

KIMBALL BOARD OF MAYOR AND ALDERMEN

**Monthly Board Meeting
Thursday, June 3, 2010 6:00 P.M.
Town Hall Meeting Room
675 Main Street
Kimball, TN 37347**

AGENDA

1. Call to Order the Monthly Meeting of the Board of Mayor and Aldermen of the Town of Kimball
2. Prayer
3. Pledge of Allegiance
4. Roll Call
5. Approval of May 6, 2010 Minutes of Public Hearing and Regular Meeting
6. Old Business
7. 1st Reading of Ordinance No. 209 – An Ordinance to Amend Ordinance No. 203 Concerning the Budget for the Fiscal Year 2009-2010 for the Town of Kimball, Tennessee
8. 1st Reading of Ordinance No. 210 – An Ordinance Adopting a Budget and Levying a Property Tax for the Fiscal Year July 1, 2010 – June 30, 2011 for the Town of Kimball, Tennessee
9. Local Government Software and Hardware Contract for Fiscal Year 2010-2011 in the amount of \$12,808
10. Audit Contract for period July 1, 2009 – June 30, 2010 with Johnson, Murphy and Wright in the amount of \$21,174
11. Ratify South Pittsburg Water and Sewer bill for 6” Sewer Valve, Labor and Equipment in amount of \$7,000
12. Paving Nelson Lane
13. Re-appoint Joyce Tate to Kimball Municipal Planning Commission
14. Re-appoint Rodger Ford to Board of Zoning Appeals Committee
15. Regional Wastewater Treatment Facility Plant
16. Resolution 2010-05 – A Resolution of the Town of Kimball, Tennessee to Become a Participating Governmental Entity in the Marion County Regional Wastewater Treatment Authority
17. Appointment of a member for the Marion County Regional Wastewater Treatment Authority
18. Ratify Applying for the Tennessee Energy Efficiency and Conservation Block Grant
19. Resolution 2010-06 – A Resolution of the Town of Kimball, Tennessee to Establish Eligibility for a Tennessee Energy Efficient and Conservation Block Grant
20. Sub-Recipient Title VI Assurance
21. Police Report
22. Fire Report
23. Park Board Report
24. Planning Commission Report
25. Sewer Report
26. Attorney Report
27. New Business
28. Adjourn

**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, JUNE 3, 2010**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, June 3, 2010 at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Jackson called the regular meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE

Mayor Jackson said the invocation over the meeting and led the Pledge of Allegiance.

ROLL CALL

Mayor Jackson asked Recorder May to call roll. Those present were: Mayor David Jackson, Vice-Mayor Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

On a motion by **Alderman Case**, seconded by **Vice-Mayor Pesnell** the Minutes of the Public Hearing and the Regular Monthly Board Meeting for May 6, 2010 were approved unanimously on a board vote.

OLD BUSINESS

Mayor Jackson had a couple of items under old business as follows:

- The street lights approved at last month's meeting have been installed at the park on Industrial Blvd.
- Penny Judd sent an email last Wednesday that stated all necessary TVA approvals have been completed for TDOT to begin construction for the interchange project. The project should be bid out during the summer with bids opened in the fall; however, Scott Medlin with TDOT will be contacted to confirm their plans on the project.

SCHEDULED AGENDA ITEMS

- a.) **1st Reading of Ordinance No. 209 – An Ordinance to Amend Ordinance No. 203 Concerning the Budget for the Fiscal Year 2009-2010 for the Town of Kimball, Tennessee**

After a brief explanation, Motion was made by **Alderman Case**, seconded by **Alderman Keef** to approve on 1st Reading of Ordinance No. 209 – An Ordinance to Amend Ordinance No. 203 Concerning the Budget for the Fiscal Year 2009-2010 for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

- b.) **1st Reading of Ordinance No. 210 – An Ordinance Adopting a Budget and Levying a Property Tax for the Fiscal Year July 1, 2010 – June 30, 2011 for the Town of Kimball, Tennessee**

