

SUMMARY OF REGULAR BOARD OF DIRECTORS' MEETING

HELD Wednesday, June 9, 2021

at 11:30 a.m. – In Person, Training Room (Electronically [via telephone])
[THESE ARE NOT THE OFFICIAL MINUTES]

The Governor's Open Meeting Act ("OMA") Proclamation allows members of governmental bodies to hold said meeting electronically (via video and telephone, etc.) for purposes of establishing a quorum, deliberating and taking action; and via electronic equipment allows members of the public to listen to the meeting.

The Regular bi-monthly meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, June 9, 2021 at 11:30 a.m., in person and electronically [via telephone].

The following Directors were present: Lucien Blankenship, William "Butch" Burbage, Jr., Tom Henderson, Tereshia Huffman, Ronald A. Mims, George Munchus (via telephone), Dalton NeSmith, Jr., Chris Rice and Larry Ward.

Others present were: Michael Johnson, General Manager; Iris Fisher, Derrick Murphy and Jeffrey Thompson, Assistant General Managers; K. Mark Parnell, Parnell Thompson Law, LLC; Emory Anthony, Attorney; Cynthia Williams, Board Administrator; Tammy F. Wilson, Executive Assistant to Assistant General Managers Derrick Murphy and Jeff Thompson; Anitra Clark, Corporate Governance Specialist; Colandus Mason, Information Technology Manager; Jeff Wade and Charles McGee, Electrical and Mechanical Shop; Rick Jackson, Public Relations Manager; Ed Travis, Purchasing Manager; Barry Williams, Business Systems/Operations Manager; Terrell Jones, Interim Security Manager; Hattye McCarroll, Chief Engineer; Patrick Flannelly and Brian Ruggs, ARCADIS; Elise Massey, Office of the Attorney General; Byron Perkins, Perkins-Law, LLC; Michael Bell, Birmingham Construction Industry Authority; William R. Muhammad, guest speaker.

Director Mims called the meeting to order at 11:30 a.m. Assistant General Manager, Iris Fisher opened the meeting with prayer.

All directors were present in person or by phone, so a quorum was in attendance.

Next, Director Mims requested to amend the agenda adding a speaker between Items 2 and 3. On a motion made and seconded, the agenda was approved unanimously with the referenced amendment.

Following, a motion was made and seconded to adopt resolutions authorizing monthly benefits from the Board's Retirement Trust Fund for Edwin Henson, as set forth in agenda Item 1. The item was approved unanimously.

Next, a motion was made and seconded to approve minutes of the March 24, 2021 Regular Board of Directors' meeting, as set forth in agenda Item 2. The item was approved. Director Blankenship abstained.

Following, a guest, William R. Muhammad, a former Board member, was recognized to speak. Mr. Muhammad raised concern regarding the Birmingham Water Works' (BWW) legal panel and caps on their fees. Mr. Muhammad indicated that he sent a letter to the state Attorney General's office regarding this matter with no response.

Next, a motion was duly made and seconded to approve Director NeSmith's mileage expense reimbursement for the month of May 2021 in the amount of \$89.60, as set forth in agenda Item 3. The item was approved in a roll call vote. Director NeSmith abstained.

Following, a motion was made and seconded to approve an invoice from Raftelis Financial Consultants, Inc., for work performed in May 2021, as set forth in agenda Item 4. The item was approved unanimously.

Next, a motion was duly made and seconded to approve an invoice from Agee Law, LLC, for work performed in May 2021, as set forth in agenda Item 5. The item was approved unanimously.

Following, a motion was made and seconded to approve an invoice from Terminus Municipal Advisors, LLC, for work performed in May 2021, as set forth in agenda Item 6. The item was approved unanimously.

Next, a motion was made and seconded to approve an invoice from Perkins-Law, LLC, for work performed in May 2021, as set forth in agenda Item 7. Director Blankenship voiced that he thought the firm had exceeded their cap of \$10,000.00. Attorney Anthony responded that he thought the cap was \$12,500.00 and he had approved the work in advance. The item was approved unanimously.

Following, a presentation was given regarding the BWW workflow and approval process for contracts and agreements, as set forth in agenda Item 8. Managers from the Purchasing, System Development and Engineering divisions spoke explaining Public Works, Competitive and Professional bids and contract processes.

Next, a motion was made and seconded to approve a one-year contract with Security One, Inc., for security guard services effective June 30, 2021 through June 30, 2022, as set forth in agenda Item 9. The item was approved. Director Blankenship voted no.

Following, a motion was made and seconded to approve a continuation of Contract Compliance Services with Birmingham Construction Industry Authority (BCIA), on a month-to-month basis, as set forth in agenda Item 10. The Item was approved unanimously.

Next, Attorney Parnell certified an Executive Session to discuss a pending lawsuit and one matter that could lead to litigation, with the possibility of Board action to follow. On a motion made and seconded, the Board, attorneys and Senior Staff entered into an Executive Session at 12:43 p.m. Director Huffman exited the meeting at 1:41 p.m. Director Rice exited the meeting at 1:53 p.m. At 1:55 p.m. the Board came out of Executive Session.

As there was no further business before the Board, a motion was made and seconded and the Board adjourned the meeting at 1:56 p.m.