



# Board of Light, Gas and Water Commissioners

220 S. Main Street  
Memphis, TN 38103  
[www.mlgw.com](http://www.mlgw.com)

## Board Meeting

~ Minutes ~

Wednesday, May 1, 2024

8:30 AM

Board Room

### CALL TO ORDER AND OPENING REMARKS:

Chairman Dickson

The meeting was called to order at 8:31a.m.

### PLEDGE OF ALLEGIANCE:

Chairman Dickson

The Pledge of Allegiance was recited.

### ROLL CALL:

Dana Jeanes

Attendee Name	Title	Status	Arrived
Michael Pohlman	Vice Chairman	Present	
Cheryl Pesce	Board Member	Present	
Carl Person	Board Member	Present	
Mitch Graves	Board Member	Absent	
Leon Dickson	Chairman	Present	
James Lewellen	Advisory Board Member	Present	
John Butler	Advisory Board Member	Present	

### APPROVALS:

Chairman Dickson

**Motion To:** Approve Minutes from the Regular BOC Meeting of April 17, 2024 and the Minutes from the Special Meeting for Grievance Hearing on April 17, 2024. (See Minute File No. 1493)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Pohlman, Vice Chairman
<b>SECONDER:</b>	Cheryl Pesce, Board Member
<b>AYES:</b>	Michael Pohlman, Cheryl Pesce, Carl Person, Leon Dickson
<b>ABSENT:</b>	Mitch Graves

### CITY COUNCIL ACKNOWLEDGEMENTS & UPDATE:

Dana Jeanes

Receipt of Certified Copies of City Council Resolutions date April 23, 2024, Items 22 through 27.

### PRESENTATIONS:

Patriot Award - David Armstrong - Investigator David Armstrong with MLGW's Corporate Investigations and Loss Preventions Department and Staff Sargent with the Tennessee Army National Guard along with Vice President Dr. Von Goodloe and Al Rogers, Vice

President of ESGR presented to Michael Starks and Josh Davis on behalf of MLGW, the Patriot Award. Mr. Rogers explained what ESGR was as well as the Patriot Award. Investigator Armstrong and Dr. Goodloe also presented an award to President McGowen for his service in the Military.

2023 MLGW Student Art Contest "ElectRock" - Ursula Madden - Ms. Ursula Madden, VP Of Corporate Communications, presented the awards for the 2023 MLGW Student Art Contest "ElectRock".

- WINNER K-2<sup>nd</sup> Grade Category - Marley Harris, 2<sup>nd</sup> Grade, Balmoral Ridgeway Elementary
- WINNER 3<sup>rd</sup> through 5<sup>th</sup> Grade Category - Anvi Vijendra, 5<sup>th</sup> Grade, Bailey Station Elementary School
- WINNER 6<sup>th</sup> through 8<sup>th</sup> Grade Category - Sedra Murshed, 8<sup>th</sup> Grade, Bon Lin Middle School
- WINNER 9<sup>th</sup> through 12<sup>th</sup> Grade Category - James Mooneyham, 11<sup>th</sup> Grade, Collierville High School

**GENERAL STATEMENT(S) FROM THE PUBLIC:**

Mr. Joe Kent - 5111 Flamingo - Mr. Kent mentioned several projects around the City of Memphis including MLGW's purchase of the Broadband Spectrum that had to be purchased by the end of the year. Mr. Kent questioned when we were going to mature enough to stop falling for these rush deals. Mr. Kent mentioned that he was still waiting on the purchase documentation for the Spectrum purchase. Mr. Kent mentioned that he had hoped that Mr. Hilliard would be able to make it to the meeting to get his thoughts about MLGW's cash balances. Mr. Kent mentioned that in late 2023 he asserted that an operating conspiracy regarding the concealment of the actual 2024 MLGW Budget. However, since that time, Mr. Kent was able to ascertain an explanation leading him to believe that maybe his previous assertion was a mistake. Mr. Kent asked Chairman Dickson what is the latest monthly financial statement that he had received?

Mr. Chet Kibble, Sr. - 3229 Lakeview Road - Director of the Memphis Shelby County Lead Safe Collaborative - Mr. Kent apologized for his temperament that last time that he spoke before the Board. Mr. Kibble stated that he was glad to hear that the sterilization plant in South Memphis is moving. Mr. Kibble stated that he received an email yesterday stating that he was going to have a meeting with Chandrika. Mr. Kibble stated that he had not heard anything until yesterday. Mr. Kibble said he didn't really need a meeting, he needed answers. He asked that MLGW be truthful about the Lead in the water. Mr. Kibble stated that he presented some questions to the Board and Nick Newman previously. Mr. Kibble would like answers to those questions.

