

SUMMARY OF A BOARD MEETING
HELD Wednesday, April 28, 2021
at 11:30 a.m. – (via in-person/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 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.

A regular meeting of the directors of The Water Works Board of the City of Birmingham was held on Wednesday, April 28, 2021 at 11:30 a.m.

The following directors were present: Ronald A. Mims, William "Butch" Burbage, Jr., Lucien Blankenship, Tom Henderson, Dalton NeSmith, and George Munchus. Directors Tereshia Huffman and Chris Rice participated via telephone. Director Larry Ward was not present.

Others present were: Michael Johnson, General Manager; Derrick Murphy, Jeffrey Thompson and Iris Fisher, Assistant General Managers; Cynthia Williams, Board Administrator; Anitra Clark, Executive Assistant to the General Manager; Rick Jackson, Terrell Jones, Jeff Wade, Tim Garrett, Charles McGee and Colandus Mason, BWWB Employees; K. Mark Parnell, Parnell Thompson Law, LLC; and Emory Anthony, Esq. (via telephone).

Chairman Mims declared a quorum in attendance.

Chairman Mims called the meeting to order at 11:33 a.m. and Assistant General Manager Iris Fisher opened with prayer.

Following, Director Munchus then made a motion to approve the agenda and Director Blankenship seconded the motion. On a motion duly made and seconded, the agenda was approved by unanimous vote.

Following, the Board moved to the first item on the agenda, Request Board to approve minutes from the February 24, 2021 Regular Board of Directors' Meeting; necessary to perform essential minimum functions of the governmental body. Director Munchus made a motion to approve the item and Director Blankenship seconded the motion. On a motion duly made and seconded, the item was approved by a vote of 7-0-1.

Following, the Board moved to the second item on the agenda, Request Board to approve reimbursement to the Operating Account for the period ended February 28, 2021 in the amount of \$6,410,244.69; necessary to perform essential minimum functions of the governmental body. Director Munchus made a motion to approve the item and Director Huffman seconded the motion. On a motion duly made and seconded, the item was approved by unanimous vote.

Following, the Board moved to the third item on the agenda, Request Board to approve payment of invoices, necessary to perform essential minimum functions of the governmental body. Director NeSmith made a motion to approve the items. Director Blankenship requested the items be voted on separately. Director Burbage approved the motion. The motion was approved to vote on the items separately. A director then questioned whether there would be a plan put in place to keep the attorneys' fees from going over the cap set by the Board. The director also questioned

whether the attorneys' invoices had been approved by Attorney Emory Anthony. The Chairman stated the Board is currently working to get the bills more in line with the cap. The General Manager stated Mr. Anthony had reviewed the attorneys' invoices and did not have any questions but indicated the fees were over the cap. A discussion then ensued. Director Munchus then made a motion to approve item 3.1 and Director Burbage seconded the motion. The item was approved by unanimous vote. Next, Director Munchus made a motion to approve item 3.2 and Director Huffman seconded the motion. The item was approved by unanimous vote. Next, Director Huffman made a motion to approve item 3.3 and Director Munchus seconded the motion. The item was approved by unanimous vote. Next, Director NeSmith made a motion to approve item 3.4 and Director Henderson seconded the motion. The item was approved by a vote of 6-2-0.

Following, the Board moved to the fourth item on the agenda, Request Board to award bids to the lowest responsible and responsive bidders; and to authorize the General Manager and/or the Assistant General Manager to execute contracts per Bid Specifications and Conditions on the following, as recommended by the Engineering & Maintenance Committee; necessary to perform essential minimum functions of the governmental body. Director NeSmith then made a motion to approve the item 4.1 through 4.4 and Director Henderson seconded the motion. On a motion duly made and seconded, the items were approved by unanimous vote.

Following, the Board moved to the fifth item on the agenda, Request Board to exercise its bid option for a 1-year extension, per bids awarded February 28, 2019 on the following; as recommended by the Engineering & Maintenance Committee; necessary to perform essential minimum functions of the governmental body. Director Munchus then made a motion to approve items 5.1 and 5.2 and Director NeSmith seconded the motion. On a motion duly made and seconded, the items were approved.

Following, the Board moved to the sixth item on the agenda, Request Board to approve scope of services agreements with the following, as recommended by the Engineering & Maintenance Committee; necessary to perform essential minimum functions of the governmental body. Director Munchus made a motion to approve items 6.1 and 6.2 and Director Henderson seconded the motion. On a motion duly made and seconded, the items were approved by unanimous vote.

Following, the Board moved to the seventh item on the agenda, New Business; necessary to perform essential minimum functions of the governmental body. A director questioned the status of the homicide investigation involving a BWWB employee. The General Manager stated the criminal matter is being investigated by the Birmingham Police Department and any information regarding the investigation would be released by the police. The Chairman requested a status regarding the position of Corporate Governance Specialist and a position in the Security Department from the General Manager by the next board meeting.

Next, Director Blankenship then made a motion to adjourn the meeting and Director NeSmith seconded the motion. On a motion duly made and seconded, the motion was approved by unanimous vote and the meeting was adjourned at 12:13 p.m.