

MINUTES OF MEETING  
of  
BOARD OF LIGHT, GAS AND WATER COMMISSIONERS  
CITY OF MEMPHIS  
held  
December 7, 2006

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A regular meeting of the Board of Light, Gas and Water Commissioners, City of Memphis, was held at Memphis Light, Gas & Water Division, 220 S. Main, Thursday, December 7, 2006 at 1:30 p.m. The following were in attendance: Rick Masson, Chairman; V. Lynn Evans, Vice Chairman; Nick Clark, Commissioner; William L. Taylor, Commissioner; Joseph Lee, III, President and CEO; John McCullough, Vice President, CFO and Secretary-Treasurer; Odell Horton, Jr., Vice President and General Counsel; Diana Veazey, Vice President, Construction and Maintenance; Alonzo Weaver, Vice President, Customer Operations; Christopher Bieber, Vice President, Engineering; Armstead Ward, Vice President, Human Resources; and Linda Peppers, Vice President and Chief Technology Officer. James L. Russell, Commissioner, was not in attendance.

Vice Chairman Evans moved that after personally reading and reviewing the typed minutes of the Memphis Light, Gas and Water Board meeting held November 16, 2006, that they be recorded as the official record, seconded by Commissioner Taylor, and unanimously carried.

The Secretary-Treasurer acknowledged receipt of certified copies of City Council Resolutions dated November 21, 2006, Item Nos. 14 through 19, approving items approved by the MLGW Board at its meeting held November 2, 2006 (See Minute File No. 1287); and Item No. 28, approving item approved by the MLGW Board at its meeting held October 19, 2006 (See Minute File No. 1286).

The following presentations were made to the Board: Weekend Academy – Target/TVA by employees, Armstead Ward, Patrice Robinson, Doris Ward; and Workers' Compensation by employees, Armstead Ward and Steve Day.

1. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners that it award Contract No. 11150, Drilled Pier Installation, to McKinney Drilling Company, in the funded amount of \$277,435.

The project scope is to install drilled pier foundations located in Memphis and Shelby County, Tennessee.

Proposals were received on November 14, 2006 for Drilled Pier Installation, Contract No. 11150, with the only bid being McKinney Drilling Company.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11150 to McKinney Drilling, Inc. in the funded amount of \$277,435, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the award.

2. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners, award of Contract No. 11152, Photovoltaic System Design and Installation, to Arc Electric Company, Inc., in the funded amount of \$359,959.

The project scope is to install approximately 20 to 22 kW AC of photovoltaic power to the grid at Carnes Elementary School located at 943 Lane Avenue in Memphis and Shelby County, Tennessee. This is a community improvement project in support of TVA's Green Power Switch program.

Bids were opened on July 26, 2006 for Contract No. 11152, Photovoltaic System Design and Installation, with the best bidder of two bidders being Arc Electric Company, Inc.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11152 to Arc Electric Company, Inc., in the funded amount of \$359,959, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the contract.

3. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners, that it award Contract No. 11159, Netters UPS/PDU Maintenance System, to Liebert Global Services in c/o Computer Environment, in the funded amount of \$14,530 first year, \$14,530 second year, \$16,910 third year, \$16,910 fourth year, and \$16,910 for the fifth and final year for a total of \$79,790 over a five year period.

The project scope is to perform preventive maintenance, emergency service and parts coverage for MLGW's Netters UPS/PDU System. This contract is a "Sole Source Award" for Liebert UPS, power distribution, battery cabinets and site monitoring products.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11159 to Liebert Global Services in c/o Computer Environment, in the funded amount of \$79,790, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the award.

4. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners that it award Contract No. 11160, Computer Equipment Maintenance, to Mid-South Computer Services, in an estimated funded amount of \$127,236.

The project scope is to provide on-site maintenance and repair service for personal computers, monitors, plotters, printers, typewriters, and other computer peripherals.

Proposals were received on October 31, 2006 for Contract No. 11160, Computer Equipment Maintenance, with the best of three proposals being submitted by Mid-South Computer Services.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of Contract No. 11160 to Mid-South Computer Services in an estimated funded amount of \$127,236, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the award.

5. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners Change No. 15 to Contract No. 9779, Management Support Central Processing Unit, with Fujitsu Computer Systems Corporation to include a maintenance upgrade to the Storage Processor to MLGW's mainframe system in an estimated funded amount of \$13,452.

