

TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Public Hearing

Meeting Date Thursday, January 5, 2006

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, January 5, 2006 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 John "Butch" Witcher, Alderman Rance Castle, Alderman Rex Pesnell, Alderman John Keef, and Attorney Featherston.

Mayor Jackson opened the floor at 6:00 p.m.

NEW BUSINESS

- a) To receive citizen input into Ordinance No. 169 – An Ordinance to Amend the Travel Reimbursement Regulations of the Town of Kimball, Tennessee

Mayor Jackson explained the ordinance.

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


David Jackson, Mayor


Tonia May, Recorder

TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Regular Meeting

Date January 5, 2006

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, January 5, 2006 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 John "Butch" Witcher, Alderman Rance Castle, Alderman Rex Pesnell, Alderman John Keef and Attorney Kevin Featherston.

Mayor Jackson called the meeting to order at 6:05 p.m. after the public hearing.

Mayor Jackson asked Vice-Mayor Witcher to say the prayer over the meeting.

Mayor Jackson led the Pledge of Allegiance.

Mayor Jackson asked Recorder May to call roll those present were: Mayor David Jackson, Vice-Mayor John "Butch" Witcher, Alderman Rance Castle, Alderman Rex Pesnell, Alderman John Keef and Attorney Kevin Featherston.

APPROVAL OF MINUTES

On a motion by **Alderman Castle**, seconded by **Alderman Pesnell** the minutes of the Regular Meeting December 1, 2005 was approved unanimously on a board vote.

OLD BUSINESS

Vice-Mayor Witcher wanted to commend the employees and their families for the work done on the float and decorations for the holidays and time put into the open house.

Mayor Jackson gave updates on several issues as follows:

- The town has applied for an enhancement grant for a walking trail. State Representative Bill Harmon has sent a letter to TDOT on behalf of our project. TDOT has responded to his letter stating that TDOT has received 117 applications for the 2006 grant.
- The town had its annual Christmas Light Contest with first place winners Dale and Janice Johnson, second place winners Roger and Paula Payne and third place winners Bill and Alma McCully.
- Street lights on Dixie Lee Center Road have been installed
- Sewer Bond Loan has been paid in full.

SCHEDULED AGENDA ITEMS

- a) Marion County Mayor Howell Moss concerning Resolution concerning proposed sales tax increase

Mayor Moss gave a description about the Resolution and some points about the resolution. This is a resolution stating that the towns/cities and county would allow the proposed increase in sales tax to be for capital improvements in the school system. The increase will be put on a referendum to let the

citizens' vote on this increase for the school system building debt and school buildings. The county commission will have a special meeting on Tuesday, January 10, 2006 at 5:30 p.m. concerning the special election.

After much discussion, motion was made by **Vice-Mayor Witcher**, seconded by **Alderman Keef** to approve Attorney Featherston to draw up a revised Resolution in support of the proposed sales tax increase for capital improvements for the Marion County School System and the board will have a special called meeting on Thursday, January 12, 2006 at 5:00 concerning the revised resolution on the proposed sales tax increase. The motion passed unanimously on a board vote.

b) Trinity Cable

Zack Stone and his engineer attended the meeting wanting to offer Trinity Cable to the citizens of Kimball. Attorney Featherston has reviewed the town ordinances on cable television and under his understanding at this time the town is in an exclusive contract with Charter Communication until June 2006. Mayor Jackson asked Trinity Cable to come to the July 2006 meeting for review of our cable agreement at this time.

c) 2nd and Final Reading of Ordinance Number 169 – Ordinance to Amend the Travel Reimbursement Regulations for the Town of Kimball, Tennessee

Motion was made by **Vice-Mayor Witcher**, seconded by **Alderman Castle** to approve on 2nd and Final Reading of Ordinance Number 169 – An Ordinance to Amend the Travel Reimbursement Regulations for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

d) Ratify Car #86 Repairs due to accident by Vinson Repairs Incorporated in the amount of \$2,570.71. TML Risk Management Pool Insurance will be sending a check to the town for \$2070.71

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to approve the payment to Vinson Repairs Incorporated in the amount of \$2,570.71 for repairs to car #86. The motion passed unanimously on a board vote.

e) Ratify Ford Tractor #4630 being repaired by Chattanooga Ford and Equipment in the amount of \$1835.35

Motion was made by **Vice-Mayor Witcher**, seconded by **Alderman Castle** to approve the Ford Tractor #4630 being repaired by Chattanooga Ford and Equipment in the amount of \$1,835.35. The motion passed unanimously on a board vote.

f) Ratify payment to Lofty Construction Company for Hauling and Installing Gravel to Connect Dixie Lee Center Road and Kimball Crossing Drive in the amount of \$2824.37

Motion was made by **Alderman Keef**, seconded by **Alderman Pesnell** to approve the payment to Lofty Construction Company for Hauling and Installing Gravel to Connect Dixie Lee Center and Kimball Crossing Drive in the amount of \$2824.37. The motion passed unanimously on a board vote.

g) TOSHA – Resolution 2006-01 – A resolution to join TOSHA as a public sector

Motion was made by **Vice-Mayor Witcher**, seconded by **Alderman Castle** to approve Resolution 2006-01 – A Resolution to Establish an Occupational Safety and Health Program, Devise Rules and Regulations, and to provide for a Director and the Implementation of such Program. The motion passed unanimously on a board vote.

h) Hiring Engineering Firm to develop ball parks on 3591 Industrial Blvd

The engineering is required to apply for the grant which is due March 1, 2006. Beth Jones and Kim Harp with the development district will assist the town in writing the grant for the Parks.

