

MINUTES OF THE REGULAR BI-MONTHLY MEETING OF DIRECTORS  
OF THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM  
APRIL 25, 2013

The regular bi-monthly meeting of the directors of The Water Works Board of the City of Birmingham was held on Thursday, April 25, 2013, at 12:00 p.m., at 3600 First Avenue North, Birmingham, Alabama.

The following Directors were present: A. Jackie Robinson, III, Sherry W. Lewis, David S. Herring, and George Munchus, Ph.D. Director Ann D. Florie was absent.

Inasmuch as four of the Directors were present, Chairman Robinson declared a quorum in attendance.

The meeting was also attended by: Michael Johnson, T. M. "Sonny" Jones, and Darryl Jones, Assistant General Managers; Grace E. Amison, Executive Assistant to the Board of Directors; George Anderson, Anton Jones, Patty Barron, Barry Williams, Binnie Myles, Paul Lloyd, Drusilla Hudson, and Kathy Davis, Board employees; Charlie D. Waldrep, Mary H. Thompson, K. Mark Parnell, Fred Simpler, and Kelvin Howard; Waldrep Stewart & Kendrick, LLC; Dorian Kendrick, Elements Communication Solutions; Matthew Arrington, Terminus Securities, LLC; Jerry Jones, Malcolm Pirnie/ARCADIS; Christopher Woods, C. W. Woods Contracting Services, Inc.; Mark Dolan, Volkert, David Merrida, Birmingham Construction Industry Authority; Charles Raine, KHAFRA; Jonice M. Vanterpool and Louis Baxley, Sterne Agee & Leach, Inc.; and Chandra Abesingh, CE Associates..

Chairman Robinson called the meeting to order at 12:06 p.m., and an invocation was given by EnviroLab Manager Anton Jones.

Following, Assistant General Manager Darryl Jones presided over said meeting in the absence of General Manager Mac Underwood. Subsequently, the Board was asked to adopt a resolution commending Jeffrey Walker, Chemist I, as Employee of the Month for April 2013 from the Operations & Technical Services Division, as set forth in agenda item 1. On a motion duly made and seconded the following resolution was adopted:

"WHEREAS, the Board has established an Employee of the Month Program; and

WHEREAS, Jeffrey Walker, has been selected as the Operations and Technical Services Division's Employee of the Month for April 2013; and

WHEREAS, the Board desires to recognize and commend employees who have been selected as Employee of the Month; and

NOW, THEREFORE, BE IT RESOLVED, on a motion made by Ms. Sherry W. Lewis and seconded by Dr. George Munchus, that Mr. Walker is hereby recognized and commended for having been selected as the Operation and Technical Services Division's Employee of the Month for April 2013.

BE IT FURTHER RESOLVED, that in recognition of Mr. Walker a copy of this resolution be spread upon the minutes of The Water Works Board of the City of Birmingham and a copy presented to Mr. Walker. Resolution No. 6440 is hereby adopted by unanimous vote."

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Following, Human Resources Manager Paul Lloyd recognized Mr. Walker and stated he was nominated by EnviroLab Manager Anton Jones and EnviroLab Assistant Manager Drusilla Hudson for the bravery he showed on March, 21, 2013. Mr. Lloyd stated Mr. Walker was returning from lunch on said date when he noticed smoke coming from one of the Board’s trailers and without any consideration for possibly endangering himself, he entered the trailer to make sure employees were all right and to grab a fire extinguisher. Mr. Lloyd said Mr. Walker then rushed over and controlled the blaze until the fire department arrived. Following, Mr. Lloyd pointed out the EnviroLab is near the site where the incident happened and many explosive tanks and chemicals are stored there. Mr. Lloyd said that according to Mr. Jones and Ms. Hudson, after the fire had been put out, Mr. Walker still completed all of his samples on time. Subsequently, Chairman Robinson expressed appreciation to Mr. Walker and presented him with a commendation resolution along with a \$250.00 check. The meeting body extended applause.

