



**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, January 8, 2025**

**8:30 AM**

**Board Room**

**CALL TO ORDER AND OPENING REMARKS:**

**Chairman Pohlman**

The meeting was called to order at 8:29 a.m.

**PLEDGE OF ALLEGIANCE:**

**Chairman Pohlman**

The Pledge of Allegiance was recited.

**ROLL CALL:**

**Rodney Cleek**

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

**APPROVALS:**

**Chairman Pohlman**

**Motion To:** Approve Minutes from the Meeting of December 18, 2024.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Leon Dickson, Board Member
<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:**

**Rodney Cleek**

Acknowledged receipt of Certified Copies of City Council Resolutions dated December 17, 2024, Items 11 through 21, and Item 29.(See Minute File No. 1501)

**PRESENTATIONS:**

(None)

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

Chairman Pohlman read into record the rules, policies and procedures for public comment at the Board Meeting.

Sarah Houston - 200 Wagner Place - Director of Protect Our Aquifer - Ms. Houston stated that Protect Our Aquifer supports the approval of Agenda Item #2, and those fees going to the Health Department even though those rates have been the same since 1990. Ms. Houston stated that they are still excited to see that MLGW continues to support that program. Ms. Houston stated that today she is here on her own accord and that she has been actively involved with the Shelby County Lead Prevention Sustainability Council. Ms. Houston stated that she was here today to discuss EPA renovations, repair and painting violations associated with the Share the Pennies Program. Ms. Houston stated that she pays into the Share the Pennies Program, and she loves to see the weatherization of homes take place. Ms. Houston stated that she had heard through numerous LPC Meetings, including one right before the holidays, where there has been firsthand accounts from families that have been exposed to lead after these services have been provided. Ms. Houston asked MLGW to take the following steps: (1) MLGW take immediate action to ensure that all contractors involved in the Share the Pennies Program are certified and compliant with EPA Standards and that MLGW make sure there is a system in place to keep track of those certification dates and what you need to get renewed. (2) MLGW institute a standard cleaning verification so that there is documentation (3) MLGW go back to homes that weatherization work was completed by uncertified contractors and test for Lead.

Latricea Adams - 655 South Riverside Drive - CEO and President of Young, Gifted and Green, a civil rights and environmental justice organization. Ms. Adams also serves at the Inaugural Chair of the Shelby County Life Prevention and Sustainability Commission. Ms. Adams commended MLGW for making extraordinary efforts with their pilot of the lead service line replacement. Ms. Adams appeared before the Board to speak about serious concerns regarding potential lead exposure in homes affected by the Share the Pennies Program. Ms. Adams stated that she shared an email with the Board on December 24 with a thorough account on this matter, but did not receive a response. Ms. Adams stated that in December 2023 she learned from an anonymous local government employee and concerned citizen, that some contractors in the Share the Pennies Program lack the federally mandated EPA Lead Renovation, Repair and Painting Certification. Ms. Adams stated that one home that was tested by Tioga Labs showed extremely high levels of lead dust at the weatherization services, despite having previously undergone lead remediation with has EPA Certified Clearance. Ms. Adams stated that over the past year she had contacted MLGW Staff that is responsible for the Share the Pennies Program five times. Ms. Adams stated that four of the times she was told that they were investigating. Ms. Adams stated that in June of 2024, she submitted a Public Records Request for information regarding this matter, but was not

provided all the information that was requested. Ms. Adams stated that since staff did not address her concerns, she did reach out to President McGowen on December 17, 2024. Ms. Adams asked the Board to encourage MLGW to test the homes of residents who received services from uncertified contractors at the time of service to determine if lead paint was disturbed as well as encourage MLGW to maintain better data management for certifications for their contractors.

Joshua Perkins - 121 Clark Place - Mr. Perkins appeared before the Board regarding the concerns involving lead exposure from the Share the Pennies Program. Mr. Perkins stated that he was the Former President of the Glenview Association and the Edgewood Banner Area Association where there are a lot of elderly and historic neighborhoods. Mr. Perkins reported that he had heard alarming reports of Contractors providing weatherization services while not possessing the necessary certifications to handle lead-based paint safely. Mr. Perkins stated that most of the homes in these areas were built prior to 1978 and listed the effects lead can have on those living in these homes. Mr. Perkins urged MLGW to hire certified lead risk assessors to test homes that repairs were made under the Share the Pennies Program. Mr. Perkins also recommended that MLGW Staff create a robust internal documentation system that includes contractors assigned to each participant, contractor EPA Certifications and expiration dates, and that we should retroactively include this information for the homes that have participated in the Share the Pennies Program.

Chet Kibble - 3229 Lakeview Road - Mr. Kibble appeared before the Board providing a recap of his employment at MLGW as well as the cause for his retirement. Mr. Kibble stated that he made a promise that as long as he was alive he would do everything possible to protect those affected

Corey Finley - 3628 Pleasant Hollow Drive - Mr. Finley appeared before the Board concerning the hiring process. Mr. Finley stated that he had an interview on October 22, 2024, and received an offer letter two days later on October 24, 2024. Mr. Finley stated that he passed the drug test and physical, but never heard anything further from MLGW.