Motion was made by **Alderman Castle**, seconded by **Alderman Keef** to authorize Mayor Jackson the authority to hire an engineering firm for the development of the recreation procedures on 3591 Industrial Blvd. The motion passed unanimously on a board vote.

i) Jody Jones continued employment with the Maintenance Department

Jody Jones will be going into the Navy in May; therefore, this will be considered part of his continued education.

Motion was made by **Vice-Mayor Witcher**, seconded by **Alderman Castle** to approve the continuation of part time employment of Jody Jones with the Maintenance Department three days a week until he joins the Navy in May. The motion passed unanimously on a board vote.

j) Purchasing fireworks for 2006 Festival at the 2005 prices

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Witcher** to approve the ordering of the fireworks for the Kimball Fireworks Festival for September 2, 2006 in the amount of \$8,770.50 from Pyro Shows. The motion passed on a board vote with four ayes and one naye. Alderman Pesnell voted naye.

k) Town's Urban Growth Plan

The Kimball Municipal Planning Commission has review and recommended to the Board of Mayor and Aldermen the Urban Growth Plan Amendments to add the Sweetens Cove and other areas to the Town of Kimball's Plan. The town will have to advertise two public hearings 15 days after the advertisement appears in the paper. The first meeting will be set for Friday, January 27, 2006 at 4:00 p.m. and the second hearing will be Monday, January 30, 2006 at 5:00 p.m.

Motion was made by **Alderman Castle**, seconded by **Alderman Pesnell** to approve amendments to the Urban Growth Plan to add the Sweetens Cove and other areas as show by map to the Town of Kimball's Plan and have the public hearings on January 27, 2006 at 4:00 p.m. and January 30, 2006 at 5:00 p.m. The motion passed unanimously on a board vote.

l) A Resolution to Approve the Marion County Growth Plan October 2005

The Board decided to table the issues on the growth plans until February.

m) Web Page

The email system is not being routed properly to the Postini which is a spam filtering system. SRC Networking can host the town's web site for about \$12 or \$14 extra per month on the monthly bill. SRC also can update the web pages for \$75 per hour. Vice-Mayor Witcher questions about why our current host is unable to meet our needs. Vice-Mayor Witcher will organize a meeting with Sam Warren as to why his company cannot provide this service.

n) Methamphetamine Task Force Agreement for Use of Law Enforcement Overtime Expense Program Grant #2005-DD-BX-1144

Motion was made by **Alderman Keef**, seconded by **Alderman Castle** to approve the town to be eligible to enter into the Methamphetamine Task Force Agreement for Use of Law Enforcement Overtime Expense Program Grant #2005-DD-BX-1144. The motion passed unanimously on a board vote.

POLICE REPORT

Alderman Keef gave the Police Report as Follows:

Litigation Tax	\$82.50
Court Costs	\$1380.00
Fines	\$200.00
Report Fee	\$48.00
Compact Costs	\$17.00
Sessions Court	\$1428.32
License fee	\$0.00
Total	\$3165.82

FIRE REPORT

Alderman Pesnell gave the fire report for December 2005 as follows there were eight calls for the month, which were two mutual aid calls, two vehicle fires, one grass fire, one gas spill, one rescue and one fire. The department responded to sixty six calls for the year. Also, the firemen's dinner will be held on Saturday, January 14, 2006 at 6:30 at the fire hall.

PARK AND RECREATION BOARD REPORT

The Park and Recreation Board held its first meeting December 8, 2005. During this meeting the Chairman Chester Blevins, Vice-Chairman Levoy Gudger, and Secretary Teresa Lofty were elected. Also, the board will meet on the 2nd Thursday of each month at 6:00 p.m. at town hall. Partas representative, Jim Hammontree, was also at the meeting.

NEW BUSINESS

Vice-Mayor Witcher asked Les Price if maybe a fireworks store would like to sponsor our Kimball Fireworks Festival.

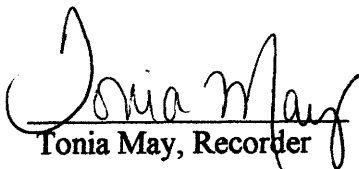
Attorney Featherston stated the litigation on the road still exists. New Plan Excel is going to get the town a proposal to buy the whole roadway. This is the street behind the shopping center where the curb was cut.


