

RESOLUTION 2019-01

A RESOLUTION AUTHORIZING THE TOWN OF KIMBALL, TENNESSEE TO ENTER INTO A CHECKING ACCOUNT AGREEMENT WITH TOWER COMMUNITY BANK.

WHEREAS, the Town of Kimball, Tennessee is a Tennessee municipality organized under its Charter and the statutes of the State of Tennessee; and

WHEREAS, pursuant to said Charter and statutes of the State of Tennessee, the Town of Kimball is authorized to enter into contracts with financial institutions for the safe-keeping of the Town of Kimball, Tennessee's depository funds; and

WHEREAS, the Mayor and Board of Aldermen have already determined that the Town of Kimball, Tennessee should have Checking Accounts with Tower Community Bank, a local banking institution; and

WHEREAS, the financial institution requires an agreement setting forth the person or persons authorized to open, sign checks and/or withdraw from any accounts; and

WHEREAS, the Mayor and Board of Aldermen have determined that Mayor Rex Pesnell, Vice-Mayor Jerry Don Case, Alderman John Matthews, Alderman Clarence Sisk, Jr. and Alderman Teresa Lofty should be the authorized signatories on any checking accounts for the Town of Kimball, Tennessee; and

WHEREAS, the Mayor and Board of Aldermen have determined that no less than two signatures should be required for better control of said checking accounts.


NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Board of Aldermen of the Town of Kimball, Tennessee that:

1. The Town of Kimball has already established checking accounts with Tower Community Bank, Jasper, Tennessee.
2. Mayor Rex Pesnell, Vice-Mayor Jerry Don Case, Alderman John Matthews, Alderman Clarence Sisk, Jr. and Alderman Teresa Lofty shall be authorized officers of the Town of Kimball, Tennessee to execute all depository documents, including check signatures, deposit and/or withdrawal forms.
3. Any two signatures of the above-stated officers shall be required to sign checks, withdraw from or close any checking accounts of the Town of Kimball, Tennessee.

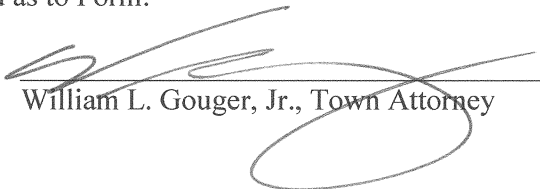
4. This Resolution will continue to be in effect until expressly written modification has been received and recorded by Tower Community Bank. Any and all prior resolutions adopted by the Town of Kimball, Tennessee are in full force and effect until the financial institution receives and acknowledges an express written notice of revocation, modification or replacement.

THIS RESOLUTION APPROVED on the 3rd day of January, 2019.

Signed: 
Rex Pesnell, Mayor

Attested: 
Tonia May, Town Recorder

Approved as to Form:


William L. Gouger, Jr., Town Attorney

RESOLUTION 2019-02

A RESOLUTION AUTHORIZING THE TOWN OF KIMBALL, TENNESSEE TO ENTER INTO INTERNET BANKING WITH TOWER COMMUNITY BANK.

WHEREAS, the Town of Kimball, Tennessee is a Tennessee municipality organized under its Charter and the statutes of the State of Tennessee; and

WHEREAS, pursuant to said Charter and statutes of the State of Tennessee, the Town of Kimball is authorized to enter into contracts with financial institutions for the safe-keeping of the Town of Kimball, Tennessee's depository funds; and

WHEREAS, the Mayor and Board of Aldermen have already determined that the Town of Kimball, Tennessee should have access to Internet Banking with Tower Community Bank, a local banking institution; and

WHEREAS, the financial institution requires an agreement setting forth the person or persons authorized to view internet banking and make withdrawals and transfers from any town accounts; and

WHEREAS, the Mayor and Board of Aldermen have determined that Mayor Rex Pesnell, Recorder Tonia May, and Administrative Clerk Sharon Case should be the persons authorized to view internet banking and make withdrawals and transfers from any town accounts for the Town of Kimball, Tennessee; and


NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Board of Aldermen of the Town of Kimball, Tennessee that:

1. The Town of Kimball has established internet banking with Tower Community Bank, Jasper, Tennessee.
2. Mayor Rex Pesnell, Recorder Tonia May and Administrative Clerk Sharon Case should be the persons authorized to view internet banking and make withdrawals and transfers from any town accounts for the Town of Kimball, Tennessee.
3. No account shall be closed through the internet banking service. In order to close any account, two signatures of any of the stated officers Mayor Rex Pesnell, Vice-Mayor Jerry Don Case, Alderman John Matthews, Aldermen Clarence Sisk, Jr. and/or Alderman Teresa Lofty, shall be required to close any checking account of the Town of Kimball, Tennessee.