The project scope is to provide maintenance to the Storage Processor to MLGW's mainframe system. This change is necessary to include a maintenance upgrade to the Storage Processor to MLGW's mainframe system. The current contract will increase from \$4,281,267.96 to \$4,294,699.96.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Approval of change No. 15 to Contract No. 9779 with Fujitsu Computer Systems Corporation, in an estimated funded amount of \$13,452, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the change.

6. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners Change No. 6 to Contract No. 10344, Computer Associates Combined Products, with Computer Associates, Inc., to change the scope to extend the existing license agreement for an additional three years at a total cost of \$620,850.

The project scope is changed to extend the existing license agreement for an additional three years at a total cost of \$620,850 beginning on 2/27/07 and ending on 2/27/10. This extension is necessary due to the software license expiring on 2/27/07. The current contract will increase from \$2,670,102 to \$3,290,952.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 6 to Contract No. 10344 with Computer Associates, Inc., in an estimated funded amount of \$620,850, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the change.

7. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners approval of an Expedited Procurement Request for Change No. 2 to Contract No. 10968, Elevator Upgrades with Kone, Inc., to renew the Contract for both the first and second terms retroactive to July 1, 2005 to June 30, 2007, in an estimated funded amount of \$50,736 (\$24,897.40 and \$25,838.40) with an increase in the present maintenance and hourly rates.

The project scope is to continue preventative maintenance on all 11 elevators at various MLGW locations. These renewals are the first and second of four renewals beginning July 1, 2005 to June 30, 2007. Due to the Division and Contractor negotiations on the dispute of new contract language, an Expedited Procurement Request had been implemented to continue the maintenance service until all issues had been resolved. Each renewal period reflects a 4% increase in maintenance and hourly rates. The new contract amount is \$615,576.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 2 to Contract No. 10968 with Kone, Inc., in an estimated funded amount of \$50,736, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute these renewals.

8. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners Change No. 1 to Contract No. 11004, Implementation of Oracle Human Resources and Payroll with KBACE Technologies, Inc. to change the scope to extend the on-site services of KBACE Technologies, Inc. until December 31, 2007 in an estimated funded amount of \$775,200.

The project scope is changed to extend the on-site services of KBACE Technologies, Inc. until December 31, 2007 in an estimated funded amount of \$775,200. This extension is necessary because the original project go-live date was extended to September 25, 2006 in order to incorporate the development of custom functions and additional requirements. The current contract will increase from \$3,223,025 to \$3,998,225.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 1 to Contract No. 11004 with KBACE Technologies, Inc. in an estimated funded amount of \$775,200, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the change.

9. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners Change No. 1 to Contract No. 11085, HVAC Roof RTU at Training Center, with CS3, Inc., to change the scope to meet building codes after the existing HVAC unit was removed from the building in an estimated funded amount of \$16,776.32.

The project scope is changed to meet building codes after the existing HVAC unit was removed from the building in an estimated funded amount of \$16,776.32. The current contract will increase from \$301,650 to \$318,426.32.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the MLGW Board of Commissioners Change No. 1 to Contract No. 11085 with CS3, Inc., in an estimated funded amount of \$16,776.32, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the change.

10. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners Change No. 1 to Contract No. 11096, Mobile Sweeper Cleaning, with Horizon of Memphis, Inc., to renew the contract for a first term beginning March 1, 2007 to February 28, 2008 in the funded amount of \$70,386.96 without an increase in the present monthly charges.

The project scope is to perform mobile sweeper cleaning of all trash and debris from MLGW parking lots, located in Memphis and Shelby County, Tennessee. The new contract amount is \$140,773.97.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and carried, with Commissioner Clark abstaining:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 1 to Contract No. 11096 with Horizon of Memphis, Inc., in the funded amount of \$70,386.96, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

11. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners, Change No. 1 to Contract No. 11104,

North Service Center Building 8, Boiler Upgrade with CS3, Inc. to install a boiler shut down system to meet the Tennessee Boiler Code in the funded amount of \$5,453.

The project scope has changed to install a boiler shut down system to meet the Tennessee Boiler Code, implementing DDC modifications to the BAS and alarm systems. The new contract amount is \$104,253.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Change No. 1 to Contract No. 11104 with CS3, Inc., in the funded amount of \$5,453, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the change.

12. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners, Change No. 1 to Contract No. 10993, Dial Tone Services, with US LEC of Tennessee, Inc., to renew the contract for a first renewal term beginning April 23, 2007 to April 22, 2008 in an estimated funded amount of \$78,000, with additional charges that originally had been excluded from the monthly cost.

The project scope is to provide dial tone services to four MLGW locations in Memphis and Shelby County, Tennessee. The new charges include long distance usage, directory assistance, 911 services, FCC fees, excise taxes and/or any other mandatory governmental taxes. The new contract amount is \$319,200.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and carried, with Commissioner Clark abstaining:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Change No. 1 to Contract No. 10993 with US LEC, in an estimated funded amount of \$78,000, as outlined in the foregoing preamble, is approved; and further,

THAT, The President or his designated representative is authorized to execute the renewal.

13. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners that it award the purchase of prepaid cards to be issued in lieu of previous types of awards by the Construction and Maintenance Division to 658 employees that met the 2005 achievement goals.

The proposal was received on June 26, 2006 with the most responsive bidder being the firm of Swift Prepaid Solutions, Inc. in the amount of \$30,432.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of contract with Swift Prepaid Solutions, Inc. is approved for furnishing 658 prepaid cards in accordance with department list provided by MLGW; and further

totaling \$30,432; f.o.b. Memphis, TN, transportation prepaid; said prices being firm; delivery in three weeks after receipt of order.

14. The Interim Manager, Procurement and Contracts, recommends to the Board of Light, Gas and Water Commissioners that it ratify the award for emergency purchase order No. 129470 to Brenntag Mid-South, Inc. for thirty-six month supply of fluorosilicic acid which will be used in the MLGW water supply as required by the State of Tennessee. This emergency purchase was necessary to avoid possible fines imposed by the State due to the current supplier's inability to furnish the product in a timely manner or on a regular basis.

Bids were opened on November 8, 2006. The lowest and best complying bidder of two bidders was the firm of Brenntag Mid-South, Inc., in the amount of approximately \$1,128,710.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Award of emergency purchase order as outlined below is ratified and will be sent to the Council of the City of Memphis for ratification; and further,

Purchase Order No. 129470 has been issued to Brenntag Mid-South, Inc. for thirty-six month supply of fluorosilicic acid to be furnished in accordance with MLGW Specifications dated October 30, 2006,

totaling \$1,128,710 (approximately); f.o.b. Memphis, TN, transportation prepaid; said prices being firm for the first 12-month period, then subject to a maximum 10% increase in each of the second and third 12-month periods; delivery as required.

15. The Interim Manager, Procurement and Contracts, recommends to the Board of Light, Gas and Water Commissioners that it ratify the award for emergency purchase order No. 129503 to GAI-Tronics Corporation for purchase of communication system equipment which will be used to replace equipment which is approximately 40



years old and can no longer be repaired. DOT Regulation 193.2519 requires this system for verbal communications and must interface with existing equipment.

Bids were opened on November 13, 2006. The only bid received was from GAI-Tronics Corporation, in the amount of \$42,641.63.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Award of emergency purchase order as outlined below is ratified and will be sent to the Council of the City of Memphis for ratification; and further,

Purchase Order No. 129503 has been issued to GAI-Tronics Corporation for furnishing a communication system at \$42,641.63,

totaling \$42,641.63; f.o.b. factory, transportation prepaid; said prices being firm; delivery within eight weeks.

16. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners that it award the purchase of polycarbonate globes which is used by distribution support crews to install and/or maintain electric system.

Bids were opened on November 15, 2006. The lowest and best complying bidder of three bidders was the firm of Formed Plastics, Inc. c/o Vincent Sales in the amount of \$43,875.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of contract with Formed Plastics, Inc. c/o Vincent Sales is approved for furnishing:

650 – polycarbonate globes

totaling \$43,875; f.o.b. Memphis, TN, our dock, transportation prepaid; said prices being firm; delivery in two weeks.

17. The Interim Manager, Procurement and Contracts, recommended to the Board of Light, Gas and Water Commissioners that it award the purchase of ductile iron pipe which replenishes inventory material for MLGW crews to install and/or maintain the water distribution system. Order quantities are based upon previous usage records and projected projects that will be scheduled during the next 12 months. During the length of this contract, quantities will be released based on the actual need for each item.