Mayor Jackson had several items under new business as follows:

- Sales tax update \$231,440 compared to last year at \$197,000.
- The town will organize a workshop session on the flooding issues of our area with TVA and the Corp of Engineers during February.
- Budget Reports are available for the board members for the middle of the year.
- The Town of Arlington Tennessee will be asking the House of Representatives to pass a new bill concerning the DRC – design review commission. If this bill passes, it is not mandated but recommended the planning commission have an architect, engineer and several others on their board.
- The town's fund balances are as follows:
 - General Fund 848,483.59
 - Street Fund 25,038.71
 - Drug Fund 7044.99
 - Sewer Fund 69,858.80
 - Total Funds 950,426.09

ADJOURNMENT

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


Tonia May, Recorder


David Jackson, Mayor

TOWN OF KIMBALL, TENNESSEE

Record of Minutes of Special Called Meeting

Meeting Date January 12, 2006

A special called meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, January 12, 2006 at 5:00 p.m. in the Conference Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor John Witcher, Alderman Rance Castle, Alderman Rex Pesnell, and Alderman John Keef.

Mayor Jackson called the special called meeting to order at 5:00 p.m. concerning Resolution 2006-02 – A Resolution Authorizing the Town of Kimball, Tennessee to enter into an Agreement to set aside its Revenues from the proposed Increase of the Local Option Sales Tax from 2.25% to 2.75% for Capital Improvements to the Marion County School System and any other properly presented business.

Notice of the meeting was place on front door of town hall and announce at regular town meeting on January 5, 2006.

Mayor Jackson asked Recorder May to call roll those present were: Mayor David Jackson, Vice-Mayor John “Butch” Witcher, Alderman Rance Castle, Alderman Rex Pesnell, and Alderman John Keef. Attorney Kevin Featherston was absent.

SCHEDULED AGENDA ITEMS

- a.) Resolution 2006-02 – Resolution Authorizing the Town of Kimball, Tennessee to Enter into an Agreement to set aside its Revenues from the Proposed Increase of the Local Option Sales Tax from 2.25% to 2.75% for Capital Improvements to the Marion County School System

There was a lot of discussion on this issue.

A motion was made by **Vice-Mayor Witcher**, seconded by **Alderman Castle** to approve Resolution 2006-02 – Resolution Authorizing the Town of Kimball, Tennessee to Enter into an Agreement to set aside its Revenues form the Proposed Increase of the Local Option Sales Tax from 2.25% to 2.75% for Capital Improvements to the Marion County School System. The board recommended that all towns/cities within Marion County receive a copy of the Resolution passed by the Kimball board. The motion passed unanimously on a board vote.

- b.) Any other Properly Presented Business

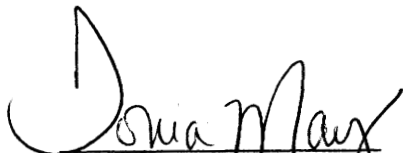
Marion County Mayor Howell Moss called the town requesting the Kimball Board to approve the Resolution concerning the Amendment to South Pittsburg’s Urban Growth Plan. Without the towns’ approval, water lines can not be completed.

A motion was made by **Vice-Mayor Keef**, seconded by **Alderman Pesnell** to approve Resolution 2006-03 – A Resolution to Approve the Marion County Growth Plan October 2005. The motion passed unanimously on a board vote.

ADJOURNMENT

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


David Jackson, Mayor


Tonia May, Recorder

TOWN OF KIMBALL

PUBLIC HEARING

PROPOSED BOUNDARY CHANGES TO THE URBAN GROWTH PLAN

JANUARY 27, 2006 4:00 PM

The meeting was called to order by Mayor Jackson and roll was called.

Those Present were: Mayor Jackson Vice Mayor John Witcher
Alderman Rance Castle Alderman Rex Pesnell
Alderman Jack Keef Clerk Peggy Thomas

No one from the Community were present

Mayor Jackson explained the boundaries included in the proposed Urban Growth Plan. The map shows taking in Sweeden's Cove, to the Gourneck area, Gizzard, -to the foot of Mt Eagle Mountain, Ladd's Cove, Cave Cove, Kelly Cove, Hargis Cove, most of the area through there. This was stated with the map present and the Alderman looking at same. The Mayor asked for any discussion or any request for changes. There was none. He further stated that the second public meeting would be Monday, January 31, 2006 at 5:00pm regarding the urban growth plan. The countywide committee will meet sometime in February, 2006 to consider Kimball's, Jasper's and Powell's Crossroads proposals.

With no further discussion Rance Castle made a motion to adjourn and Rex Pesnell seconded. All voted aye.

Meeting Adjourned

TOWN OF KIMBALL

PUBLIC HEARING

PROPOSED URBAN GROWTH PLAN BOUNDARIES

JANUARY 30, 2006 5:00 PM

The meeting was called to order by Mayor Jackson and roll was called.

Those Present were: Mayor Jackson Vice Mayor John Witcher
Alderman Rance Castle Alderman Rex Pesnell
Alderman Jack Keef Clerk Peggy Thomas

No one from the Community was present.

Mayor Jackson opened the floor for discussion on the proposed urban growth plan boundary changes. There was no further discussion in this second hearing and Mayor Jackson asked for a motion to adjourn

Alderman Witcher made the motion to adjourn and Alderman Castle seconded the motion. All vote aye and the meeting was adjourned.