

**MINUTES OF THE REGULAR BI-MONTHLY MEETING OF DIRECTORS  
OF THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM  
August 25, 2021**

The regular bi-monthly meeting of the Directors of The Water Works Board of the City of Birmingham was held on Wednesday, August 25, 2021 at 11:30 a.m., at 3600 First Avenue North, Birmingham, Alabama – In Person, Training Room. The Public has the option to listen by phone by calling (888) 398-2342 Code: 5608731.

The following Directors were present via roll call: Lucien Blankenship, William “Butch” Burbage, Jr., Tom Henderson, Tereshia Huffman, Ronald A. Mims, George Munchus, 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; Terrell Jones, Interim Security Manager; Colandus Mason, Information Technology Manager; Jeff Wade and Charles McGee, Electrical and Mechanical Shop; Rick Jackson, Public Relations Manager; Olivia Martin, Office of the Attorney General; Patrick Flannelly, ARCADIS; Byron Perkins, Perkins-Law, LLC; Michael Bell, Birmingham Construction Industry Authority (BCIA); Jack Royer and Neal Posey, CBS 42; Allen Stringfellow, guest speaker.

Chairman Mims called the meeting to order at 11:31 a.m. Public Relations Manager, Rick Jackson opened the meeting with prayer.

All directors were present, so a quorum was in attendance.

Following, the agenda was approved tabling and delaying Item 16 (revisions to the Education Assistance Program) for two weeks. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By the Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Ms. Tereshia Huffman that the Board of Directors hereby approves the August 25, 2021 Regular Board of Directors’ meeting agenda, tabling Item 16 and delaying for two weeks.

Resolution No. 8837 is hereby adopted by unanimous vote.”

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Next, a speaker, Allen Stringfellow, was recognized to speak. Mr. Stringfellow voiced concerns with the public not knowing the Board’s purpose and intention for the purchases of the recreational site agreements at Inland Lake. Mr. Stringfellow asked for a public discussion and read a letter. Mr. Stringfellow stated that these purchases bring nothing of value to the Birmingham Water Works Board (BWWB) and they are at the ratepayers’ expense. Mr. Stringfellow also stated that he had sent letters and emails to Board members with no response and that GM Johnson had indicated that the Board’s intent was to secure the watershed and that the Board’s response to September 11, 2001 had motivated these actions. Mr. Stringfellow asked the Board to forgo any future purchases.

Following, the Board was asked to adopt a resolution expressing its condolences in the death of employee James Garner, as set forth in agenda Item 1. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED BY The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Tom Henderson, that the Board hereby adopts a resolution expressing its condolences in the death of employee James Garner; and

WHEREAS, James Garner passed away on Monday, August 16, 2021, wherein The Water Works Board of the City of Birmingham (hereinafter known as the “Board”) mourns the death of James Garner; and

WHEREAS, James Garner had been a dedicated and valued employee of the Board for 19 years and 11 months; and

WHEREAS, This Board wishes to pause from its Board of Directors’ Meeting on Wednesday, August 25, 2021, to convey its respect and deepest sympathy to the family, friends and co-workers of James Garner; and

NOW, THEREFORE, BE IT RESOLVED, That The Water Works Board of the City of Birmingham does hereby perpetuate the memory of James Garner, who was a Field Service Technician member, in the Customer Support Services Department, and hereby expresses its condolences to his family, friends, and co-workers.

BE IT FURTHER RESOLVED, That a copy of this Resolution be spread upon the minutes of The Water Works Board of the City of Birmingham, and that a copy be presented to the Garner family.

Resolution No. 8838 is hereby adopted by unanimous vote.”

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Next, the Board was asked to approve Director Mims' actual travel expenses for the 2021 Alabama/Mississippi Water Joint Annual Conference and 2021 Utility Management Conference, as set forth in agenda Item 2. A roll call vote is required. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, the Board of Directors has adopted a Travel Expense Reimbursement Policy, as amended; and

WHEREAS, pursuant to Resolution No. 8716 adopted by the Board of Directors on April 14, 2021, approval was given to attend the 2021 Alabama/Mississippi Water Joint Annual Conference scheduled August 1-4, 2021, in Mobile, Alabama; and approval was given to attend the 2021 Utility Management Conference scheduled August 3-6, 2021, in Atlanta, Georgia; and

WHEREAS, in accordance with Act. No. 2015-164, approval is requested for the following actual expenses relative to the above referenced conferences.