As there was no old business for discussion in agenda item 2, Assistant General Manager Darryl Jones asked the Board to approve minutes of the Board of Directors’ Meetings, as set forth in agenda item 3. He indicated staff has reviewed the minutes and recommends them for approval. 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. David S. Herring and seconded by Dr. George Munchus, that the Board hereby approves minutes of Board of Directors’ Meetings held on February 15, 2013, February 21, 2013, and February 28, 2013. Resolution No. 6441 is hereby adopted by unanimous vote.”

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Next, the Board was asked to authorize reimbursement of the Operating Account for capital expenditures for the period ending March 31, 2013, as set forth in agenda item 4. On a motion duly made and seconded, the following resolution was adopted:

“WHEREAS, Malcolm Pirnie, Incorporated, in a Certificate dated April 16, 2013, certified that during the period ending March 31, 2013, that there were expenditures for the cost of system improvements, which were paid out of the Operating Account and reimbursement of that account is now due in the preliminary amount of \$5,975,199.78 and;

WHEREAS, transfers to the Operating Account can be made from any, or a combination, of the following: the 2002 Construction Fund, the Improvement Fund, and/or the Revenue Account.

NOW, THEREFORE, BE IT RESOLVED By The Water Works Board of the City of Birmingham, on a motion duly made by Mr. David S. Herring and seconded by Dr. George Munchus, that the Trustee be, and is hereby instructed to immediately transfer \$5,975,199.78 to the Operating Account from any, or a combination, of the following: The 2002 Construction Fund, the Improvement Fund, and/or the Revenue Account. Resolution No. 6442 is hereby adopted by unanimous vote.”

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Following, Assistant General Manager Darryl Jones asked the Board to approve payments of invoices for professional services, as set forth in agenda items 5.1 through 5.4. He indicated staff has reviewed the referenced invoices and recommends them for approval. 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 Ms. Sherry W. Lewis and seconded by Dr. George Munchus, that the Board hereby authorizes staff to execute payments to the following:

5.1	<u>Raftelis Financial Consultants, Inc.</u>	
5.1.1	For professional services related to BWWB 2012 Bill Frequency for March 2013	<u>\$ 961.25</u>
5.1.2	For professional services related to BWWB Assistance with SRF Loans for March 2013	<u>\$ 1,293.75</u>
5.1.3	For professional services related to Cost of Service Study For March 2013	<u>\$ 3,016.25</u>
5.1.4	For professional services related to assistance with BWWB Budget and Debt for March 2013	<u>\$ 4,134.68</u>
5.1.5	For professional services related to BWWB Miscellaneous Consulting for March 2013	<u>\$ 4,690.10</u>
5.2	<u>C. W. Woods Contracting Services, Inc.</u>	
	For professional services rendered for Jefferson Avenue Phase II Project – March 2013	<u>\$ 15,000.00</u>
5.3	<u>Waldrep Stewart &amp; Kendrick, LLC</u>	
	For professional services rendered through March 2013	<u>\$ 92,446.58</u>
5.4	<u>Malcolm Pirnie Inc.</u>	
	For professional services rendered per March 2013's Progress Report (March 2013)	<u>\$600,044.63</u>

Resolution No. 6443 is hereby adopted by unanimous vote.”