Bids were opened on October 25, 2006. The lowest and best complying bidder of five bidders was the firm of U.S. Pipe and Foundry Company for nine items. The approximate total for all items is \$1,746,654.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, award of contract as follows is approved furnishing:

Blanket contract for nine items of ductile iron pipe to be furnished by United States Pipe and Foundry Company as released by MLGW. If a need for additional sizes of pipe or design changes to existing items is identified during the period of this contract, supplier will be requested to add the new items or make changes to the existing items on the contract at a price agreeable to both MLGW and supplier. A copy of all unit prices to be placed on file in MLGW's Accounting department; and further,

The total award amounts to approximately \$1,746,654; f.o.b. Memphis, TN, transportation prepaid; said prices being firm; delivery within four weeks after release.

18. By unanimous consent, Item No. 18, approving Interdivisional Cooperative Agreement with the City of Memphis for towing services, in the amount of \$75,000, was deleted from the agenda.

19. The Vice President of Engineering presented for consideration of the Board renewal of Cooperative Agreement No. 5447, investigation of Water Resources, for the period of October 1, 2006 to September 30, 2007 stipulating that a sum of \$55,000 will be furnished by the Division and a like sum furnished by the United States Department of the Interior Geological Survey for continuation of the ground water data collection program in the Memphis area.

The Memphis Light, Gas and Water Division and the United States Department of the Interior Geological Survey have cooperated for the purpose of investigating ground water resources in the immediate vicinity of Memphis since the year 1940, and the Vice President of Engineering recommends that the Division continue to encourage this work and cooperate with the Geological Survey in accordance with Cooperative Agreement as submitted.

The cost of this Agreement will be included in the 2007 Budget.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, renewal of Cooperative Agreement No. 5447 in the sum of \$55,000 is approved; and further,

THAT, The President or his designated representative is authorized to execute Cooperative Agreement No. 5447 with the United States Department of Interior Geological Survey as outlined in the foregoing preamble.

20. The following are dates of the Memphis, Light, Gas and Water Division (MLGW) Board meetings in 2007. The meetings are held on the first and third Thursday of each month. The President and CEO's Board Briefing Session will be held at 11:00 a.m. and the public meeting at 1:30 p.m. in the Board Room, 220 S. Main, (unless otherwise notified on the MLGW web site):

January 4 and 18

February 1 and 15

March 1 and 15

April 5 and 19

May 3 and 17

June 7 and 21

July 5 and 19

August 2 and 16

September 6 and 20

October 4 and 18

November 1 and 15

December 6 and 20

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, The 2007 dates of the MLGW Board meetings as set forth in the foregoing preamble are approved.

21. The Vice President of Finance, Chief Financial Officer, and Secretary-Treasurer recommended to the Board that:

WHEREAS, L. R. Jalenak, Jr., as a long serving member of the Memphis Light, Gas and Water Board of Commissioners, made significant contributions to MLGW through dedication of over 13 years to public service as an MLGW Board of Commissioner, and

WHEREAS, L. R. Jalenak, Jr. served on the MLGW Board of Commissioners in several capacities including Chairman, Vice Chairman, Pension Board

Chairman, Post-Retirement Investment Trust Chairman, Audit Committee Chairman, Chairman of the Board for Memphis Networx, and

WHEREAS, L. R. Jalenak, Jr., served as a Board and personal sponsor to numerous charitable efforts by MLGW employees and local entities, and

WHEREAS, L. R. Jalenak, Jr. provided the leadership and advisory counsel through such capacity as an MLGW Board Commissioner that caused benefit to the economic and community development of Memphis and Shelby County as recognized locally, regionally, and nationally in conducting the affairs of MLGW, that the electric Substation #87 (Shady Grove) be named in his honor.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Board of Commissioners, the foregoing recommendation be approved.

THAT, The President or his representative is directed to execute an appropriate designation of "L. R. Jalenak, Jr. Shady Grove Substation #87" to be located on said property.

22. The Manager, Hickory Hill Service Center, submitted for consideration of the Board a change to the Water Service Policy.

The Water Service Policy Review Committee has held a series of meetings for a complete review of the Water Service Policy. The Committee has recommended the policy be rewritten to update and clarify in accordance with the attached draft. This review is the normal three year interval for each of our service policy manuals.

The committee recommends these changes become effective January 1, 2007.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, The Manager of the Hickory Hill Service Center be and is hereby authorized to reprint and publish a new Water Service Policy in accordance with the attached draft and this new schedule will become effective as stated above.