NOW, THEREFORE, BE IT RESOLVED By The Water Works Board of the City of Birmingham, on a motion duly made by Dr. George Mundus and seconded by Mr. William “Butch” Burbage, that the following board member be reimbursed for his actual expenses pertaining to said conferences as follows:

- Ronald A. Mims for total actual expenses incurred relative to the AWWA Alabama/Mississippi Water Joint Annual Conference, including conference registration, mileage, lodging, business meals and other in the amount of \$1,183.84 (as listed on the attached Itemized Travel and Business Expense Reimbursement); and
- Ronald A. Mims for total actual expenses incurred relative to the Utility Management Conference, including conference registration, mileage, lodging, business meals and other in the amount of \$2,087.44 (as listed on the attached Itemized Travel and Business Expense Reimbursement).

Resolution No. 8839 is hereby adopted by a roll call vote as follows:  
Blankenship, yes; Burbage, yes, Henderson, yes; Huffman, yes; Mims, abstain; Munchus, yes; NeSmith, yes; Rice, yes; Ward, yes.”

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Following, the Board was asked to approve an invoice from Terminus Municipal Advisors, LLC, for professional services provided July 2021, as set forth in agenda Item 3. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Chris Rice, that the Board hereby authorizes staff to execute payment of an invoice to Terminus Municipal Advisors, LLC, for professional services provided July 2021, in the amount of \$6,500.00.

Resolution No. 8840 is hereby adopted by unanimous vote.”

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Next, the Board was asked to approve an invoice from The Jones Group, LLC, for professional services provided July 2021, as set forth in agenda Item 4. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Ms. Tereshia Huffman, that the Board hereby authorizes staff to execute payment of an invoice to The Jones Group, LLC, for professional services provided July 2021, in the amount of \$10,000.00.

Resolution No. 8841 is hereby adopted by unanimous vote.”

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Following, the Board was asked to approve an invoice from Emory Anthony, Jr., for professional services provided May 25 – August 17, 2021, as set forth in agenda Item 5. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Mr. Larry Ward and seconded by Dr. George Munchus, that the Board hereby authorizes staff to execute payment of an invoice to Emory Anthony, Jr., for professional services provided May 25 – August 17, 2021, in the amount of \$11,130.00.

Resolution No. 8842 is hereby adopted by unanimous vote.”

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Next, the Board was asked to approve an invoice from Hilliard, Smith & Hunt, LLC, for professional services provided July 2021, as set forth in agenda Item 6. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Dalton NeSmith, that the Board hereby authorizes staff to execute payment of an invoice to Hilliard, Smith & Hunt, LLC, for professional services provided July 2021, in the amount of \$13,000.00.

Resolution No. 8843 is hereby adopted. Director Huffman abstained.”

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Following, the Board was asked to approve an invoice from Agency 54, for professional services provided July 2021, as set forth in agenda Item 7. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Chris Rice, that the Board hereby authorizes staff to execute payment of an invoice to Agency 54, for professional services provided July 2021, in the amount of \$25,000.00.

Resolution No. 8844 is hereby adopted by unanimous vote.”

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Next, the Board was asked to approve an invoice from Parnell Thompson, LLC. For professional services provided July 2021, as set forth in agenda Item 8. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Mr. Dalton NeSmith and seconded by Mr. Larry Ward, that the Board hereby authorizes staff to execute payment of an invoice to Parnell Thompson, LLC, for professional services provided July 2021, in the amount of \$45,180.70.

Resolution No. 8845 is hereby adopted. Director Blankenship abstained.”