4. This Resolution will continue to be in effect until expressly written modification has been received and recorded by Tower Community Bank. Any and all prior resolutions adopted by the Town of Kimball, Tennessee are in full force and effect until the financial institution receives and acknowledges an express written notice of revocation, modification or replacement.

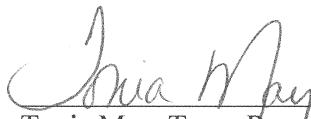
THIS RESOLUTION APPROVED on the 3rd day of January, 2019.

Signed:



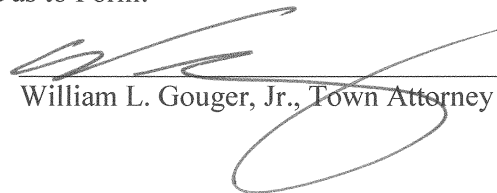
Rex Pesnell, Mayor

Attested:



Tonia May, Town Recorder

Approved as to Form:



William L. Gouger, Jr., Town Attorney

RESOLUTION 2019-03

A RESOLUTION AUTHORIZING THE TOWN OF KIMBALL, TENNESSEE TO ENTER INTO CHECKING, MONEY MARKET AND SAVINGS ACCOUNT AGREEMENTS AND CERTIFICATES OF DEPOSIT WITH FIRST JACKSON BANK

WHEREAS, the Town of Kimball, Tennessee is a Tennessee municipality organized under its Charter and the statutes of the State of Tennessee; and

WHEREAS, pursuant to said Charter and statutes of the State of Tennessee, the Town of Kimball is authorized to enter into contracts with financial institutions for the safe-keeping of the Town of Kimball, Tennessee's depository funds; and

WHEREAS, the Mayor and Board of Aldermen have already determined that the Town of Kimball, Tennessee should have Checking Accounts, Money Market Accounts, Savings Accounts and Certificates of Deposit with First Jackson Bank, a local banking institution; and

WHEREAS, the financial institution requires an agreement setting forth the person or persons authorized to open, sign checks and/or withdraw from any accounts; and

WHEREAS, the Mayor and Board of Aldermen have determined that Mayor Rex Pesnell, Vice-Mayor Jerry Don Case, Alderman John Matthews, Alderman Clarence Sisk, Jr. and/or Teresa Lofty should be the authorized signatories on any checking, money market, savings accounts and/or certificates of deposit for the Town of Kimball, Tennessee; and

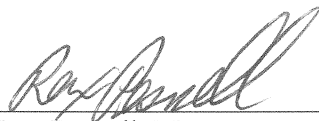
WHEREAS, the Mayor and Board of Aldermen have determined that no less than two signatures should be required for better control of said checking, money market, savings accounts and/or certificates of deposit.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Board of Aldermen of the Town of Kimball, Tennessee that:

1. The Town of Kimball has established or will establish checking, money market, savings accounts and Certificates of Deposit with First Jackson Bank, Kimball, Tennessee.
2. Mayor Rex Pesnell, Vice-Mayor Jerry Don Case, Alderman John Matthews, Alderman Clarence Sisk, Jr. and/or Alderman Teresa Lofty shall be authorized officers of the Town of Kimball, Tennessee to execute all depository documents, including check signatures, deposit and/or withdrawal forms.

3. Any two signatures of the above-stated officers shall be required to sign checks, withdraw from or close any checking, money market, savings account and/or certificates of deposit of the Town of Kimball, Tennessee.
4. This Resolution will continue to be in effect until expressly written modification has been received and recorded by First Jackson Bank. Any and all prior resolutions adopted by the Town of Kimball, Tennessee are in full force and effect until the financial institution receives and acknowledges an express written notice of revocation, modification or replacement.

THIS RESOLUTION APPROVED on the 3rd day of January, 2019.