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Next, Assistant General Manager Darryl Jones asked the Board to award bids to the respective lowest responsible and responsive bidders, as set forth in agenda items 6.1 and 6.2. After reviewing, he indicated said items are standard and only used as needed throughout the year. Director Lewis asked how often said items are replenished in the warehouse and if staff had previously requested them. Assistant General Manager Darryl Jones stated the referenced items are requested annually. Following, Director Lewis asked if staff would be submitting another request in 2013 for Meter Adapters, Meter Boxes, and Lids and Director Herring said there would not be another request this year unless the referenced items are depleted. Director Lewis then asked for an average monthly use of the referenced items, noting that since they are replenished staff should be keeping records of what is used. Following, Assistant General Manager Sonny Jones said he would have to check the records and indicated according to his calculations, about 600 Meter Adapters are used monthly. He also said he would meet with the Warehouse staff to see how often the Meter Adapters, Meter Boxes, and Lids are used, pointing out staff uses some of the equipment with every meter setting. Director Lewis commented that staff should have a report that indicates the number of items used including an explanation of what causes the increase for each month when more lids than normal are used. Subsequently, Assistant General Manager Sonny Jones indicated that Director Lewis’ request would be honored. Following, Assistant General Manager Michael Johnson commented that according to information given to Purchasing Manager Ed Travis from Warehouse Supervisor Reis Logan, staff only orders the number of Meter Adapters, Meter Boxes, and Lids that are needed, based on the amounts that are used. He said since some items such as the above-

mentioned items, which are not constantly replaced, it is difficult to establish reorder points for every item. He reminded the directors that staff occasionally has to give vendors lead time in order not to run out of the referenced items in case a lot of them need to be replaced. In response to Director Lewis' inquiries of how employees track supplies that are used and if employees submit a report stating the exact locations of Meter Adapters, Meter Boxes, and Lids when they are installed in specific areas, Assistant General Manager Michael Johnson said employees use stock numbers which are entered on work orders. Director Munchus asked if the items are bar-coded and Assistant General Manager Michael Johnson responded that bar codes are not currently being used. Assistant General Manager Sonny Jones commented that bar codes would eventually be used after the Systems Applications and Products (SAP) project has been completed. Following, Assistant General Manager Michael Johnson stated said items have stock numbers which are on the inventory listing, and he indicated spot checks are done in addition to annual inventories. Director Munchus asked how far staff is from instituting bar codes, noting that it appears inventory is very critical in terms of cost. Assistant General Manager Michael Johnson stated bar codes are not in the immediate plans and indicated they are being considered. After discussion, a motion was duly made and seconded and 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. David S. Herring and seconded by Dr. George Munchus, that the Board hereby authorizes staff to award bids to the following:

- 6.1 G&C Supply, the lowest responsible and responsive bidder, for estimated annual quantities of Meter Adapters to replenish stock in the Warehouse at an estimated out-of-pocket cost to the Board of \$127,202.06.
- 6.2 HD Supply, the lowest responsible and responsive bidder, for estimated annual quantities of Meter Boxes and Lids to replenish stock in the Warehouse at an estimated out-of-pocket cost to the Board of \$416,200.00.

Resolution No. 6444 is hereby adopted by unanimous vote.”

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Following, the Board was asked to grant an easement to Alabama Power Company for the installation of a power line, as set forth in agenda item 7, located within Lake Purdy property; and to authorize the General Manager and/or the Assistant General Manager to execute an easement agreement, as recommended by the Engineering and Maintenance Committee. 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. David S. Herring and seconded by Dr. George Munchus, that the Board hereby grants an easement to Alabama Power Company for the installation of a power line located within Lake Purdy property in the vicinity of Shephard Branch to operate the well pumps to provide water to Lake Purdy during drought times for a sum of \$1.00; and to authorize the General Manager and/or the Assistant General Manager to execute an easement agreement, as recommended by the Engineering and Maintenance Committee, as recommended by the Engineering and Maintenance Committee. Resolution No. 6445 is hereby adopted by unanimous vote.”

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Next, Assistant General Manager Darryl Jones asked the Board to approve expenditures, as set forth in agenda items 8.1 and 8.2. After reviewing the referenced items, he reminded the directors that item 8.1 was discussed at the April 18, 2013 Informational Board of Directors' Meeting and indicated staff recommends approval. 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 Ms. Sherry W. Lewis and seconded by Dr. George Munchus, that the Board hereby approves the following expenditures with:

- 8.1 Medora Corporation (formerly known as SolarBee, Inc.), a sole source provider, for purchase and installation of eight (8) SolarBees in Lake Purdy at a total out-of-pocket cost to the Board of \$510,174.00. [NOTE: This expenditure is exempt from bidding under the Alabama State Competitive Bid Law because it is a sole source.]
  