Mayor Jackson stated the board had three workshops on the budget and the board had worked well together to complete the budget. Revenues and Fund Balances:

General Fund	\$1,974,550	General Fund Balance	\$1,017,707	State Street Aid Fund	\$34,050
State Street Aid Fund Balance	\$20,719	Drug Fund	\$1,500	Drug Fund Balance	\$1,653
Sewer Fund	\$85,000				
Expenditures:					
General Fund	\$2,205,887	State Street Aid	\$34,050	Drug Fund	\$1,500
Sewer Fund	\$85,000				

Property tax will be set at \$0.10 per \$100 of the assessed value. The Marion County Assessor of Property has sent a Calculation Form for Certified Tax Rate to adjust the town's property tax rate to \$0.0936; however, the town will be requesting the rate remain at \$0.10. The budget from last year had salary for another maintenance worker with these funds not being used; the board has decided to give all employees a 3% raise for the 2010-2011 fiscal year effective July 1, 2010.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve on 1st Reading of Ordinance No. 210 – An Ordinance Adopting a Budget and Levying a Property Tax for the Fiscal Year July 1, 2010 – June 30, 2011 for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

c.) Local Government Software and Hardware Contract for Fiscal Year 2010-2011 in the amount of \$12,808

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Payne** to approve the Local Government Software and Hardware Contract for Fiscal Year 2010-2011 in the amount of \$12,808. The motion passed unanimously on a board vote.

d.) Ratify the signing of the Audit Contract for period July 1, 2009 – June 30, 2010 with Johnson, Murphey & Wright, PC in the amount of \$21,174

Mayor Jackson stated there is a note in the contract that additional expenses will be incurred if the town has to have another audit due to the ARRA funding for the Regional Wastewater Treatment Authority. This expense would be reimbursable by the grant/loan if applicable.

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to Ratify the Mayor signing the Contract to Audit Accounts for the period from July 1, 2009 to June 30, 2010 with Johnson Murphey & Wright, PC in the amount of \$21,174. The motion passed unanimously on a board vote.

e.) Ratify South Pittsburg Water and Sewer bill for 6" Sewer Insertion Valve for Flow Meter, Labor and Equipment in amount of \$7,000

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to ratify the bill from South Pittsburg Water and Sewer for 6" Sewer Insertion Valve for Flow Meter, Labor and Equipment in amount of \$7,000. The motion passed unanimously on a board vote.

f.) Paving Nelson Lane

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve the paving of Nelson Lane by the Marion County Highway Department in the amount of \$19,600. The motion passed unanimously on a board vote.

g.) Re-appoint Joyce Tate to the Kimball Municipal Planning Commission

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to re-appoint Joyce Tate to the Kimball Municipal Planning Commission. The motion passed unanimously on a board vote.

h.) Re-appoint Rodger Ford to the Board of Zoning Appeals Committee

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to re-appoint Rodger Ford to the Board of Zoning Appeals Committee. The motion passed unanimously on a board vote.

i.) Marion County Regional Wastewater Treatment Facility Plant

Mayor Jackson stated there was a meeting on Friday, May 28, 2010 with the following in attendance: Mayor Killian, Mayor Simpson, Attorney Kelly, Attorney Wooden, Attorney Gouger, Susan Goldblatt, Donald Blansett, Bill Johnson and himself. During the meeting, those in attendance agreed to pay any upfront cost such as environmental, archeological, and surveying. The suggestion was made to pay these bills the same as the buying in to the plant 12% from Kimball, 34% from Jasper and 54% from South Pittsburg. The three towns would appoint members to the authority board using the same system.

