

KIMBALL BOARD OF MAYOR AND ALDERMEN

**Monthly Board Meeting
Thursday, August 5, 2010 6:00 P.M.**

PUBLIC HEARING

1. Call to Order Public Hearing
2. Application for Financial Assistance with USDA / Rural Development for Regional Wastewater Treatment Facility Plant
3. Close Public Hearing

PUBLIC HEARING

1. Call to Order Public Hearing
2. Property Tax rate \$0.10 per \$100 of assessed value to exceed the Certified Tax Rate of \$0.0936 per \$100 of assessed value
3. Close Public Hearing

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 July 1, 2010 Minutes of Public Hearing and Regular Meeting
6. Old Business
7. Marion County Veterans Memorial Park Donation
8. Bid out Paving and Striping on Parking Lot at Park on Industrial Blvd through LPRF Grant
9. Bid out Field Cutting for Baseball/Softball Fields through LPRF Grant
10. Road Repairs to Kimball Cove Road due to issues left by Tinsley Paving
11. Ratify order from Belson Outdoors for tables, grill and trash receptacles for new Pavilion at Park on Industrial Blvd in the amount of \$6,813
12. Interlocal Agreement Between South Pittsburg, Kimball and Jasper
13. Agreement with Arcadis for Engineering Services for Marion County Regional Wastewater Treatment Facility Plant
14. Ordinance 211 – An Ordinance of the Town of Kimball, Tennessee to Adopt a Fats, Oils and Greases (FOG”) Control Program for the Improvement of the Town’s Sanitary Sewer System
15. Sewer to New Chattanooga State Technical Community College on Main Street
16. Earthworx, LLC regarding more Flood Map Study
17. Resolution 2010-07 - A Resolution to exceed Certified Property Tax Rate
18. Police Report
19. Fire Report
20. Park Board Report
21. Planning Commission Report
22. Sewer Report
23. Attorney Report
24. New Business
25. Adjourn

**MINUTES OF THE PUBLIC HEARING
BOARD OF MAYOR AND ALDERMEN
KIMBALL, TENNESSEE
TOWNHALL MEETING ROOM
THURSDAY, AUGUST 5, 2010– 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, August 5, 2010 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 Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

Mayor Jackson called the public hearing to order concerning the Application for Financial Assistance with USDA/Rural Development for the Marion County Regional Wastewater Treatment Facility Plant.

NEW BUSINESS

a) Application for Financial Assistance with USDA/Rural Development for the Marion County Regional Wastewater Treatment Facility Plant

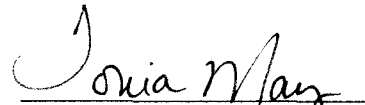
Mayor Jackson explained the funding stating that the town would be applying for a 45% grant and 55% loan with the loan being a 38 year term. The town will be getting approximately \$2 million dollars combination grant and loan. The funding will be for the new Marion County Regional Wastewater Treatment Facility Plant, reversal of all pumps and lines to the plant and the sewer line extension to the future Chattanooga State Community College on Main Street. The town will have the opportunity to pay back sooner if it finds a lower rate. PER that were required to be submitted have been turned in. Arcadis turned in the information on the Marion County Regional Wastewater Treatment Facility Plant. Mayor Jackson submitted the other two projects PER to Rural Development.

There was no comment by the public.

ADJOURNMENT

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


David Jackson, Mayor


Tonia May, Recorder

**MINUTES OF THE PUBLIC HEARING
BOARD OF MAYOR AND ALDERMEN
KIMBALL, TENNESSEE
TOWNHALL MEETING ROOM
THURSDAY, AUGUST 5, 2010– 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, August 5, 2010 at 6:02 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were: Mayor David Jackson, Vice-Mayor Rex Pesnell, Alderman John Keef, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

Mayor Jackson called the public hearing to order concerning the Property Tax Rate \$0.10 per \$100 of the assessed value to exceed the Certified Tax Rate of \$0.0936 per \$100 of assessed value.

NEW BUSINESS

- a) **2010 Property Tax Rate \$0.10 per \$100 of assessed value to exceed the Certified Tax Rate of \$0.0936 per \$100 of assessed value**

Mayor Jackson explained that the town would like to leave the Property Tax Rate for 2010 at \$0.10 per \$100 of the assessed value. The state has set the town's rate at \$0.0936; however, the town has budgeted for the \$0.10.