23. The President recommended to the Board of Light, Gas and Water Commissioners selection of Gale Jones Carson for the position of Director of Corporate

Communications, in accordance with Salary Number S-78788 in the amount of \$126,006.40 annually.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Subject to the consent and approval of the Council of the City of Memphis, Gale Jones Carson is selected for the position of Director of Corporate Communications, in accordance with Salary Number S-78788 in the amount of \$126,006.40 annually.

24. The President recommended to the Board of Light, Gas and Water Commissioners selection of Lesa Walton for the position of General Auditor, in accordance with Salary Number S-78787 in the amount of \$99,611.20 annually.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Lesa Walton is selected for the position of General Auditor, in accordance with Salary Number S-78787 in the amount of \$99,611.20 annually.

25. The Manager, Electric Engineering, submitted for consideration of the Board W. R. No. C1I46990 in the amount of \$50,000 for replacement of Transmission Structure #442.

The money for this project will be borrowed from line item (10-1) Sub 86 cut in.

The Manager, Electric Engineering, recommends to the Board the replacement of the above Transmission Structure #442.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, W. R. No. C1I46990 in the amount of \$50,000 be approved for replacement of Transmission Structure #442.

26. WHEREAS, appropriate departments of the Engineering Division and the Vice President of Engineering approved the release of the utility easement as follows:

A 2-foot wide electric distribution utility easement recorded in Book 3743, Page 499 designated Parcel B in the Register's Office of Shelby County, Tennessee across a parcel of land described in Instrument Number 95038752 in the Register's Office of Shelby County, Tennessee to Campbell Street Development, LLC, or its successor in title for the sum of \$1.00.

Property located at 2595 Central Avenue, Memphis, Tennessee.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Release of said easement across the above described properties is approved; and further,

THAT, The Board of Light, Gas and Water Commissioners recommends to the Mayor of the City of Memphis that the appropriate release deed be executed releasing said easement to the current property owners for a consideration of \$1.00 each.

27. The President and CEO submitted for approval of the Board the following position numbers, per the attached documents (See Minute File No. 1288):

Position No. 00848, Substation Electrician Apprentice  
Position No. 02137, Crew Leader, Service Construction & Maintenance  
Position No. 02341, Utility Worker II  
Position No. 02418, Heavy Equipment Operator  
Position No. 02843, Drafter I  
Position No. 05712, Planning Engineer II  
Position No. 06126, Interim Fleet Administrator  
Position No. 06127, Fleet Administrator  
Position No. 06128, Energy Technician

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, Position numbers 00848, 02137, 02341, 02418, 02843, 05712, 06126, 06127 and 06128, as listed in the foregoing preamble, are approved.

28. The Secretary-Treasurer has requested that the Board of Light, Gas and Water Commissioners adopt a Retiree Health Benefits Trust in conformity with the GASB 43/45 Standards for the purpose of pre-funding other post-employment, non-pension benefits under the Medical Benefit Plan maintained by MLGW for its eligible employees, retirees, and their eligible dependents.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, The adoption of the Retiree Health Benefits Trust, as set forth in the foregoing preamble be authorized.

29. The President and Chief Executive Officer presents for consideration of the Board the following resolution restating and amending the Tennessee Energy Acquisition Corporation (TEAC) gas pre-pay resolution dated August 17, 2006 for approval:

The Tennessee Energy Acquisition Corporation (TEAC) gas pre-pay resolution dated August 17, 2006 is amended as follows:

At the termination of the Public Energy Authority Kentucky (PEAK) transaction in 2016, all volumes purchased pursuant to the Public Energy Authority Kentucky (PEAK) transaction shall be included in the Tennessee Energy Acquisition Corporation (TEAC) transaction.

It was moved by Commissioner Clark, seconded by Commissioner Taylor, and unanimously carried:

THAT, at the termination of the Public Energy Authority Kentucky (PEAK) transaction, those volumes will be included in the Tennessee Energy Acquisition Corporation (TEAC) transaction.

30. Marvin Winston, 8596 Stablemill Lane, appeared before the Board to discuss various matters.

31. Dick Gardiner, 1734 Gosnold Bluff Road, appeared before the Board to discuss various matters.

32. Bill Hawkins, Assistant Business Manager, IBEW Local 1288, 4000 Clearpool Circle, appeared before the Board to discuss various matters.

There being no further business presented, the meeting was adjourned.

SEE MINUTE FILE NO. 1288.

Secretary-Treasurer