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Following, the Board was asked to ratify emergency work awarded to Bubba’s Marine Construction, LLC, the sole bidder, to repair the damage at Inland Lake Marina, as set forth in agenda Item 9. Director Munchus asked if this expense was reimbursable through our insurance. Director NeSmith stated the deductible was probably higher than these expenses, usually set at

\$250,000.00. AGM Murphy stated this issue would run through our Risk Management Department. Director Munchus asked how long the marina was inoperable. AGM Murphy responded, “three plus months”. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Chris Rice, that the Board hereby authorizes staff to ratify Emergency Work awarded to Bubba's Marine Construction, LLC, the sole bidder, to repair the Inland Lake Marina damaged by related storms and inadequate structural support in Remlap, Alabama. The estimated cost is not to exceed \$225,000.00.

Resolution No. 8846 is hereby adopted. Director Blankenship abstained.”

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Next, the Board was asked to award a bid to CJ Pressure Cleaning, Inc., for pressure washing throughout the limits of the BWWB distribution area for a 1-year period, as recommended by the Engineering and Maintenance Committee and set forth in agenda Item 10. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Ms. Tereshia Huffman, that the Board hereby authorizes staff to award bid and to authorize the General Manager and/or the Assistant General Manager to execute a signed agreement with CJ Pressure Cleaning, Inc., the lowest responsible and responsive bidder, for pressure washing throughout the limits of the BWWB distribution area for a 1-year period, at an estimated cost of \$525,000.00, as recommended by the Engineering and Maintenance Committee.

Resolution No. 8847 is hereby adopted by unanimous vote.”

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Following, the Board was asked to award a bid to Empire Pipe, for estimated quantities of 2” FM Static Flow Meters, as recommended by the Engineering and Maintenance Committee and set forth in agenda Item 11. Director Munchus asked if the cost would be in line with last year. AGM Murphy responded he expected the cost to be in the same range for 2022. Director Munchus asked why there was only one bidder. AGM Murphy responded that only a few vendors offer the product. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Dalton NeSmith, that the Board hereby authorizes staff to award bid and to authorize the General Manager and/or the Assistant General Manager to execute a signed agreement with Empire Pipe, the lowest responsible and responsive bidder, for estimated quantities of 2” FM Static Flowmeters, at an

estimated out-of-pocket cost of \$2,161,200.00, as recommended by the Engineering and Maintenance Committee.

Resolution No. 8848 is hereby adopted by unanimous vote.”

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Next, the Board was asked to exercise its bid option for a 1-year extension with GEO Specialty Chemicals, Inc., for Liquid Aluminum Sulfate, for FY2022, as set forth in agenda Item 12 and recommended by the Engineering and Maintenance Committee. Director Munchus commended the Purchasing Department for working with BCIA. Michael Bell stated the process was working. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Dalton NeSmith, that the Board hereby authorizes staff to exercise its bid option for a 1-year (12-month) extension and to authorize the General Manager or the Assistant General Manager to execute a signed bid extension agreement for FY2022 to GEO Specialty Chemicals, Inc., the lowest responsible and responsive bidder, for Liquid Aluminum Sulfate, at an estimated out-of-pocket cost of \$865,840.00/year based on anticipated usage, as recommended by the Engineering and Maintenance Committee.

Resolution No. 8849 is hereby adopted by unanimous vote.”

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Following, the Board was asked to exercise its bid option for a 1-year extension, with a 5% increase, with Kemira Water Solutions, Inc., for Ferric Sulfate, for FY2022, as set forth in agenda Item 13 and recommended by the Engineering and Maintenance Committee. Director Burbage had questions regarding the 5% increase and if an extension can occur if there is an increase. AGM Murphy responded that chemical bid extensions do allow for increases. Director Munchus commended the team for bringing the chemical bids to the Board earlier in the year. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Dalton NeSmith, that the Board hereby authorizes staff to exercise its bid option for a 1-year (12-month) extension, with a 5% increase, and to authorize the General Manager or the Assistant General Manager to execute a signed bid extension agreement for FY2022 to Kemira Water Solutions, Inc., the lowest responsible and responsive bidder, for Ferric Sulfate, at an estimated out-of-pocket cost of \$2,910,600.00/year based on anticipated usage.

Resolution No. 8850 is hereby adopted by unanimous vote.”

