
**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, FEBRUARY 3, 2011**

A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, February 3, 2011 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 asked Jerry Don 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 Rex Pesnell, Alderman Johnny Sisk, Alderman Jerry Don Case, Alderman Mark Payne and Attorney William Gouger, Jr.

APPROVAL OF MINUTES

Mayor Jackson stated the special called meeting on Wednesday, February 2, 2011 was to open bids on the rescue truck box. There were three bids submitted and the fire department took these bids and reviewed them.

On a motion by **Vice-Mayor Pesnell**, seconded by **Alderman Case** the Minutes of the Regular Monthly Board Meeting for January 6, 2011, and the Minutes of the Special Called Meeting for February 2, 2011 were approved unanimously on a board vote.

OLD BUSINESS

Alderman Sisk wanted more information concerning a marquee sign for the town. He stated the public would benefit from the sign to be updated on town meetings and other items for the town. Mayor Jackson stated these signs cost an estimated \$17,000-\$25,000 just for the sign. This does not include installation. Alderman Sisk would like for this issue to be reconsidered.

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

- The town received a deposit from the LPRF Grant in the amount \$27,201 for the park grant.
- The town received a thank you letter from the United Way for last year's donation.

SCHEDULED AGENDA ITEMS

a.) Anthony Pellam with James C. Hailey & Co. concerning Sewer

Anthony Pellam with James C. Hailey & Co. was at the meeting to discuss the check valve upgrade at the Lowe's Lift Station and the findings from the video mapping of a portion of the town's sewer lines. Mr. Pellam gave the board a drawing to show if the town decided to do a vault in the future; however, he recommended going to check valves similar to the one installed at the Main Lift Station pending the future upgrades to the sewer system. The Lowe's Lift Station would have two horizontal tilted disk check valves which would be reusable for the future upgrades if the town has to do a piping re-modification. By doing this method, the town will not have to submit any plans to the state. He also gave the board a color overview of the town with the man holes and sewer areas in need of repairs with a cost estimate of \$143,300. Anthony Pellam explained pictures that were made from the videoing performed and discussed the various issues in the town's sewer system. There was much discussion on this issue.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to approve James C. Hailey & Co. to develop the bid specifications to repair these damages in the sewer lines discussed tonight. The motion passed unanimously on a board vote.

b.) Review Beer Application from Mehul Patel for BAPA LLC DBA Raceway 843 for off premises sales

Chief Jordan stated the new owner's background check was clear.

Motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to approve the beer application for Mehul Patel for BAPA LLC DBA Raceway 843 for off premises sales. The motion passed unanimously on a board vote.

c.) Accept or Deny Bids on the Rescue Truck Box to be placed on town-provided 2011 cab and chassis

Mayor Jackson gave the bid quotes per bidders as follows: Custom Truck and Body \$91,950, Southern Emergency \$101,004, VT Hackney, Inc. \$128,081. Mayor Jackson stated Custom Truck and Body stated the proof of insurance was included in the bid submission; however, all these bids were opened publically and no documentation of the proof of insurance was found in the bid specification book nor in the bid documentation envelope. Fire Chief Keef addressed the board with all three bid documents. Of the three bidders, only one met all the bid specifications which was Southern Emergency Products, LLC. Attorney Gouger recommended that the only bidder meeting all the bid specifications was Southern Emergency.

After much discussion, a motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Payne** to accept the bid from Southern Emergency Products, LLC for the Rescue Truck Box that will be placed on the town-provided 2011 cab and chassis in the amount of \$101,004 contingent upon all specifications checking out. The estimated delivery time for the completed apparatus is to be 270 days after receipt and approval of the contract duly executed. The motion passed unanimously on a board vote.

d.) Mowing Service for the 2011 Year

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to accept bids for the 2011 mowing service. The potential bidders must attend a pre-mowing meeting on Friday, February 25, 2011 at 10:00 am. All bids must be submitted in a sealed envelope by Thursday, March 3, 2011 at 4:00 pm with bids being opened during the regular monthly board meeting Thursday, March 3, 2011 at 6:00 pm. The mowing contract will be from April 1, 2011 until October 31, 2011. Alderman Sisk would like to review the possibility of a hiring an employee versus the contract service. The motion passed unanimously on a board vote.

e.) Jere Davis Memorial Scholarships

Motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to approve the Jere Davis Memorial Scholarships. The town has budgeted \$4,000 for these scholarship. This is \$1,000 for one student from each of the four high schools in Marion County. The recipients must attend Chattanooga State Technical Community College. The motion passed unanimously on a board vote.