- 8.2 Medora Corporation (formerly known as SolarBee, Inc.), a sole source provider, for purchase and installation of 26 SolarBees in 26 BWWB drinking water storage tanks at a total out-of-pocket cost to the Board of \$976,689.00. [NOTE: This expenditure is exempt from bidding under the Alabama State Competitive Bid Law because it is a sole source.]

Resolution No. 6446 is hereby adopted by unanimous vote.”

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Following, the Board was asked to approve and authorize the General Manager and/or the Assistant General Manager to accept a scope of services agreement from Malcolm Pirnie/ARCADIS, as set forth in agenda item 9, in support of the Inland Lake Dam Evaluation and Monitoring Program, as recommended by the Engineering and Maintenance Committee. Assistant General Manager Darryl Jones stated the referenced item was discussed at the April 9, 2013 Engineering and Maintenance Committee Meeting. 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 Ms. Sherry W. Lewis and seconded by Dr. George Munchus, that the Board hereby authorizes the General Manager and/or the Assistant General Manager to accept a scope of services agreement from Malcolm Pirnie/ARCADIS in support of the Inland Lake Dam Evaluation and Monitoring Program at a total out-of-pocket cost to the Board of \$1,979,313.00, as recommended by the Engineering and Maintenance Committee. Resolution No. 6447 is hereby adopted by unanimous vote.”

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Next, Assistant General Manager Darryl Jones asked the Board to adopt resolutions authorizing monthly retirement benefits from the Board's Retirement Trust Fund for respective employees, as set forth in items 10.1, 10.2 and 10.3, and commending the referenced employees for their years of services at the Water Works Board. On a motion duly made and seconded, the following resolutions were adopted:

“WHEREAS, Robert E. Johnson, an employee of The Water Works Board of the City of Birmingham, is retiring effective June 1, 2012, under the Board’s Disability Retirement Plan; and

WHEREAS, Robert E. Johnson had 18 years of continuous service with the Board at his November 2011 disability date, and, in accordance with the terms of the Trusteed Pension Plan, is entitled

to receive a monthly Disability Retirement payment from the Board's Retirement Trust Fund in the amount of \$1,674.19; and

NOW, THEREFORE, BE IT RESOLVED By the Board of Directors of The Water Works Board of the City of Birmingham, on a motion duly made by Mr. David S. Herring and seconded by Dr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$1,674.19 per month to Robert E. Johnson, effective May 1, 2013, plus a one-time lump sum amount for benefits from June 2012 through April 2013. Resolution No. 6448 is hereby adopted by unanimous vote."

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"WHEREAS, Robert E. Johnson, an employee of The Water Works Board of the City of Birmingham, is retiring effective May 1, 2013, under the Board's Disability provision of its Retirement plan; and

WHEREAS, management has informed the Board of Robert E. Johnson's efficiency, reliability and loyal service which contributed to the effective operation and growth of The Water Works Board of the City of Birmingham; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors expresses its best wishes to Robert E. Johnson for a satisfactory recovery and a return to work with the Board; and

BE IT FURTHER RESOLVED, that in recognition of Robert E. Johnson's services to the Board, a copy of this resolution be spread upon the minutes of The Water Works Board of the City of Birmingham and a copy presented to Robert E. Johnson. Resolution No. 6449 is hereby adopted by unanimous vote."