Glenda Hicks – 608 Gilleas – Co-Founder of 21<sup>st</sup> Century Memphis or Bust – Ms. Hicks appeared before the Board regarding billing concerns. Ms. Hicks stated that she had met with two individuals over the holidays that have had billing issues. Ms. Hicks stated that one of the cases has been going on since 2022. Ms. Hicks stated that this individual received a very high gas bill which she was required to make a payment on to avoid being cut off despite the known issues with the gas meters. Ms. Hicks requested that the Board require an independent forensic audit of all accounts that were impacted by the defective meter situation. Ms. Hicks stated that there are some residential accounts that had nothing to do with the defective metering that got estimated.

**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 6)

**CONSENT AGENDA**

(Items 1 through 10)

**Motion To: Remove Item 1 from Consent Agenda.**

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

**Motion To: Approve Consent Agenda Items 2 through 10.**

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

Advisory Board Member James Lewellen - Concur

Advisory Board Member John Butler – Concur

**Motion To: Approve Same Day Minutes for Items 3 and 6.**

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

1. Resolution rejecting the bids received up to 4:00 PM on September 26, 2023, for Contract No. 12439, Electric Distribution Construction and Maintenance. (Randy Orsby)



2. Resolution approving Change No. 21 to Contract No. 9955, Partial Funding of Pollution Control-Ground Water Quality Control Program with Memphis & Shelby County Health Department to authorize the annual fee payment in the funded amount of \$141,512.25. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
3. Resolution approving adding and removing Authorized Signers for several MLGW Bank Accounts due to personnel changes. (Rodney Cleek) (SAME NIGHT MINUTES REQUESTED)
4. Resolution approving Change No. 5 to Contract No. 12121, Identity Manager Support with Consensus Consulting, LLC dba Consensus Technologies to ratify and extend the current contract in the funded amount of \$30,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
5. Resolution awarding Contract No. 12515, Splunk Enterprise Term Licensing (Auto Rid 190) to Thomas Gallaway Corporation dba Technologent in the funded amount of \$1,133,546.80. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
6. Resolution approving purchase for gray steel poles in a not to exceed amount of \$525,000.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL) (SAME DAY MINUTES REQUESTED)
7. Resolution awarding a twelve-month purchase order with an option to extend for two, twelve-month periods for 600V EPR-CPE cable to Universal Scaffold and Equipment in the amount of \$3,148,117.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
8. Resolution approving Change No. 1 to Contract No. 12415, Water, Gas, Booster and Vacant Lots Grounds Maintenance with Rotolo Consultants, Incorporated to ratify, extend and change the current contract in the funded amount of \$338,543.28. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
9. Resolution approving a twelve-month extension of Purchase Order Number 7041731 with Universal Scaffold and Equipment for medium voltage EPR cable. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL)
10. Resolution approving Change No. 1 to Contract No. 12566, Chartwell Membership (formerly Contract No. C2678) with Chartwell, Inc. to ratify and renew the current contract in the funded amount of \$80,470.00. (Randy Orsby) (REQUIRES CITY COUNCIL APPROVAL).

**PRESIDENT'S BRIEFING CONT'D**

**Other - Doug McGowen**

President McGowen expressed appreciation to the public for caring and coming down to share their concerns. President McGowen stated that he hoped we would get back with the young man with the hiring issue quickly. President McGowen spoke of the billing issues that were mentioned during the public comments. President McGowen responded on to the concerns brought before the Board regarding the Share the Pennies Program.

President McGowen mentioned the winter weather in the forecast. President McGowen informed the Board all the ways that we are prepared for this winter weather.

Chairman Pohlman recognized Councilwoman Cooper-Sutton as she just arrived at the meeting.

Commissioner Person stated he would be looking for a follow-up on the lead exposure and the Share the Pennies Program. Commissioner Person also asked that since the temperature will be so cold, will we in fact be cutting people off. President McGowen responded with information regarding the Winter Moratorium. Commissioner Person also asked about cutting people off with billing issues. President McGowen responded. Commissioner Person also asked about the time to fill a position, and what happened with the individual that appeared before the Board today. Bettye Hartwell responded.

Advisory Board Member John Butler stated that he was unaware of any issues with the Share the Pennies Program until today and asked President McGowen if there are any plans of pausing the program. President McGowen responded.

Commissioner Dickson asked if there is a process in place that would prevent an extremely high bill from being sent out. President McGowen responded.

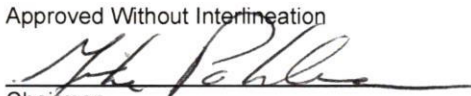
Councilwoman Cooper-Sutton responded to Advisory Board Member John Butler's comment regarding pausing the Share the Pennies Program. Councilwoman Cooper-Sutton asked how long the program had been in place and encouraged MLGW Board and Leaders to look at the program to see how beneficial it is, and if there are ways that the program could be revamped so that it is more beneficial for the citizens of Memphis.

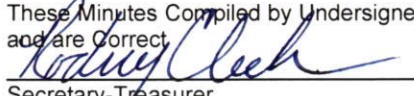
**COMMITTEE REPORTS:**

(None)

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 9:28 a.m. (See Minute File No. 1502)

Approved Without Interimination  
  
Chairman

These Minutes Compiled by Undersigned  
and are Correct  
  
Secretary-Treasurer