f.) Ratify the bill from North American Salt Company in the amount of \$1,508.65 for 23.21 tons of salt for street use

Motion was made by **Alderman Case**, seconded by **Alderman Sisk** to ratify the bill from North American Salt Company in the amount of \$1,508.65 for 23.21 tons of salt for street use. The motion passed unanimously on a board vote.

g.) Ratify the order from WeeTek Inc. for purchase of 6 month supply of Sewer Enzyme Booster Chemicals in the amount of \$1,777.20

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to ratify the order from WeeTek Inc. for the purchase of 6 months supply of Sewer Enzyme Booster Chemicals in the amount of \$1,777.20. The motion passed unanimously on a board vote.

h.) Ratify Sewer Bill from South Pittsburg Water and Sewer Company in the amount of \$4,422.63

Motion was made by **Alderman Case**, seconded by **Alderman Sisk** to ratify the bill from South Pittsburg Water and Sewer Company in the amount of \$4,422.63 for I&I sewer charges. The motion passed unanimously on a board vote.

i.) Ratify Sewer Bill from Southeast Company Inc. in the amount of \$2,418 for installing check valve at Main Sewer Lift Station

Motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to ratify the bill from Southeast Company Inc. in the amount of \$2,418 for installing a check valve at the Main Sewer Lift Station. This repair may cut down on the I&I cost due to the sewer being pumped through the lift station three times. The motion passed unanimously on a board vote.

j.) Resolution 2011-03 – A Resolution Revoking and Rescinding Resolution 2010-03 Dated May 6, 2010 and Resolution 2010-05 Dated June 3, 2010; Both Resolutions Relating to Kimball’s Participation as a Governmental Entity in the Marion County Regional Wastewater Treatment Authority

Attorney Gouger explained that this resolution will revoke the resolutions from last year which included South Pittsburg, Jasper and Kimball as members of the Marion County Regional Wastewater Treatment Authority. South Pittsburg made a decision to not be in the Marion County Regional Wastewater Treatment Authority. If Kimball and Jasper plan to proceed with a separate regional authority, then both towns will need to terminate the resolutions designed to create the three city regional authority.

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve Resolution 2011-03 – A Resolution Revoking and Rescinding Resolution 2010-03 Dated May 6, 2010 and Resolution 2010-05 Dated June 3, 2010; Both Resolutions Relating to Kimball’s Participation as a Governmental Entity in the Marion County Regional Wastewater Treatment Authority. The motion passed unanimously on a board vote.

k.) Resolution 2011-04 – A Resolution of the Town of Kimball, Tennessee Supporting Participation with the Town of Jasper, Tennessee in a Regional Wastewater Treatment Plant Having a Capacity up to 1.5 Million Gallons Per Day and Authorizing Submission of a U.S. Rural Development Application for Grant and/or Loan Funding and Selecting CTI Engineers, Inc., as the Project Engineer

Attorney Gouger explained that this resolution will be the authority for the Town of Kimball to do all the things set out in the resolution with the Town of Jasper. This resolution is to create a new Regional Wastewater Treatment Authority with the participating towns of Jasper and Kimball. Its purpose will be to upgrade and add to Jasper’s existing sewer treatment plant at a cost of approximately \$5.7 million, with plant cost split equally between the two towns, the authorization to apply for a U.S. Rural Development Application for 45% Grant and 55% Loan Funds, and hiring CTI Engineers, Inc. to become the engineers for record of this project which replaces the previous authorized engineers (Arcadis) and authorizes the Mayor to execute any documentation necessary to carry out the intent of this resolution.

Motion was made by **Alderman Payne**, seconded by **Alderman Case** to approve Resolution 2011-04 – A Resolution of the Town of Kimball, Tennessee Supporting Participation with the Town of Jasper, Tennessee in a Regional Wastewater Treatment Plant having a capacity up to 1.5 million gallons per day and authorizing submission of a U.S. Rural Development application for Grant and/or Loan funding and selecting CTI Engineers, Inc., as the project engineer. The motion passed unanimously on a board vote. There was some discussion on this issue concerning the resolution.

l.) Regional Wastewater Treatment Plant

Mayor Jackson stated the prior engineers and work performed is void with the new formation. The Town of Jasper is now the lead on the project and will work with the new engineering firm hired.