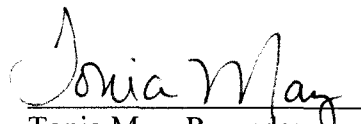
There was no comment by the public.

ADJOURNMENT

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



David Jackson, Mayor



Tonia May, Recorder

**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, AUGUST 5, 2010**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, August 5, 2010 after the public hearings which began 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 after the public hearings which began at 6:00 p.m.

INVOCATION AND PLEDGE

Mayor Jackson asked David Bible 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 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 **Alderman Payne** the Minutes of the Public Hearing and Regular Monthly Board Meeting for July 1, 2010 were approved unanimously on a board vote.

OLD BUSINESS

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

- The paving approved for Cedar Point Lane has been completed.
- The catch basin between town hall and the municipal building has been installed and is working properly.
- The annual meeting for the Marion County Partnership was held with Ed Fuller elected as Chairman and David Abbott elected as Vice-Chairman.
- TDOT will have a preconstruction meeting on Wednesday, August 11, 2010 at 9:00 am in Chattanooga concerning the interchange project. The Mayor will be attending for information on what the town can expect during the entirety of this project.

SCHEDULED AGENDA ITEMS

a.) Marion County Veterans Memorial Park Donation

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the donation to the Marion County Veterans Memorial Park in the amount of \$500. The motion passed unanimously on a board vote.

b.) Bid out Paving and Striping on Parking Lot at Park on Industrial Blvd through LPRF Grant

Mayor Jackson stated the town will be able to pave and stripe the parking lot at the park through the 50%-50% LPRF (Park Grant). John Graham with the Marion County Highway Department will help with the specifications on the paving. There will be a pre bid meeting held on August 27, 2010 at 10:00 a.m. to review the site and know what is required. The town will hire an independent company to do a compaction test after the gravels have been placed.

Motion was made by **Alderman Keef**, seconded by **Vice-Mayor Pesnell** to approve accepting bids for the paving and striping on parking lot at park on Industrial Blvd through the LPRF Grant with a pre-bid meeting on August 27, 2010 at 10:00 a.m. at the park parking lot with the town performing compaction testing prior to paving. The bids will be due September 2, 2010 at 4:00 p.m. and opened on September 2, 2010 at 6:00 p.m. The motion passed unanimously on a board vote.

c.) Bid out Cutting Infields for the Baseball/Softball Fields through LPRF Grant

The Mayor would like to bid out cutting infields for the Baseball/Softball Fields. The Mayor has the specifications on the project and this is recommended by the Park Board through the 50%-50% LPRF Grant.

Motion was made by **Alderman Keef**, seconded by **Alderman Payne** to approve accepting bids for cutting infields for the baseball/softball fields through the LPRF Grant. The bids will be due September 2, 2010 at 4:00 p.m. and opened on September 2, 2010 at 6:00 p.m. The motion passed unanimously on a board vote.

d.) Road Repairs to Kimball Cove Road due to issues left by Tinsley Paving

Mayor Jackson stated that Tinsley Paving did not feather the driveways off of the town's roadway during the paving for the sewer project. Lofty Paving has reviewed the project and has estimated that the cost will be between \$4,500 to \$5,000.

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve hiring Lofty Paving to fix the driveways needing repairs after the sewer project paving with an estimated cost of \$4,500 to \$5,000. The motion passed with Alderman Payne abstaining.

e.) Ratify order from Belson Outdoors for tables, grill and trash receptacles for new Pavilion at Park on Industrial Blvd in the amount of \$6,813

The Board of Mayor and Aldermen were all called prior to ordering the tables, grill and trash receptacles.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Keef** to ratify the order from Belson Outdoors for four (4) long tables, two (2) kids' tables, one (1) grill and four (4) trash receptacles for the new pavilion at park on Industrial Boulevard in the amount of \$6,813. The motion passed unanimously on a board vote.

f.) Interlocal Agreement Between South Pittsburg, Kimball and Jasper

Tracy Wooden the Attorney for South Pittsburg drafted an interlocal agreement for the three towns concerning the new regional wastewater facility. The Board of Mayor and Aldermen did have a workshop to review the agreement. There were some issues the board did not agree upon in the interlocal agreement as follows: having South Pittsburg and Jasper be a part of the agreement with Arcadis, cost not to exceed \$10.5 million dollars, break down and capacity rights were incorrect, and South Pittsburg wants the Town of Kimball to continue to help pay their debt once the new facility is complete.

Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to decline the interlocal agreement prepared by Attorney Tracy Wooden between South Pittsburg, Kimball and Jasper. Mayor Jackson requested a roll call vote as follows: Mayor Jackson Yes, Vice-Mayor Pesnell Yes, Alderman Case Yes, Alderman Keef Yes, and Alderman Payne Yes. The motion passed unanimously on a roll call vote.

Attorney Gouger has prepared a counter proposal. Attorney Gouger has sent a letter to the Mayor outlining all the changes. Attorney Gouger explained all the changes. Beth Jones with Southeast Tennessee Development District made some comments on the agreement.

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to adopt the revised interlocal agreement prepared by Attorney William Gouger, Jr. between South Pittsburg, Kimball and Jasper and forward the agreement to the other towns' attorneys. Mayor Jackson requested a roll call vote as follows: Mayor Jackson Yes, Vice-Mayor Pesnell Yes, Alderman Case Yes, Alderman Keef Yes, and Alderman Payne Yes. The motion passed unanimously on a roll call vote.

g.) Agreement with Arcadis for Engineering Services for Marion County Regional Wastewater Treatment Facility Plant

Mayor Jackson stated that the town has some concerns since there is no interlocal agreement approved. Arcadis has submitted all the proper paperwork that is necessary for the grants and loans for all towns involved. Attorney Gouger recommends going through with the engineering at this time without an interlocal agreement in place. To date, the work already prepared is estimated at \$45,000 for the engineering fees. The only way to dissolve the existing agreement would be to rescind the Resolutions already passed; therefore, Kimball and Arcadis can rely on the resolutions in place for the funding. Motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve the signing of the agreement with Arcadis for Engineering Services for the Marion County Regional Wastewater Treatment Facility Plant. The motion passed unanimously on a board vote.

h.) Ordinance 211 – An Ordinance of the Town of Kimball, Tennessee to Adopt a Fats, Oils and Greases (FOG) Control Program for the Improvement of the Town’s Sanitary Sewer System

The town will table this ordinance until the September meeting. The Board of Mayor and Aldermen met with the attorney and had a workshop on this ordinance. Attorney Gouger and Alderman Payne have been working to modify the ordinance.

i.) Sewer to New Chattanooga State Technical Community College on Main Street

Mayor Jackson stated that Marion County has set aside \$2.1 million dollars for the new Chattanooga State Technical Community College. The estimated project cost for a 30,000 square foot building is valued at \$3.6 million dollars. Marion County has considered building a 15,000 square foot building; however, Chattanooga State Technical Community College has stated they will not accept a building with less than 30,000 square feet. The town will need to decide whether to continue with the sewer design to the college site which is estimated at \$750,000 for the total sewer project. The funding for this project will be included in the Rural Development grant and loan. Motion was made by **Alderman Payne**, seconded by **Alderman Case** to continue to move forward on the sewer project to the new location for Chattanooga State Technical Community College on Main Street. The motion passed unanimously on a board vote.

j.) Earthworx, LLC regarding more Flood Map Study

Mayor Jackson stated that Dixie Brackett will be working on the flood map in the Mountain Meadows Lane area. Jim Hasting wants everyone to be informed that anyone can purchase Flood Insurance even if not located in a flood area. FEMA will have a class August 19, 2010. Mayor Jackson and Sharon Case will be attending. A motion was made by **Alderman Payne**, seconded by **Alderman Keef** to approve Earthworx, LLC to perform work concerning the flood maps for the Town of Kimball. The motion passed unanimously on a board vote.

k.) Resolution 2010-07 – A Resolution of the Town of Kimball, Tennessee to Levy a Tax Rate in excess of the Certified Property Tax Rate for Fiscal Year 2010-2011

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to approve Resolution 2010-07 – A Resolution of the Town of Kimball, Tennessee to Levy a Tax Rate in excess of the Certified Property Tax Rate for Fiscal Year 2010-2011. The motion passed unanimously on a board vote.