Signed: 
Rex Pesnell, Mayor

Attested: 
Tonia May, Town Recorder

Approved as to Form: 
William L. Gouger, Jr., Town Attorney

RESOLUTION 2019-04

A RESOLUTION APPROVING AND ACCEPTING AN AGREEMENT BY AND BETWEEN THE TOWN OF KIMBALL, TENNESSEE AND BANCCARD THE TRANSACTION COMPANY

WHEREAS, the Town of Kimball, Tennessee desires to provide credit/debit card payment options for customers doing business with the Town; and

WHEREAS, BancCard The Transaction Company has the capacity to provide the desired services to the Town and has submitted a proposal that correlates with the Town's current bank, First Jackson Bank, and appears to be in the best interests of the Town; and


WHEREAS, under the proposal, the software Converge will be supplied at no charge to the Town, and there will be charged to the Town a \$10 monthly fee along with a charge of 2.75% plus 9 cents per transaction that will be passed on to the customer as a convenience fee. Said fee was recommended to be set at 3.5% per transaction to offset all fees associated with the usage of the credit/debit cards, with a minimum fee of \$2.00 per transaction being charged for all transactions less than \$50.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Mayor and Aldermen of the Town of Kimball, Tennessee that:

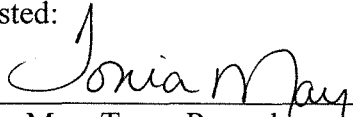
1. The Town of Kimball hereby approves and accepts the agreement between the Town and BancCard The Transaction Company in substantively the same form and content as the agreement has been proposed, which agreement may be cancelled at any time with no cost or penalty to the Town.
2. The Town is hereby authorized to charge a convenience fee to all customers using such payment service, which convenience fee is hereby established at 3.5% per transaction, with a minimum fee of \$2.00 per transaction being charged for all transactions less than \$50.00. The Town shall post a visible sign stating that said convenience fee of 3.5% per transaction, with a minimum fee of \$2.00 per transaction being charged for all transactions less than \$50.00, will be added to any charge.
3. All credit/debit card payments shall be set up to go into a special account in order to create an easier monthly reconciliation of such funds, with such funds being transferred to their respective main accounts after the monthly balancing has been accomplished.
4. This Resolution shall take effect immediately upon passage and approval.

THIS RESOLUTION APPROVED AND ADOPTED on this the 3rd day of October, 2019.

TOWN OF KIMBALL, TENNESSEE

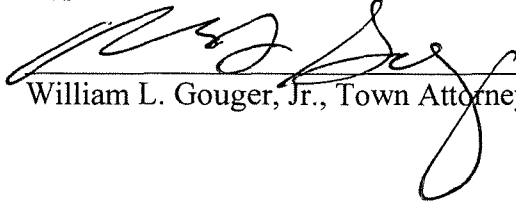
By: 
Rex Pesnell, Mayor

Attested:



Tonia May, Town Recorder

Approved as to Form:



William L. Gouger, Jr., Town Attorney

RESOLUTION NO. 2019-05

A RESOLUTION REQUESTING ASSISTANCE FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION'S STATE INDUSTRIAL ACCESS ROAD PROGRAM FOR THE RE-CONSTRUCTION OF A PORTION OF INDUSTRIAL BOULEVARD SERVING MUELLER WATER PRODUCTS IN KIMBALL, TENNESSEE & VALMONT INDUSTRIES IN JASPER, TENNESSEE

- WHEREAS**, Kimball, Tennessee, is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development, and
- WHEREAS**, the provision of jobs to area citizens by local industry is both necessary and vital to the economic well-being of Kimball and Marion County, and
- WHEREAS**, the Industrial Highway Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee, and
- WHEREAS**, in November 2019, Mueller Water Products began operations at the former Westrock building located at 2048 Industrial Boulevard in Kimball, and Valmont Industries announced an expansion of their current facility at 1950 Industrial Boulevard in Jasper.
- WHEREAS**, Mueller's new operations represent a \$41 Million investment in Kimball adding 325 jobs in the next 3-5 years, and Valmont's expansion in Jasper represents a \$31 Million investment adding 150 jobs in the next 3-5 years, and
- WHEREAS**, the needed road improvements on Industrial Boulevard will not only benefit these two companies, but also the other industries who depend on this route as the only option to reach Interstate 24 from the Jasper-Kimball Industrial Park, and
- WHEREAS**, the reconstruction this section of Industrial Boulevard is necessary and vital to the successful operation of these two industries as well as the future economic well-being of this area,
- NOW, THEREFORE BE IT RESOLVED** by the Kimball Board of Mayor and Aldermen, that a contract be entered into with the Tennessee Department of Transportation for assistance in construction and completion of the herein proposed industrial access highway under the provisions of the Industrial Highway Act of 1959, and may it be further resolved that the Kimball Mayor shall be authorized to handle all legal documents and contracts on behalf of the Town of Kimball regarding this contract with the Tennessee Department of Transportation.