m.) Kimball-Jasper Interlocal Agreement for Sewage Treatment Plant

Attorney Gouger explained the highlights of the draft agreement as follows: the first page sets up the background under which the two towns anticipate contracting with one another to build this new addition to Jasper's existing plant and to create this new regional authority having only these two municipalities as members. Page three is the contract portion of the document. The cost will be split equally between the Town of Kimball and the Town of Jasper and the capacity of the plant will have the Town of Kimball owning 1/3 capacity and the Town of Jasper owning 2/3 capacity. The Town of Jasper Board of Mayor and Aldermen has approved the agreement and authorized Mayor Billy Simpson to sign the agreement subject to approval by the Town of Kimball. Jasper feels the cost split equally and the capacity split 1/3 Kimball and 2/3 Jasper is fair and equitable due to Jasper transferring its existing plant, land and outfall line to the regional authority at no cost. The outstanding debt as of 2011 is approximately \$527,000 for the sewer plant owned by Jasper. If the town agrees to the terms of the contract, the newly created regional authority would assume the remainder of the approximate \$527,000 debt plus 55% of the \$5.7 million dollar additional cost for the upgrades. The regional authority would assume approximately \$3.6 million dollar debt. The principal payment is approximately \$33,000 per year on the existing debt. Of course the regional authority will assume this debt once the plant is completed. The rough estimate yearly payment for 38 years will be \$125,000 debt payment for the regional authority. There was expressed concern over the capacity. The board wants to know gallons per day available to the Town of Kimball instead of 1/3 capacity. The attorney prefers the gallons per day in a contract instead of the 1/3 to 2/3 capacity language. Another concern the attorney has is the town has no way to get out of the contract at this time. He prefers a clause in the agreement to cancel the towns involvement up until the construction of the project starts. The board members concerns are gallons per day, clause to end the contract up to point construction begins and documentation from TDEC showing the ability to permit up to 1.5 million gallons per day plus upgrades required in getting to this capacity. The board wants Attorney Gouger to address these issues with Jasper's attorney. Rural Development will need the new Resolutions to start the paperwork process on the grant/loans for the applications to be processed.

After much discussion, a motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to table the Kimball-Jasper Interlocal Agreement for Sewage Treatment Plant until the next meeting. The motion passed unanimously on a board vote.

n.) Purchase from GHSO Grant

Chief Jordan stated the flashlights currently in use are the ones that came when the town purchased the cars. The Police Department would like to make a purchase from the GHSO High Visibility Grant for nine flashlights in the amount of \$1,251 from Hero Gear. This grant is a 100% grant with no local match.

Motion was made by **Alderman Case**, seconded by **Alderman Sisk** to approve the purchase of nine flashlights for the police department using funding from the GHSO High Visibility Grant with purchase being made from Hero Gear in the amount of \$1,251. The motion passed unanimously on a board vote. Alderman Case stated the town receives a benefit from the GHSO Coordinator's Grant which is \$15,000 for overtime usage, equipment and Sergeant Webb's travel expenses, plus the town received an additional \$5,000 for the High Visibility Grant to be used for equipment.

POLICE REPORT

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

Litigation Tax and Training Fees	\$44.25
Court Costs	\$183.75
Fines	\$20.00
Report Fee	\$130.00
Sessions Court	\$183.35
Total	\$561.35

FIRE REPORT

Vice-Mayor Pesnell gave the fire report for January 2011. The department responded to seven calls for the month which were a rescue, two fires and four mutual aids. Chief Keef wanted to thank everyone for the work on the rescue truck and thank the board for allowing the purchase. Vice-Mayor Pesnell stated the Fireman's Dinner would be February 5, 2011 beginning at 6:00 pm at the fire hall.

PARK AND RECREATION BOARD REPORT

Alderman Sisk gave the park board report as follows: soccer registration will be held on February 5, 2011 and February 12, 2011 from 9:00 am until 12:00 pm and the next park board meeting will be held on Thursday, February 10, 2011 at 5:00 pm.

PLANNING COMMISSION REPORT

Alderman Case stated the planning commission meeting for the month of January was cancelled. The planning commission meeting for this month is scheduled for Tuesday, February 15th at 6:00 pm.

SEWER REPORT

Alderman Payne stated he had nothing further on sewer.

ATTORNEY REPORT

None.

NEW BUSINESS

Alderman Sisk stated he had been talking with Mike Nelson concerning a snow plow for the truck. Mike Nelson has checked with Cherokee Truck Equipment concerning this equipment. The street department will consider adding this equipment to their budget request for the 2011-2012 fiscal year.