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"WHEREAS, Michael Madden, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring effective May 1, 2013, at an age of 62, and

WHEREAS, Michael Madden has ten (10) years of continuous service with the Board at his retirement date, and in accordance with the terms of the Trusteed Pension Plan, is entitled to receive a monthly Retirement payment from the Board's Retirement Trust Fund in the amount of \$726.27; and

NOW, THEREFORE, BE IT RESOLVED By the Board of Directors of The Water Works Board of the City of Birmingham, on a motion duly made by Mr. David S. Herring and seconded by Dr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$726.27 to Michael Madden from the Board's Retirement Trust Fund, in accordance with the terms of the Pension Plan, with the first payment to be made May 1, 2013. Resolution No. 6450 is hereby adopted by unanimous vote."

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"WHEREAS, Michael Madden, an employee of The Water Works Board of the City of Birmingham, is retiring effective May 1, 2013, after 10 years of continuous service with the Board; and

WHEREAS, management has informed the Board of Michael Madden's efficiency, reliability and loyal service which contributed to the effective operation and growth of The Water Works Board of the City of Birmingham; and

WHEREAS, Michael Madden leaves behind a record which deserves a sincere word of gratitude for a job well done; and the Board does hereby expresses its best wishes for many happy years ahead.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Directors of the Water Works Board of the City of Birmingham, that Michael Madden is hereby commended for his efficiency, reliability, and loyal service to the Board.

BE IT FURTHER RESOLVED, that in recognition of Michael Madden's services to the Board, a copy of this resolution be spread upon the minutes of The Water Works Board of the City of Birmingham and a copy presented to Michael Madden. Resolution No. 6451 is hereby adopted by unanimous vote."

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"WHEREAS, Larry Searcy, an employee of The Water Works Board of the City of Birmingham ("the Board"), is retiring effective May 1, 2013, at an age of 61, and

WHEREAS, Larry Searcy has 19 years and 6 months of continuous service with the Board at his retirement date, and, in accordance with the terms of the Trusteed Pension Plan, is entitled to receive a monthly Retirement payment from the Board's Retirement Trust Fund in the amount of \$1,617.17; and

NOW, THEREFORE, BE IT RESOLVED By the Board of Directors of The Water Works Board of the City of Birmingham, on a motion duly made by Mr. David S. Herring and seconded by Dr. George Munchus, that the Trustee be, and is hereby instructed to pay monthly benefit payments of \$1,617.17 to Larry Searcy from the Board's Retirement Trust Fund, in accordance with the terms of the Pension Plan, with the first payment to be made May 1, 2013. Resolution No. 6452 is hereby adopted by unanimous vote."

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"WHEREAS, Larry Searcy, an employee of The Water Works Board of the City of Birmingham, is retiring effective May 1, 2013, after 19 years and 6 months of continuous service with the Board; and

WHEREAS, management has informed the Board of Larry Searcy's efficiency, reliability and loyal service which contributed to the effective operation and growth of The Water Works Board of the City of Birmingham; and

WHEREAS, Larry Searcy leaves behind a record which deserves a sincere word of gratitude for a job well done; and the Board does hereby express its best wishes for many happy years ahead.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Directors of the Water Works Board of the City of Birmingham, that Larry Searcy is hereby commended for his efficiency, reliability, and loyal service to the Board.

BE IT FURTHER RESOLVED, that in recognition of Larry Searcy's services to the Board, a copy of this resolution be spread upon the minutes of The Water Works Board of the City of Birmingham and a copy presented to Larry Searcy. Resolution No. 6453 is hereby adopted by unanimous vote."