Kimball's appointee would get a 1-year term, Jasper's appointee would get a 2-year term, and South Pittsburg's appointee a 3-year term. Attorney Gouger stated the meeting was a very productive meeting and that after the one, two and three year terms ended, each town would then appoint a person and the term would last for five years. The reason for this is to have the terms staggered so there would always be an experienced member on the Regional Wastewater Treatment Authority Board. Kimball Board of Mayor and Aldermen will always appoint the member to the authority and the town board by 2/3 vote has the authority to remove the member appointed if they so desire and appoint a new member. Also, there has been a solicitation for engineers to submit a resume to the town on the new facility.

j.) Resolution 2010-05 – A Resolution of the Town of Kimball, Tennessee to Become a Participating Governmental Entity in the Marion County Regional Wastewater Treatment Authority

Attorney Gouger stated that this resolution mirrors the requirements that are set forth in the statute, that the town will appoint one member to the authority for a one year term and thereafter be a five year term. The payment of money, transfer of authority, transfer of any equipment, and dedication of property will be deferred until the plant is completed. Once the plant is completed, another resolution will be done with the other cities involved to transfer ownership of all applicable items to the authority.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve Resolution 2010-05 – A Resolution of the Town of Kimball, Tennessee to Become a Participating Governmental Entity in the Marion County Regional Wastewater Treatment Authority. The motion passed unanimously on a board vote.

k.) Appointment of a member for the Marion County Regional Wastewater Treatment Authority

Mayor Jackson recommended appointing Mark Payne to the Marion County Regional Wastewater Treatment Authority for the one-year term.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Keef** to accept the Mayor's recommendation to appoint Mark Payne to the Marion County Regional Wastewater Treatment Authority. The motion passed unanimously on a board vote. Attorney Gouger will notify the other towns involved in the authority.

l.) Ratify Applying for the Tennessee Energy Efficiency and Conservation Block Grant

Mayor Jackson stated the grant application was due by May 21, 2010; all aldermen were notified and approved of the application prior to the Mayor signing the application. The project is to replace the high bay and fluorescent lighting in the fire hall. The fire hall will have solar panels installed if approved. The application is for \$107,000 of non-matching funding.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to ratify applying for the Tennessee Energy Efficiency and Conservation Block Grant. The motion passed unanimously on a board vote.

m.) Resolution 2010-06 – A Resolution of the Town of Kimball, Tennessee to Establish Eligibility for a Tennessee Energy Efficiency and Conservation Block Grant

Attorney Gouger explained that the resolution only requires the town to study the opportunity to implement the minimum residential building energy standards in the 2009 Clean Energy Future Act with the exception of its application to one-family and two-family dwellings.

Motion was made by **Alderman Case**, seconded by **Alderman Keef** to approve Resolution 2010-06 – A Resolution of the Town of Kimball, Tennessee to Establish Eligibility for a Tennessee Energy Efficiency and Conservation Block Grant. The motion passed unanimously on a board vote.

n.) Sub Recipient Title VI Assurance

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the Sub Recipient Title VI Assurance. The motion passed unanimously on a board vote.

POLICE REPORT

Alderman Keef gave an update on the Police Department as follows:

Litigation Tax	\$55.00
Court Costs	\$270.00
Fines	\$40.00
Report Fee	\$50.00
Sessions Court	\$181.45
Total	\$596.45

He wanted to commend Lt. Rowe on a quick recovery of Faye Lofty's purse that was taken from Wal-Mart and take into custody those that took the purse.

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for May 2010, the department responded to six calls for the month. The calls were two fire (vehicle fire at Daily's and fire alarm at Hotstuff Foods), one rescue and three mutual aid calls. The fire department hosted a meeting on Monday, May 24th for all the area fire chiefs. Gary West with MTAS and Roger Hawks, Executive Director, Tennessee Fire Service & Codes Enforcement Academy were here to discuss the minimum training requirements for firefighters. All the area chiefs attended with the exception of two. The meeting went well and several departments want to get their firemen trained to teach the classes.

PARK AND RECREATION BOARD REPORT

Alderman Keef stated the park board met at the concession stand and welcomed the new member Eddie Tipton. The waterline and conduit work has been completed to the concession stand. The town will be getting estimates for fencing. The park board recommends bidding out the new entrance, paving and striping after paving has been completed on the parking lot.