Adopted this 5th day of December 2019.

Rex Parnell
Mayor of Kimball, Tennessee

ATTEST: Josia May
Town Recorder

Approved as to Form: William L. Gray Jr.
Town Attorney

RESOLUTION NO. 2019-06

A RESOLUTION TO MAKE CERTAIN FINDINGS RELATING TO THE PROJECT KNOWN AS "PROJECT WATER," NOW KNOWN AS MUELLER COMPANY; TO DELEGATE CERTAIN AUTHORITY TO THE MARION COUNTY INDUSTRIAL AND ENVIRONMENTAL DEVELOPMENT BOARD; AND TO AUTHORIZE THE MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF AD VALOREM TAXES.

WHEREAS, pursuant to Tennessee Code Annotated, Section 7-53-305(b), the Town of Kimball (the "Town") is permitted to delegate to The Marion County Industrial and Environmental Development Board (the "Board") the authority to negotiate and accept payments in lieu of ad valorem taxes from lessees of the Board upon a finding by the Town that such payments are deemed to be in furtherance of the Board's public purposes; and

WHEREAS, Mueller Company, a manufacturer in the Town of Kimball, (the "Company"), has initiated an expansion by acquiring an existing manufacturing facility, and it is in the process of equipping and modifying said existing manufacturing facility and making additional real and personal property improvements thereon of at least, but not limited to, Forty One Million Dollars (\$41,000,000.00) within one (1) year of the date the Company commences construction of the improvements of its said manufacturing facilities, together with all other additional real and personal property improvements on or before December 31, 2029, all to be located on certain real property located in the Town of Kimball, Marion County, Tennessee (the "Project"); and

WHEREAS, because of the substantial economic benefits to the Town and Marion County resulting from the Project, the Company has asked the Board and the Kimball Board of Mayor and Aldermen to approve payments in lieu of ad valorem taxes; and

WHEREAS, the Kimball Board of Mayor and Aldermen has determined that payments in lieu of ad valorem taxes from such a project would be in furtherance of the Board's public purposes as set forth within Chapter 53 of Title 7 of the Tennessee Code Annotated;

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD:

That we do hereby find that the Project is in the best interest of the Town, and that payments in lieu of ad valorem taxes derived therefrom would be in furtherance of the Board's public purposes; and

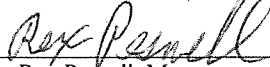
That, having made such a finding in this instance, we do hereby delegate to the Board the authority to negotiate and accept payments in lieu of ad valorem taxes from the Company, it being further noted that this delegation is for this purpose and this project only, and based on a total of real and personal property improvements not to exceed the sum of Forty One Million Dollars (\$41,000,000.00); and

That the Mayor is hereby authorized to enter into an Agreement for Payments In Lieu of Ad Valorem Taxes based on real and personal property improvement valuations not to exceed the Forty-One Million Dollar (\$41,000,000.00) amount set forth above, in substantially the form attached hereto, with such changes thereto as he shall approve; and,

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

ADOPTED on this 5th day of December, 2019.

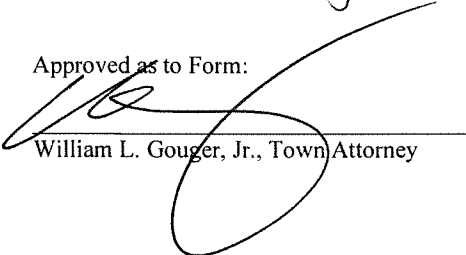
TOWN OF KIMBALL, TENNESSEE

By: 
Rex Pesnell, Mayor

Attested:


Tonia May, Town Recorder

Approved as to Form:


William L. Gouger, Jr., Town Attorney