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Next, Assistant General Manager Darryl Jones asked the Board to adopt a resolution authorizing the officers of the Board to execute and deliver the First Amendment to Debt Service Forward Delivery Agreement, as set forth in agenda item 11, and to authorize the General Manager and the Assistant General Manager of Finance and Administration to negotiate and present amended cash flows and any necessary information to effect such amendments. Assistant General Manager Michael Johnson was recognized and he said the Board has some Guaranteed Investment Contracts (GIC) wherein a portion of its Water Revenue Bonds, Series 2006-A was refunded to its Water Revenue Refunding Bonds, Series 2013-A. He said in order to transfer portions of the Debt Service Reserve Fund and all associated investments, the First Amendment to Debt Service Forward Delivery Agreement needs to be executed. Assistant General Manager Michael Johnson asked Board Attorney Fred Simpler if he had additional comments. Attorney Simpler said the Board's Debt Service Forward Delivery Fund is an investment contract with Wells Fargo Bank and when the Board makes monthly payments into the bond fund, said bank takes the cash flows over the life of the bond and gives the Board an interest rate calculation based on the amount the money would earn while it is sitting in the Debt Service Fund. Attorney Simpler noted this is a big advantage for the Board because it eliminates the task of having to invest each piece individually on a monthly basis. Director Munchus asked if the interest calculations are secured against something and Attorney Simpler replied said calculations are fixed rates that were bid out when the referenced agreement was originally done, pointing out that all of the Board's GICs are bid out and Wells Fargo Bank was the highest bidder in 2006. Subsequently, Attorney Simpler said every time the Board refunds a bond it is subject to the First Amendment to Debt Service Forward Delivery Agreement, pointing out an amendment to the agreement is done, which covers the refunding bonds in the same manner that the refunded bonds are covered. Director Herring inquired of the interest rate and Assistant General Manager Michael Johnson responded that the interest rate is 4.5% wherein Director Herring commented that said bonds are doing extremely well. On a motion duly made and seconded the following resolution was adopted:

“WHEREAS, The Water Works Board of Birmingham (the “Board”) has or is in the process of issuing its Water Revenue Refunding Bonds, Series 2013-A (the “Bonds”), in order to refund a portion of the Board's Water Revenue Bonds, Series 2006-A (the “Series 2006-A Bonds”) ; and

WHEREAS, the Board, U.S. Bank National Association, as Trustee for the Series 2006-A Bonds (“the Trustee”) and Wells Fargo Bank, National Association (as successor to Wachovia Bank, National Association (“the Provider”) have heretofore entered into the Debt Service Forward Delivery Agreement dated as of May 1, 2006 (the “Original Agreement”) respecting the Series 2006-A Bonds; and

WHEREAS, the Issuer, the Trustee and the Provider wish to amend the provisions of the Original Agreement as herein provided for the purpose of having the Original Agreement (i) apply to the Series 2013-A Bonds and (ii) continue to apply to the outstanding Series 2006-A Bonds.

WHEREAS, the Board has deemed that the amendment of the Original Agreement for the investment of such Funds is permitted under its Indenture and has deemed that the use of the Original Agreement is advantageous and in the best interest of the Board;

NOW, THEREFORE, BE IT RESOLVED on a motion duly made by Mr. David S. Herring and seconded by Dr. George Munchus, as follows:

1. The First Amendment to Debt Service Forward Delivery Agreement is hereby approved. The officers of the Board are hereby authorized to execute and deliver the First Amendment to Debt Service



Forward Delivery Agreement, and any and all documents and amendments to documents with respect to the transfer of any and all guaranteed investment contracts or forward delivery agreements, including without limitation, the Original Agreement, from the refunded portion of the Series 2006-A Bonds to the Series 2013-A Bonds.

2. The General Manager of the Board and the Assistant General Manager – Finance and Administration are hereby authorized to negotiate and present amended cash flows and any other calculations and information necessary in order to effect such amendments.\

Resolution No. 6454 is hereby adopted by unanimous vote.”

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Following, Assistant General Manager Darryl Jones said he inadvertently forgot to mention that General Manager Mac Underwood is absent from today’s meeting because he is out of town.

Next, Chairman Robinson recognized consultants and employees. Mr. David Merrida of Birmingham Construction Industry Authority (BCIA) informed the Board that House Bill 389 would require all subcontractors to have a state subcontractor’s license in order to turn in numbers for bids. He commented he does not know how the referenced bill would affect BCIA and he indicated they may have to revise some documents based on how said bill passes but they would watch it closely.