PLANNING COMMISSION REPORT

Alderman Case stated the board was given the annual performance report and recreation plan inventory. The planning commission meets the third Tuesday of every month at 6:00 pm.

SEWER REPORT

Alderman Payne gave a sewer report as follows: Mike has been working on the grease; however, the town needs to consider the FOG program since the town is still having wet well problems. Mike was to contact Dan Martin with TAUD to set up a meeting with Mr. Martin, the Board of Mayor and Aldermen and Attorney Gouger for June 25th. The flow meter has been installed and is working properly.

ATTORNEY REPORT

None

NEW BUSINESS

Alderman Payne wanted to compliment Lt. Rowe for his efforts on the recovery of his relative's purse. The family stated he was very businesslike, polite and gave advice for future.

Mayor Jackson had several items under new business as follows:

- Sales Tax for April 2010 was at \$241,637 with April 2009 at \$214,661 sales tax revenue was up \$26,976.

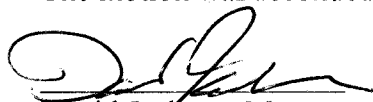
- June 12th, TWRA and Kimball will host the 2nd Free Fishing Day at the park on Industrial Blvd. The pond will be stocked with catfish. This event is for those 16 and under.
- In 2008, Kimball approved the New Flood Maps. However, there are still some problems with the maps in several locations in Marion County and all maps will have to be re-approved. The Mayors will review the flood maps on June 29 at 10:00 am and the Public Hearing will be held at 1:00 pm. Both meetings will be held at the County Commission Meeting Room. It is our understanding the town will be required to pass another flood map ordinance to approve these maps.
- There has been activity on the new motel. Mr. Garrett with James C. Hailey and Co. met with the Mayor to review the sewer plans and the engineers will have to add the flow meter and insertion valve to the plans since the motel has agreed to move the Main Pump Station upon the development of this new motel. The new location shows the valves set to the side in a vault not inside the wet well.
- Mr. Garrett with James C. Hailey Co. also reviewed the reversal of the lines and pump upon the completion of the new Marion County Regional Wastewater Treatment Plant. The estimated cost to reverse everything will be \$200,000; however, the town can add these expenses to the grant/loan.
- Next Friday, June 11, 2010, Stacy Morrison and Bentley Thomas with the State Planning Office will be at town hall to review Kimball's flood maps sent out by FEMA at 10:00 am.
- On June 18, 2010, the board and Attorney Gouger will be meeting with Thunder Enterprises at town hall at 10:00 am.
- On June 25, 2010, the board and Attorney Gouger will be meeting with Dan Martin with TAUD at town hall.
- The auditors will be at town hall on June 14th and June 15th for preliminary audit.
- The Kimball Municipal Planning Commission will be meeting on June 15th at 6:00 pm.
- June 18, 2010, the Governor's Highway Safety Office will be at town hall to audit the Coordinator's Grant the police department has for the 2009-2010 year.
- June 29, 2010, TIBRS will be at town hall auditing the work by the police department and Administrative Clerk Sharon Case.
- July 1, 2010 will be the next regular monthly board meeting.
- Finances

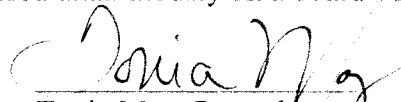
General Fund		Drug Fund	
Checking	\$ 160,753	Checking	\$ 1,653
Payroll	\$ 37,326	State Street Aid	
Savings	\$ 475,000	Checking	\$ 14,343
CD	<u>\$ 434,910</u>	Sewer Fund	
Total	\$1,107,989	Checking	\$ 78,053
		CD	\$ 75,561
		<u>Savings</u>	<u>\$ 101,027</u>
		Total	\$ 254,640

Grand Total	\$1,378,625
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ADJOURNMENT

As there was nothing further to come before the board, motion was made by **Alderman Case** to adjourn. The motion was seconded by **Alderman Payne**. The motion passed unanimously on a board vote.


David Jackson, Mayor


Tonia May, Recorder