Mr. Dennis Lynch - 347 N. McLean - Mr. Lynch stated that he is a Member of the MLGW Citizens Advisory Committee which has only met once so far. Mr. Lynch asked if MLGW has created its list of available properties for installation of solar? Mr. Lynch

asked for this information more than six weeks ago. Mr. Lynch also asked about energy storage plants. Mr. Lynch stated that we need to move rapidly to take advantage of 30% tax credit. Mr. Lynch stated that he went to Collierville last night for the Community Meeting only to find out it had been canceled when he got there. Mr. Lynch stated that he wasted an hour and a half of his life because he was unaware that the meeting had been canceled.

Mr. Aaron Lewis - 3820 Treasure Hills Cove - Mr. Lewis stated that he was afraid and that his heart rate was elevated. Mr. Lewis stated that he was a former employee of MLGW and he was a member of the Advisory Board. Mr. Lewis stated that he comes before the Board as a community advocate, as someone who has demonstrated a willingness to take incredible risks to get close to some demographics who's voices aren't often heard. Mr. Lewis stated that the problems that MLGW faces are big problems. Mr. Lewis stated that he would like to make contact with Alonzo. Mr. Lewis also made a comment to President McGowen about taking away a man's means to make a living.

**Review Consent Agenda – President Doug McGowen**

The original of the resolutions and documents relating to each item is filed in the vault of 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 and these minutes and the original documents.

(President’s Briefing Continued on Page 48)

**CONSENT AGENDA**  
(Items 1 through 8)

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cheryl Pesce, Board Member
<b>SECONDER:</b>	Michael Pohlman, Vice Chairman
<b>AYES:</b>	Michael Pohlman, Cheryl Pesce, Carl Person, Leon Dickson
<b>ABSENT:</b>	Mitch Graves

James Lewellen – Concurs

John Butler - Concurs

**VP of CUSTOMER EXPERIENCE and ENERGY SERVICES**

(None)

**CHIEF INFORMATION OFFICER**

1. Resolution approving Change No. 1 to Contract No. 12507 (formerly Contract No. C2605), Microsoft Support Modern Engineer with Crayon Software Experts, LLC to renew the current contract in the funded amount of \$174,934.25. The new contract value is \$337,976.04. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

2. Resolution approving Change No. 12 to Contract No. 10741, Laser Disk Document Storage with Jack Henry and Associates, Incorporated, a division of Profitstars, to renew the contract in the funded amount of \$119,150.83. The new contract value is \$795,988.15. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**COMMUNITY & EXTERNAL AFFAIRS**

(None)

**VP ELECTRIC ENGINEERING & OPERATIONS**

(None)

**VP WATER & GAS ENGINEERING & OPERATIONS**

3. Resolution approving Change No. 3 to Contract No. 12245, Well Abandonment with Layne Christensen Company to change and renew the current contract in the funded amount of \$531,320.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**PRESIDENT**

(None)

**SVP, CFO & CAO, FINANCE**

4. Resolution approving Change No. 18 to Contract No. 10793, Professional Portfolio Software with Advent Software, Incorporated in the funded amount of \$36,468.85. This change is to ratify and renew for an additional year. The new contract value is \$685,320.36 (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**SVP, CHIEF OPERATING OFFICER**

5. Resolution approving 2nd Amendment to Natural Gas Supply Agreement with Tennergy Corporation for sale and purchase of Natural Gas. (Alonzo Weaver) (REQUIRES CITY COUNCIL APPROVAL)

**SHARED SERVICES**

6. Resolution awarding Contract No. 12478, Repaving Sheahan Pumping Station Drives and Parking Areas to Barnes & Brower, Inc. in the funded amount of \$372,471.45. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
7. Resolution approving Change No. 1 to Contract No. 12409, Trash Removal Services to BFI Waste Services, LLC dba Republic Services of Memphis to renew the current contract in the funded amount of \$348,232.32. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)

**VP & GENERAL COUNSEL**

8. Resolution approving and upholding the report of the Customer Appeal Committee for the period of December 2023 through April 1, 2024. (Jennifer Sink)