Following, Public Communications Manager Binnie Myles gave an update on her meeting with Birmingham Board of Education Superintendent Craig Witherspoon relative to the “Learning the Wonderful Works of Water” school program’s poster contest and on the 2013 – 2014 school year relative to said program. Ms. Myles indicated that she informed Dr. Witherspoon that said program would be conducted slightly different for the 2013 – 2014 school year and indicated that meetings would be held early with the superintendent, school principals and teachers relative to said program. Ms. Myles reported that Dr. Witherspoon and she discussed the Birmingham City School System’s High School Career Academies in terms of job shadowing. She said one (1) of the Board’s consultants has expressed a desire in being involved and Superintendent Witherspoon and Dr. Spencer Horn are aware of such. Superintendent Witherspoon indicated he would follow up with Ms. Myles and send a letter indicating their interest in said program. Ms. Miles said she would also try to meet with superintendents in other school systems that are in the Board’s service area relative to the “Learning the Wonderful Works of Water” school program.

Following, Assistant General Manager Sonny Jones announced that on April 17, 2013 the Board’s Pipe Tapping Team represented the Alabama-Mississippi Section of the American Water Works Association (AWWA) and won the 2013 World Water Cup in Birmingham, England. He stated that since said team won first place during competition at the AWWA’s National Competition at the Annual Conference held June 10 – 14, 2012 in Dallas, Texas, expenses were covered by the AWWA. In response to Director Herring’s inquiry if the tapping team would appear before the Board, Assistant General Manager Sonny Jones responded yes. Assistant General Manager Sonny Jones said while in England the Board’s Pipe Tapping Team also competed in the English championships that included English, Dutch and American taps. He said out of the 52 teams the Board’s Pipe Tapping Team placed fourth, noting that team members are good at what they do. Chairman Robinson asked if the Pipe Tapping Team was awarded a trophy or a plaque and Assistant General Manager Sonny Jones replied a trophy, pointing out the World Cup trophy has not yet arrived from the AWWA and that other championship World Cups are in the Board’s display case. Assistant General Manager Sonny Jones indicated he would have the team to appear before the Board when they receive the championship cup. Subsequently, Chairman Robinson said

he looks forward to giving the team some kind of celebration for being serious in representing the Birmingham Water Works.

Following, Director Munchus asked Assistant General Manager Sonny Jones if he had received any follow-up from his meeting with the Birmingham Business Alliance (BBA) and representatives of Niagara Water Company concerning said company's decision on a site for its bottled water plant. Assistant General Manager Sonny Jones said Mr. Rick Davis has not contacted him and indicated he would follow up and send Director Munchus an email; and also make a report to the Board as to whether or not Niagara Water Company selected Birmingham.

Next, Chairman Robinson gave an update on House Bill 647 that was introduced in the 2013 Legislative Session last week and he indicated it went to Senate committee on yesterday. He said members of the Board, city councilors, senior executive management, and other interested parties were in attendance to support the Birmingham Water Works Board and its opposition of said bill. Chairman Robinson expressed his appreciation to all supporters for helping to spread the right information, pointing out the majority of the reasons given for increasing the Board are misinformation, innuendoes and often false. He said representatives of the Birmingham Water Works Board did a good job on yesterday explaining where the Water Works is, what it is doing, and clarifying the great things that are happening at the Water Works. Chairman Robinson recognized Board members for any additional comments.

Following, Director Herring said he believes it is an eye-opener to the Board and the Birmingham City Council because said council does not know a lot of things about the Board. He said the Board should try and meet with the utility committee twice a year and review what the Water Works does. He also said he was shocked at how little information said council has and pointed out it is the Water Works' responsibility to keep them educated. Director Herring said everyone did well and there were a lot of compliments.

