**

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

**ITEM 1 FAILED**

**REMAINING ITEMS OF CONSENT AGENDA, AS AMENDED**

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

**CONSENT AGENDA APPROVED, AS AMENDED**

**(See Page 69 for reconsideration of Item 2).**

Commissioner Brittenum moved that Item 2 be reconsidered for the purpose of correcting the record so he may recuse himself, seconded by Commissioner Wishnia and unanimously carried.

**ROLL CALL ITEM 2**

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

**ITEM 2 APPROVED**

**APPROVAL OF MINUTES OF ITEM 2 OF TODAY'S AGENDA**

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

**MINUTES OF ITEM 2 OF TODAY'S MEETING APPROVED**

There being no further business, the meeting was adjourned at 3:50 p.m.

SEE MINUTE FILE NO. 1319.

Secretary-Treasurer