POLICE REPORT

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

Litigation Tax	\$102.25
TBI Fee	\$13.75
Court Costs	\$422.75
Fines	\$115.00
Report Fee	\$140.00
Sessions Court	\$400.42
Total	\$1194.17

Alderman Keef stated that the Police Department was in good shape.

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for July 2010. The department responded to four calls for the month. The calls were one grass fire at KFC, one spill at Daily's, one standby on West Bound I-24 entrance ramp and one mutual aid call. The fire department is working on the specifications for the new rescue truck.

PARK AND RECREATION BOARD REPORT

Alderman Keef stated the park board did not meet during July. The next meeting will be held on August 12, 2010 at 5:00 p.m.

PLANNING COMMISSION REPORT

Alderman Case stated the planning commission did not meet during July. The next scheduled meeting is August 17, 2010 at 6:00 p.m.

SEWER REPORT

Alderman Payne stated the pump at the sewer lift station on Dixie Lee Center Drive is down. The department will be working to get this station working properly. Mike Nelson stated the manhole I&I problems are being addressed; the manhole in the worst shape has been refurbished with the spray that is supposed to last 30-50 years. The company sprayed and sealed the manhole and it looks like fiberglass. If the town likes this process, the town has ten (10) more manholes to be sprayed plus the lift station on Nelson Lane.

ATTORNEY REPORT

None.

NEW BUSINESS

Alderman Case stated that the asphalt paving project near the junction appears to be creating some problems. TDOT has contracted with a company to remove the asphalt and prep for repaving. During the time between this removal of the pavement and the installation of the new pavement, the striping has been removed from the roadway. There is concern because the drivers do not know where to stop on stop lights.

A motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve the Mayor to send a letter to TDOT concerning some temporary striping on the roadway near the Hwy 2 intersection. The motion passed unanimously on a board vote.

Mayor Jackson had several items under new business as follows:

- Sales Tax for June 2009 was at \$230,720 with June 2010 at \$223,603. The sales tax revenue was down \$7,200 for the month of June.
- The town has received a thank you card from Ms. Lindsey Hutchins graduate of South Pittsburg High School for the Jere Davis Memorial Scholarship.
- The town has had a tractor in for repairs that picks up the brush. Since the tractor has been out of commission for several weeks, the town contracted with Danny Hibbs Construction Company for a backhoe and operator to pick up the brush through town. The backhoe rental was at \$60 per hour plus operator hours.

A motion was made by **Alderman Payne**, seconded by **Alderman Case** to ratify the bill from Danny Hibbs Construction Company for backhoe and operator usage in town in the amount of \$1,920. The motion passed unanimously on a board vote.

- Shoppers at Wal-Mart have noticed that the store has tax codes; the store separates grocery, clothing and other items. This is just a way that Wal-Mart breaks the taxes down per department. There is no separate city tax added to the receipt.
- The State Sales Tax Holiday will be held this weekend starting Friday, August 6 through Sunday, August 8 for qualifying purchases.
- Finances


General Fund		Drug Fund	
Checking	\$ 89,538	Checking	\$ 1,781
Payroll	\$ 37,479	State Street Aid	
Savings	\$ 600,863	Checking	\$ 19,325
CD	<u>\$ 434,910</u>	Sewer Fund	
Total	\$1,162,790	Checking	\$ 76,108
		CD	\$ 75,000
		<u>Savings</u>	<u>\$ 101,116</u>
		Total	\$ 252,224

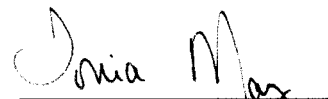
Grand Total	\$1,436,120
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- The town had a Certificate of Deposit mature for the Sewer Fund. Citizens Tri-County Bank was the highest bidder so the CD will remain with their bank at 1.85%.
- The town lost a good friend last month, Susan Goldblatt with the Southeast Tennessee Development District, when she was tragically killed in a car accident. She was a very nice, pleasant and easy to work with young lady. Our sympathy goes out to her family and co-workers.

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