Mayor Jackson had items under new business as follows:

- The town had a certificate of deposit come up for renewal for \$75,000 Sewer Funds that was with Citizens Tri-County Bank. All banks were given the opportunity to bid. The winner of the bid was Citizens Tri-County Bank at 1.35% the funds will remain at this bank.
- The town needed to ratify a bill from E.H. Marsh for a new central unit for the Police Department in the amount of \$4,300.

Motion was made by **Alderman Case**, seconded by **Alderman Payne** to ratify the bill from E.H. Marsh for the new central unit for the police department in the amount of \$4,300. The motion passed unanimously on a board vote.

- The town will be required to comply with the Certified Municipal Finance Officer Law. The town falls into the Tier 3 class which has until January 2013 to have a certified Certified Municipal Finance Officer. Tier 3 is for communities with \$5 million dollar or less budgets. Tonia May will begin the training this month.
- Sales Tax for November 2009 was at \$221,698 with November 2010 at \$220,239. The sales tax revenue was down approximately \$1,400 for the month.
- March 18-19, the Tennessee Valley Working Dog Association will have a competition at the Pavilion at the Park on Industrial Boulevard. There will be people from all areas of the United States in attendance competing in a variety of events for these working dogs. On Saturday, March 19, 2011, there will be attack dogs on the grounds. The owners of these dogs are required to keep the dogs secure in cages until their time to compete. The attorney has reviewed the agency's insurance policy and stated they have the required insurance for this event. The event will be open for the public to attend.
- The town has received confirmation that the Comptroller's Office received the 2009-2010 fiscal year audit from Johnson, Murphey and Wright.
- There will be a ribbon cutting held at 10:00 am tomorrow at Heart Realty for First Financial of Tennessee. All board members are invited to attend.
- Members from Marion County Education Committee, County Mayor John Graham, State Representative Bill Harmon, Senator Andy Berke, and Mayor Jackson met in Nashville concerning the future Chattanooga State Technical Community College growth in Marion County. These members met with Chancellor John Morgan concerning what Marion County could do to seek funding for the future progress of the school. There will be a meeting with county officials, the Board of Regents Representatives, and Chattanooga State Technical Community College Representatives to verify the schools need and funding available.
- There was a meet and greet session on Wednesday with Congressman Scott Desjarlais, the Mayors of Marion County and Warren County Mayors. During this session, the funding for the Chattanooga State project was discussed as well as the Rural Development funding on the Regional Wastewater Treatment Plant.
- The Marion County Partnership met today. Municipalities, private members and companies pay a membership to help promote the county. The Southeast Tennessee Development District had an overlay map of available properties in Marion County for Industrial and Commercial Growth. The partnership will be meeting the first Thursday of every even calendar month. Ed Fuller, Chairman of the Marion County Partnership, and County Mayor John Graham have been working to establish a good relationship with Hamilton County's Chamber of Commerce. Ed Fuller will be a good chairman of the partnership. County Mayor John Graham is working to build relationships throughout Tennessee.
- County Mayor John Graham wants to have a meeting with all the Mayors in Marion County within the next couple of weeks.

- The town will have a special called meeting, next Thursday, February 10, 2011 at 4:30 pm to review two beer permit applications. One for the new Mexican restaurant and the other for the former Mike's Place.
- Finances

General Fund		Drug Fund	
Checking	\$ 133,955	Checking	\$ 2,815
Payroll	\$ 1,561	Sewer Fund	
Savings	\$ 463,559	Checking	\$ 71,109
CD	<u>\$ 435,000</u>	CD	\$ 75,583
Total	\$1,034,075	Savings	<u>\$ 101,678</u>
State Street Aid		Total	\$ 248,370
Checking	\$ 16,152		

Grand Total	\$1,301,412
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- The town office staff, Tonia, Sharon and Debbie, has been working on The Bass Federation Event. The event coordinators will be visiting our town soon. The hotels have been reserved by the Bass Federation for this event.

Citizen Lamar Manis wanted to thank the Street Department, Mike Nelson and crew, for doing a good job each time the town has had snow and ice to deal with. Vice-Mayor Pesnell stated he had received lots of nice compliments on the good job the Street Department did during these conditions.


Mayor Jackson stated over the past two years the town spent \$20,442 on police car repairs. This total was lower than he had anticipated. Citizen John M. Keef stated the transmission he authorized while in office was put in a car that only had 70,000 miles. It appears this model and year of car have bad transmissions.

The next regular monthly board meeting will be March 3, 2011.

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 Sisk**. The motion passed unanimously on a board vote.


 David Jackson, Mayor


 Tonia May, Recorder