

## TOWN OF KIMBALL, TENNESSEE

**Record of Minutes of Regular Meeting**

**Date November 6, 2008**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, November 6, 2008 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman John Keef, Alderman Rex Pesnell, and Attorney William Gouger, Jr.

Mayor Jackson called the regular meeting to order at 6:03 p.m.

### **INVOCATION AND PLEDGE**

Mayor Jackson asked Ronnie Case to say the invocation over the meeting.

Mayor Jackson led the Pledge of Allegiance.

### **ROLL CALL**

Mayor Jackson asked Recorder May to call roll those present were: Mayor David Jackson, Vice-Mayor Rance Castle, Alderman John Keef, Alderman Rex Pesnell and Attorney William Gouger, Jr. Alderman Mark Payne was absent.

### **APPROVAL OF MINUTES**

Mayor Jackson stated the reason for the special called meeting with the main reason being for the bids on the New Municipal and Activity Building there were about twenty-one bid packets to award. The only one not awarded was the paving due to the increase price of paving and also the board wanting to verify the area to be paved. The paving packet will be rebid at a later date. Estimated cost for the building is \$525,000 with about \$14,000 of contingency funds. The towns insurance will cover about 75% of the cost of the new building. Also, discussed were the flood control devices for the Interchange project. The interchange project is federally funded and will not cover any of the flood devices. Representative Harmon has also talked with TDOT to see if they could provide funding for the flood control devices project and they are cutting costs so no funds are available through TDOT. TDOT has estimated the cost to be about \$250,000-\$300,000. If installed, the town would be the responsible party for all costs associated with this addition to the original project. At this time, the board will not seek to proceed with this project. In order to accommodate the new building the utility lines have to be moved, the board approved AT&T to move the existing lines near the new building in the amount of \$4094.12. Approve Greg Bradford Painting to paint the new maintenance building to correct the water leakage problem in the amount of \$3,145. STH and Associates contract was also approved with some minor changes to the wording of the contract for them to be the construction manager on the New Municipal and Activity Building.

On a motion by **Alderman Pesnell**, seconded by **Vice-Mayor Castle** the Public Hearing and Minutes of the Regular Monthly Board Meeting for October 2, 2008 and the Minutes of the Special Called Meeting for October 21, 2008 were approved unanimously on a board vote.

## OLD BUSINESS

Alderman Pesnell asked about the drainage problem at Misty Meadows. This project is still in the works. HLP Construction will complete this project within the next few weeks.

Mayor Jackson gave updates on a couple of issues as follows:

- Rural Transportation did not get permission to install the two signs in the Kimball Shopping Center. However, one will be installed at Dr. Sowter's Office and another at the new Physicians Complex on Mountain View Street.
- The board decided not to waive any fees on Americas Best Value Inn sewer fees, a letter has been sent with the board decision and also a copy of the minutes from 2006 which stated that was the last adjustment.
- New Hope has picked up the old Christmas light and was very appreciative to be getting the lights.

## SCHEDULED AGENDA ITEMS

### **a.) Open Bids on Telemetry System for Wal-Mart Lift Station**

The town only received one bid. Mayor Jackson opened the bid from CPI Technology in the amount of \$7,200. The installation of the telemetry system was recommended by TML Risk Loss Management.

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Keef** to accept the bid from CPI Technology in the amount of \$7,200 for the telemetry system on the Wal-Mart Lift Station. The motion passed unanimously on a board vote.

### **b.) Marion County Sheriff's Dept Needy Children's Christmas Fund**

Motion was made by **Alderman Pesnell**, seconded by **Vice-Mayor Castle** to approve the donation to the Marion County Sheriff's Dept Needy Children's Christmas Fund in the amount of \$250. The motion passed unanimously on a board vote.

### **c.) Cintas concerning destruction of confidential information**

Under the identity theft policy, it was recommended to have a way to shred all personal information. Cintas has given the town a quote of \$41.60 for an office style container and \$15.68 for an additional container with a \$7.95 charge for service. The quote would provide a container at town hall and one at the police department. This is also a form of going green as the material is shredded and recycled. It was recommended to sign a one year contract to verify this is a product needed for the town.

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to approve the Mayor to sign a contract with Cintas for one year for the destruction of personal documents with the purchase of two containers one at town hall and one at the police department. The motion passed unanimously on a board vote.

**d.) Set Holiday Schedule**

Motion was made by **Alderman Pesnell**, seconded by **Vice-Mayor Castle** to set the Christmas Holiday schedule for Office Employees and Maintenance Department for December 25 and December 26. The motion passed unanimously on a board vote.

**e.) Hams and Turkeys**

Motion was made by **Vice-Mayor Castle**, seconded by **Alderman Pesnell** to approve the town purchasing gift cards from Wal-Mart for turkeys and hams for Thanksgiving and Christmas for the employees, planning commission members, bza members and park board members. The motion passed unanimously on a board vote.

**f.) Christmas Bonuses**

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to approve a Christmas Bonus for employees in the amount of \$350. The motion passed unanimously on a board vote.

**g.) Christmas Dinner**

The Christmas Dinner for the employees and board members will be December 12, 2008 at 6:00 pm at the Western Sizzlin.

**h.) Pontiac Bonneville Seized by Police Department**

The lien holders have come forth on the Pontiac Bonneville; therefore, the auction will be canceled.

**i.) Mutual Aid Agreement and Automatic Mutual Aid Agreement**

The State Tennessee Fire Marshall's Office came to South Pittsburg and had a speech concerning the Mutual Aid Agreement passed by the State of Tennessee. He said each board needed to vote on the mutual aid agreement to participate in the Statewide Mutual Aid Agreement. Attorney Gouger will research this issue and report back to the board at the next monthly meeting.