Following, Director Lewis thanked Chairman Robinson for an outstanding job in leading the directors, senior executive management, and other supporters on this charge. She said while the Board is greatly disappointed this has happened, she indicated it is not just the Board's Water Works, it is our Water Works and the Board's customers' Water Works, therefore, it should concern everyone attending today's meeting. Director Lewis said board members who attended and met with the legislators were outstanding and although it was an eye-opener, expansion of the Board would not be the right thing to do. She said the Birmingham Water Works Board is a great organization, it informs the public with the truth, and it would be appropriate for everyone at today's meeting to do likewise because it is that important. Subsequently, Director Lewis commented to be listed as one (1) of the top five (5) water systems in the country is no small achievement and stated she is proud of the job that the Birmingham Water Works does but she would like to see others join the fight in support of the Water Works.

Next, Director Munchus said he learned a lot and he believes Senator Jabo Waggoner was extremely impressed after he heard the facts. He said when he asked Senator Waggoner if he had ever attended any of the Board meetings, he responded that he has never been invited, wherein Director Munchus said he invited him to attend. Director Munchus said the Board's financials, i.e., ratings from Moody's Investor Services and Standard & Poors speak volume to the Board's integrity and financial performance. Director Munchus said he believes when people hear the facts, in addition to great services, the Board's water rate which is extraordinarily low compared to the rates of other water systems, the Board would begin to turn the negative into a positive. He noted that everyone would have to do a better job of educating the Birmingham City Council members, senators and house members with the facts, because at some point factual outweighs untruth. Subsequently, Director Munchus said the Board must be

more active and form partnerships with the smaller water systems, pointing out such systems speak highly of the Birmingham Water Works Board wherein he is proud to be a member of said board.

Following, Chairman Robinson asked Assistant General Manager Darryl Jones to be certain to send the information packets to all of the Board's partners, consultants, and stakeholders, noting that the Board wants everyone to send the same message, pointing out it is an easy message to send because it is the truth. Director Herring pointed out the Board may have won the battle short-term, and he indicated the issue would return. Following, Director Lewis said everyone needs to be educated on what the Board's assets are, pointing out a lot of people in Montgomery were surprised at the Board's resources. She also said information should be sent to all employees so that they can be informed, since there were some concerns relative to the employees. Chairman Robinson asked if this information could be put on the Intranet wherein Assistant General Manager Darryl Jones asked if he was referring to the same data that was presented in Montgomery. Director Lewis said the presentation could be condensed into key points and Chairman Robinson said the map of the Board's service area as well as the Board's responses to the inquiries of House Bill 647, particularly rates, could be included. He said there is a big misconception that the Birmingham Water Works Board is punishing ratepayers, pointing out when one considers rates for the 15 surrounding municipalities ranging from \$22.00 to \$110.00, and the average rate is \$45.00, wherein the average rate for Birmingham Water Works Board's customers is \$44.00, it quickly dismisses the untruth as a big part of why the Board needs to be regionalized. Subsequently, Chairman Robinson said senior executive management needs to disseminate the Board's rebuttal facts to customers in a manner that is easy for them to understand so that they would be able to dismiss untruths when they hear them. Director Lewis said the employees should also be sent said facts, including who the Board serves in each of the surrounding counties.

Following, Assistant General Manager Michael Johnson indicated he had sent an email out on Friday with several attachments, which included a lot of the information that was shared in Montgomery and he indicated senior executive management would follow up. Chairman Robinson asked senior executive management to prepare a two-page summary as it relates to House Bill 647.

Subsequently, Chairman Robinson asked if anyone had additional questions. As there was no further business before the Board, he entertained a motion to adjourn the meeting. A motion was duly made and seconded, and the meeting adjourned at 12:45 p.m.

/s/

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A. Jackie Robinson, III  
Chairman/President

Attest:

/s/

\_\_\_\_\_  
David S. Herring  
Secretary-Treasurer