**CHIEF PEOPLE OFFICER**

(None)

**PRESIDENT'S BRIEFING****Other - Doug McGowen**

President McGowen started by responding to some of the public inquiries that were made earlier in the meeting. The first item the President addressed was the posting of the Board Packet for the public to view. President McGowen stated that the complete Board Packet is on our website for the public to view, and described where that information can be found on the MLGW's website. President McGowen also addressed the public comment regarding our financial statements. President McGowen stated that once a year we produce an audited annual financial statement, and we produce monthly unaudited financial statements. President McGowen did confirm that we did receive a public records request for those unaudited monthly financial statements and that we have provided those. President McGowen also stated that we have now posted these monthly unaudited statements on our website for the public to view. President McGowen stated that all of 2023 has been posted, and January of 2024 has been posted as well.

President McGowen discussed the delayed and held bills. President McGowen stated that we have inspected and replaced 8,000 of the defective water registers, and we will be putting together a plan for continued inspection and replacement. President McGowen stated that the gas meters were more problematic in that we originally thought the issue was the wriggler, but the actual cause was that a stuck register was causing the wrigglers to break. President McGowen reported that we have received 14,000 gas registers. We have 13,800 known defective gas registers, and our team will begin immediately with the partnership of Utility Partners of America to replace those registers. President McGowen also provided an update on the number of accounts that are still being affected by these issues. President McGowen stated that we are aware of the issues, and we are on top of it.

President McGowen addressed Mr. Kibble and expressed his willingness to meet with Mr. Kibble and stated that we willing to work with the customers to provide any information we have. President McGowen reiterated that the entire water production and distribution system does not and is not comprised of lead. President McGowen stated that we are talking about the service lines that go from the main to the meter. We believe there to be about 24,000 of those, and our next task is to determine what is on the customer side and work with the federal government to generate funding necessary to replace both the MLGW side and the customer side. President McGowen confirmed that this is important to MLGW and the City Council.

President McGowen also addressed Mr. Lynch' s comments. President McGowen did confirm that Mr. Lynch did send him an email last night, so he was prepared for some of his questions. President McGowen stated that we are moving forward on both our solar initiative and our battery storage initiative for our solar initiative. President McGowen stated that as a part of our IRP we identified locations that were owned by MLGW or the City of Memphis that were appropriate for solar installation. President McGowen did

confirm that we have a placeholder in the budget for funding of battery storage, and we have an engineering firm working with our engineers to determine, not just should we do batteries, but what size, what duration, and what location is appropriate to best serve our community needs. President McGowen confirmed that we are moving forward with getting battery storage, but stated another hurdle will be how quickly can we get a battery the size we need produced and installed.

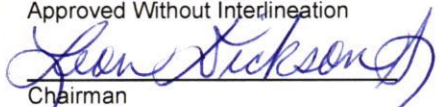
President McGowen mentioned that yesterday he participated in a groundbreaking ceremony with Mayor Young and some community partners on a transformative investment in what we call the Ubiquitous Gigabit Speed Broadband Fiber. President McGowen stated that this fiber is going to be installed across our city, and it is going to pass in front of at least 85% of all of the homes in Memphis, especially in those areas where it may not be economically feasible for a company to do that. President McGowen reported that this is a partnership with the City of Memphis and the Blue Suede Networks. President McGowen stated that the Internet Service provider is Ting, and there will be funding offsets for low-income individuals who may not be able to afford gigabit. They can have affordable gigabit speed internet in their homes for the transformative nature of education and for home-based businesses for community uplift and economic growth. MLGW's System is the predominant infrastructure that this will ride on. President McGowen stated that it would not be possible if it weren't for MLGW's willingness to engage with engineers for the design, installation and approval of installation mechanisms on and in our infrastructure. President McGowen reported that MLGW team has been working on this for two years stating that Nick Newman had the lead on this, but now our Key Person is Kory Robinson. President McGowen mentioned the many benefits this will provide for MLGW and our community, and that we are pleased to be a part of it.

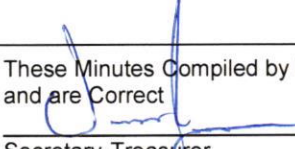
**COMMITTEE REPORTS:**

(None)

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:44 a.m.

Approved Without Interlineation  
  
Chairman

These Minutes Compiled by Undersigned  
and are Correct  
  
Secretary-Treasurer