The Automatic Mutual Aid Agreement is a separate issue which will be an Interlocal Agreement to roll automatically on certain issues for example: a large retail business would get automatic roll from those in the agreement upon a department within the agreement being dispatch to the scene. Normally, mutual aid is requested through the Marion County Dispatch. In the past, it has always been automatic mutual aid to roll on any church fire; however, Chief Keef can not find anywhere that this is written in a policy. Attorney Gouger will also check on this automatic mutual aid for church and develop an agreement to be approved.

**POLICE REPORT**

Alderman Keef gave the Police Report as Follows:

Litigation Tax	\$41.25
Court Costs	\$408.75
Fines	\$40.00
Report Fee	\$48.00
Sessions Court	\$626.52
License fee	\$0.00
<b>Total</b>	<b>\$1164.52</b>

The department is running smooth at this time.

**FIRE REPORT**

Alderman Pesnell gave the fire report for October 2008 the department responded to four calls for the month. The calls were one rescue, one mutual aid, one signal nine and one broken gas line at Old Dixie Highway.

**PARK AND RECREATION BOARD REPORT**

Alderman Keef stated the Park Board met October 14, 2008 at 5:30 at the park. There was an overview of how the grant project would work. The trees for along the track have been ordered. The board is considering the regulations and ruling on the soccer program. The next meeting will be held on November 13, 2008 at 5:00 at the town hall.

**ATTORNEY REPORT**

Attorney Gouger had two issues for the board as follows:

- SRT Agreement that was requested to be revised has been changed and Sheriff Burnette has a copy with the changes; however, he has not officially approved them.
- Four messages have been left for Josh Dobson. Jack Keef showed the surveyor the property lines recently.
- The legal provisions have been provided to the board concerning the Liquor by the Drink. Mayor Jackson has requested Attorney Gouger to prepare an information session concerning the responsibilities of the town if any, what the rules and regulations are that has to be followed for the benefit of the town and the benefits for the citizens, when will it take affect, what the time line the town is looking at and a general overview of the Liquor by the Drink that has been approved in Kimball and present this information at the next regular monthly board meeting.

**NEW BUSINESS**

Alderman Pesnell wanted to mention the article on one of our merchants in Kimball; Ronnie Raulston helped an individual passing through our town. He wanted to somehow recognize him for his efforts. He would like to present him with a plaque or resolution recognizing his business efforts.

Mayor Jackson had several items under new business as follows:

- The town was donated a picture of the Old Kimball School Building and the town wanted to thank the Bobby and Bonnie Ambrester's Family for the donation.
- The town received a plaque from the Jasper Jaycees thanking the town for the donation to the boat races.
- Sales Tax for September 2008 223,134 September 2007 215,415 so town is up about \$7,700.
- The town has received a grant from Bureau of Justice in amount of \$3,000 it is a 50%-50% grant. Town will spend \$1,500 Bureau of Justice will spend \$1,500.
- The town requested a situs report which showed the amounts going to other towns as follows: \$7,349.89 to South Pittsburg and \$150 to Jasper. The town will be adjusted on the November sales tax for these amounts.
- Chester Darden, TML a Loss Control Consultant, visited the town recently and made the following recommendations:
  - A complaint log for the office, maintenance and police department recording time, date, name, address, phone number and complaint.
  - The Maintenance Department needs to be trained on confined space with a refresher every two years.
  - The town needs an Interlocal agreement with Marion County Dispatch.
  - The question was raised about what portions of the interstate the fire department covers. The town covers everything in our city limits.
  - The town needs a general harassment policy and he will email us a sample.
  - Recorder May attended a Worker's Comp Class in Dunlap.
- Finances

General Fund		Drug Fund	
Checking	\$ 107,801	Checking	\$ 5,152
Savings	\$ 532,323		
CD	\$ 418,000	Sewer Fund	
Total	\$1,058,124	Checking	\$ 121,944
State Street Aid		CD	\$ 70,650
Checking	\$ 27,260	Total	\$ 192,594
	<b>Grand Total</b>		<b>\$1,283,130</b>

- The next monthly meeting will be December 4, 2008 at 6 pm.
- Planning Commission will meet November 19, 2008 at 6 pm.
- The town is proceeding with the plans to move the sewer pump station. There are some issues with the plans issued by the engineers representing the Patels for the Hampton Inn. The sewer plans must be approved by the town's

engineering prior to being sent to Nashville. Mr. Garrett has sent a letter addressing all the issues on the plans.

- The town will be sending out new packets to recruit businesses to our town which will include the recent approval of the Liquor by the Drink.


Jerry Don Case wanted to know what will be torn down when the new Hampton Inn is built. Mayor Jackson is unaware of what will be torn down but does know that there is an easement from TVA for the entrance on the lower side of Tennessee/Alabama Fireworks and the building will sit where the swimming pool and sewer pump is located.

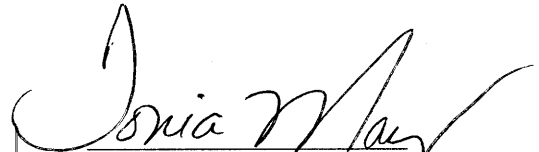
Mr. Lamar Manis wanted to thank the board for the swift action on cutting down the trees on the right of way on Red Bud Trail.

Mr. Butch Witcher wanted to address the flood control devices and the flood contingency plan to see if the board would reconsider at a later date to install the devices near the interstate. And, also wanted to know if the town had a defined plan for flooding. There was much discussion on the flooding issue.

#### **ADJOURNMENT**

As there was nothing further to come before the board, motion was made by **Alderman Pesnell** to adjourn. The motion was seconded by **Vice-Mayor Castle**. The motion passed unanimously on a board vote.

  
David Jackson, Mayor

  
Tonia May, Recorder