

**TRAVERSE CITY
LIGHT AND POWER BOARD**

Minutes of Regular Meeting
Held at 5:15 p.m., Commission Chambers, Governmental Center
Tuesday, October 23, 2012

Board Members -

Present: Barbara Budros, Jim Carruthers, Mike Coco, John Snodgrass, Bob Spence,
John Taylor, Patrick McGuire

Ex Officio Member -

Present: R. Ben Bifoss

Others: Ed Rice, W. Peter Doren, Tim Arends, Stephanie Tvardek, Tom Olney

The meeting was called to order at 5:15 p.m. by Chairman McGuire.

Item 2 on the Agenda being Consent Calendar

None.

Items removed from the Consent Calendar

None.

Item 3 on the Agenda being Old Business

None.

Item 4 on the Agenda being New Business

4(a). Consideration of approving minutes of the Regular Meeting of September 25, 2012.

Moved by Carruthers, seconded by Coco, that the minutes of the Regular Meeting of September 25, 2012, be approved.

CARRIED unanimously.

4(b). Highland Park Overhead to Underground Conversion project authorization.

The following individuals addressed the Board:

Ed Rice, Executive Director
Tom Olney, Operations Manager

Moved by Carruthers, seconded by Coco, that the Light and Power Board authorize staff to proceed with the Highland Park Overhead to Underground Distribution Conversion Project and seek the necessary board approvals for expenditures.

Commissioner Budros asked if she needed to recuse herself from the vote, as she is a resident of the Highland Park area. W. Peter Doren clarified there is no conflict of interest, therefore recusal from the vote is not necessary.

The Board requested a detailed list of estimated project costs be added to the approved project authorization request form.

Roll Call:

Yes – Budros, Carruthers, Coco, Spence, Taylor, McGuire

No – Snodgrass

CARRIED.

- 4(c).** Consideration of authorizing a Contract with Elmer's for the Highland Park Overhead to Underground Conversion Project.

The following individuals addressed the Board:

Ed Rice, Executive Director

Tom Olney, Operations Manager

Moved by Coco, seconded by Taylor, that the Light and Power Board authorize the Chairman and Secretary to enter into a contract with Elmer's, in the amount of \$50,910 for the Highland Park Overhead to Underground Conversion Project; subject to approval as to substance by the Executive Director and approval as to form by Counsel; and further authorizes the Executive Director to administer amendments and change orders that are in the best interests of the Light and Power Department.

Roll Call:

Yes – Budros, Carruthers, Coco, Spence, Taylor, McGuire

No – Snodgrass

CARRIED.

- 4(d).** Consideration of Executive Directors Contract.

The following individuals addressed the Board:

W. Peter Doren, General Counsel

Moved by Budros, seconded by Spence, to terminate the Executive Directors contract effective immediately based on the results of the evaluation.

Moved by Coco, seconded by Snodgrass, to appeal the Chairman's ruling that it is out of order to discuss the Executive Director's evaluation.

Roll Call:

Yes – Budros, Carruthers, Coco, Snodgrass, Spence, Taylor

No – McGuire

CARRIED.

The Board discussed the performance evaluation of the Executive Director.

Moved by Taylor, seconded by Coco, to amend the original motion to read as follows: To terminate the Executive Director's Contract in 60 days unless renewed by the Board prior to that time.

Coco proposed a friendly amendment that the Contract be terminated in 90 days. Friendly amendment failed due to lack of support from Taylor.

Therefore, the motion before the Board is to amend the original motion to include a 60 day probationary period.

Roll Call:

Yes – Coco, Snodgrass, Taylor

No – Budros, Carruthers, Spence, McGuire

FAILED.

The following individuals from the public addressed the Board:

Rick Buckhalter, 932 Kelley Street, Ratepayer

Corey Schichtel, 9090 M-37, Non-Ratepayer (TCL&P employee)

Rob Hipp, 3166 Voss, Non-Ratepayer (TCL&P employee)

Pat Brady, 1617 East Lane, Ratepayer

Doug Izard, 1910 Iroquois, Ratepayer (TCL&P employee)

Corey Grueber, 10123 E. Claremont Dr. Non-Ratepayer (TCL&P employee)

Kevin Bartz, 5650 East Duck Lake Rd., Non-Ratepayer (TCL&P employee)

Now, the motion before the Board is as follows: To terminate the Executive Directors contract effective immediately based on the results of the evaluation.

Roll Call:

Yes – Budros, Carruthers, Spence, McGuire

No – Coco, Snodgrass, Taylor

CARRIED.

Moved by Carruthers, seconded by Taylor to appoint Tim Arends, TCL&P Controller as the *Interim* Executive Director.

The following individuals from the public addressed the Board:

Rick Buckhalter, 932 Kelley Street, Ratepayer

CARRIED unanimously.

The Board scheduled a Special Meeting for Friday, October 26, 2012.

Item 5 on the Agenda being Appointments

None.

Item 6 on the Agenda being Reports and Communications

A. From Legal Counsel.

None.

B. From Staff.

None.

C. From Board.


1. Mike Coco, John Snodgrass and Pat McGuire thanked Mr. Rice for his service as Executive Director of TCL&P.
2. Jim Carruthers spoke regarding:
 - The Environmental Stewardship Award presentation for Goodwill Industries
 - Skip Pruss presentation regarding the 25by25 State Proposal scheduled for Wednesday, October 24 at the City Opera House
 - TCL&P Incentives postcard mailed to customers recently
 - TC Saves program expansion

Item 7 on the Agenda being Public Comment

The following individuals addressed the Board:

Ed Rice, 1664 Strasbourg, Non-Ratepayer
Rick Buckhalter, 932 Kelley St., Ratepayer

There being no objection, Chairman McGuire declared the meeting adjourned at 7:39 p.m.



Tim Arends, Secretary
LIGHT AND POWER BOARD

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