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Next, the Board was asked to approve a Scope of Services amendment with ARCADIS U.S., Inc., to provide construction management services for the Shades Mountain Filter Plant Improvements Project, as set forth in agenda Item 14 and recommended by the Engineering and Maintenance Committee. Director Munchus stated he would like to discuss other aspects of Shades Mountain Filter Plant at the next Board meeting in Executive Session. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Dr. George Munchus and seconded by Mr. Chris Rice, that the Board hereby authorizes staff to approve a Scope of Services amendment with Arcadis U.S., Inc., to provide construction management services for the Shades Mountain Filter Plant Filter Improvements project, at an estimated out-of-pocket cost of \$1,173,266.00, as recommended by the Engineering and Maintenance Committee.

Resolution No. 8851 is hereby adopted. Director Blankenship abstained.”

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Following, the Board was asked to purchase or forgo the purchase of the structures and improvements per the Recreational Site Agreement on Lot 7 at Inland Lake, for a sales price of \$325,000.00, as set for in agenda Item 15. The Engineering and Maintenance Committee recommended to purchase the structures and improvements per the Recreational Site Agreement on Lot 7 at Inland Lake. Director Munchus apologized to Mr. Stringfellow on behalf of the Board for not responding to his letter. Director Munchus asked Mr. Stringfellow if he was a BWWB ratepayer. Attorney Anthony interjected that this question should not be asked. Director Blankenship asked how the Board typically disposes of these structures at Inland Lake following purchase. GM Johnson stated staff monitors the lake on a regular basis and accesses the structures and their impact on the watershed. In one case he knew of, GM Johnson stated a structure was burned to the ground. On a motion duly made and seconded, the following resolution was adopted:

“BE IT RESOLVED By The Water Works Board of the City of Birmingham (“the Board”), on a motion duly made by Mr. Dalton NeSmith and seconded by Mr. William “Butch” Burbage, that the Board hereby authorizes staff to purchase the structures and improvements per the Recreational Site Agreement held by John Christian on Lot 7 at Inland Lake at a sales price of \$325,000.00, as recommended by the Engineering and Maintenance Committee – to purchase.

Resolution No. 8852 is hereby adopted. Director Blankenship abstained.”

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Next, the Board heard the Operations and Technical Services Division report for the second quarter 2021, given by Jeffrey Thompson. AGM Thompson indicated Cumulative, Finished and Industrial usage were up, adding that Inland Lake was only down by a few inches and Lake Purdy was completely full. Both Power and Chemical numbers were a little under budget, but by the end of the year they should be close to what was budgeted for the year. AGM Thompson commended



the Operations staff stating that the Environmental Protection Agency (EPA) was impressed during their recent visit. The EnviroLab will be gearing up for the enhanced lead and copper rules going forward. Water Quality and Industrial & Commercial accounts were highlighted as well. The Water Resources department was commended and Jonathan Harris, Water Treatment Manager, was introduced. AGM Thompson informed the Board of the American Water Works Board (AWWA) awards BWWB had received for Putnam Filter Plant, Plant of the Year and Rodney Richardson, Operator of the Year. Additionally the Alabama Water and Pollution Control Authority (AWPCA) awarded BWWB's Putnam, Carson, Western and Shades Mountain Filter Plants with Awards of Excellence in their categories. Even more recent, the Partnership for Safe Water announced awards for BWWB's Carson and Putnam Filter Plants. Some discussion occurred regarding the operator trainee intern program BWWB is conducting with good success being reported. There is a nationwide shortage of maintenance workers according to Jonathan Harris, but BWWB is working on that. Chairman Mims asked AGM Thompson if the annual CCR meeting would be held this year and if TTL was conducting some of our testing. AGM Thompson responded that BWWB minimizes as much outside testing as possible, adding he was unsure if TTL had performed any testing this year; but he would inquire. In response to the annual CCR meeting, AGM Thompson stated the pandemic had deferred the meeting so far this year; however it should resume in 2022.

Following, there was some discussion regarding any new business. Director Burbage stated that based on the new By-Laws having passed at the last Board meeting, all of the business just conducted had been new business.

As there was no further business before the Board, a motion was made and seconded, and the meeting adjourned at 12:21 p.m.

\_\_\_\_\_/S/  
Ronald A. Mims  
Chairman/President

Attest:

\_\_\_\_\_/S/  
William "Butch" Burbage  
Secretary-Treasurer