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**MINUTES OF THE PUBLIC HEARING  
KIMBALL, TENNESSEE  
THURSDAY, OCTOBER 6, 2011– 6:00 P.M.**

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A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, October 6, 2011 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 Jerry Don Case, Alderman Johnny Sisk and Attorney William Gouger, Jr.

Mayor Jackson called the public hearing to order for Ordinance Number 216 – An ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee.

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**NEW BUSINESS**

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- a) **Ordinance No. 216 – An Ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee**

Mayor Jackson explained the ordinance and the reason for the amendment.

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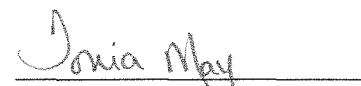
**ADJOURNMENT**

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

  
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David Jackson, Mayor

  
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Tonia May, Recorder

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**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, OCTOBER 6, 2011**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, October 6, 2011 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Jackson called the regular meeting to order after the public hearing held at 6:00 p.m.

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**INVOCATION AND PLEDGE**

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Mayor Jackson requested Mr. Ronnie Case say the invocation over the meeting.

Mayor Jackson led the Pledge of Allegiance.

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**ROLL CALL**

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Mayor Jackson asked Recorder May to call roll.

Those present were: Mayor David Jackson, Vice-Mayor Rex Pesnell, Alderman Jerry Don Case, Alderman Johnny Sisk and Attorney William Gouger, Jr. Alderman Mark Payne was absent.

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**APPROVAL OF MINUTES**

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Mayor Jackson informed the public that the special called meeting was concerning a beer application for Isabella's Barbecue and Steaks which was approved. The only other business discussed was sewer concerns. No decisions were made.

On a motion by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** the Minutes of the Regular Monthly Board Meeting for September 1, 2011 and Minutes of the Special Called Meeting for September 14, 2011 were approved unanimously on a board vote.

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**OLD BUSINESS**

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Vice-Mayor Pesnell gave a report on the extermination of the bats at the Maintenance Building and Fire and Rescue Department Building. As of now, the first attempt did not remove all these creatures; however, the company has been contacted and returned to make another attempt at the process of extermination.

Mayor Jackson had a few items under old business as follows:

- The town has been notified that the Tree Grant applied for through the State of Tennessee has been approved. This will be a 50%-50% grant with the state contributing \$3,170 and the town matching this amount.
- The State has approved Sowder Electric Company's Bid for the Lighting of Field 1 through the LPRF grant.
- The town has moved town funds to a variety of banks within Marion County to be FDIC insured with the exception of the Certificate of Deposit which matures October 18, 2011. This will be moved on the date of maturity to a bank based upon sealed bids with the highest interest rates and pledged security for these funds for a one year term. Mayor Jackson read the financial statement stating where all funds were located.

## **SCHEDULED AGENDA ITEMS**

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**a.) James Garrett with James C. Hailey and Co. concerning change order on Contract 111-Sewer System Rehab**

James Garrett attended the meeting for Anthony Pellam. He addressed the board concerning the sewer system rehab change order. Mr. Garrett gave the board a copy of the change order and explained the reason for the changes. The project encountered several unforeseen obstacles, namely the excessive trench excavation due to boulders and the location(s) of the Gas and Water Lines almost directly above Kimball's Gravity Sewer that necessitated significant overruns in crushed stone. Further the SR 2 Crossing necessitated basically an Emergency response to Open Cut crossing and then deal with all of TDOT's requirements to repair the road. The change order amounted to a total of \$60,266.29. The original cost including the addendum was \$139,655.50 with the change order the new cost will be \$199,921.79.

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve Change Order No. 1 for Contract 111- Sewer System Rehab Project with Henley Construction Company in the amount of \$60,266.29. The motion passed unanimously on a board vote.

**b.) 2<sup>nd</sup> and Final Reading of Ordinance No. 216 – An Ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee**

Motion was made by **Alderman Sisk**, seconded by **Alderman Case** to approve on 2<sup>nd</sup> and Final Reading Ordinance No. 216 – An Ordinance to Amend the Official Zoning Ordinance to Maintain Eligibility in the National Flood Insurance Program for the Town of Kimball, Tennessee. The motion passed unanimously on a board vote.

**c.) Ratify Bill from Brown Electric for Replacing Lights in the Fire Hall in the amount of \$4,780**

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to ratify the bill from Brown Electric for replacing the lights in the fire hall in the amount of \$4,780. The motion passed unanimously on a board vote.

**d.) Ratify Bill from Raulston Collision Center for repairs to Car #87 in the amount of \$1,899.60**

Motion was made by **Alderman Sisk**, seconded by **Alderman Case** to ratify the bill from Raulston Collision Center for repairs to Car #87 in the amount of \$1,899.60. The motion passed unanimously on a board vote.

**e.) Duplicator Supply Equipment Management Agreement for copier usage**

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve Duplicator Supply Equipment Management Agreement for copier usage. The motion passed unanimously on a board vote.

**f.) Resolution 2011-09 – A Resolution to Establish a Town of Kimball, Tennessee Debt Management Policy in Accordance with Tennessee State Funding Board Directive**

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to approve Resolution 2011-09 – A Resolution to Establish a Town of Kimball, Tennessee Debt Management Policy in Accordance with Tennessee State Funding Board Directive. The motion passed unanimously on a board vote.

**g.) Health Insurance Increases**

Mayor Jackson stated that the town has been notified by the State of Tennessee Benefits Administration that their board has approved an increase for health insurance effective January 1, 2012 in the amount of 7.6%.

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve the new health insurance rates through the State of Tennessee plan. The motion passed unanimously on a board vote.

**h.) Long Term Care Insurance Program**

Attorney Gouger stated that this is an opportunity provided by the state to all local governments to opt into the long term care insurance program. This insurance is a benefit to assist participants when an individual develops a need for assisted living, nursing home care or in home care. This insurance would become available when a covered person has a need for care for at least 90 days with at least two of the basic daily activities. The state has requested that any local government interested in participating complete the form and send in notifying of interest to allow for the employees to have a payroll deduction. There will be an open enrollment period of 90 days which will be available to all employees upon enrollment.

Motion was made by **Alderman Sisk**, seconded by **Alderman Case** to approve the participation in the Long Term Care Insurance Program offered through the State of Tennessee with participants being responsible for the total premiums. The motion passed unanimously on a board vote.

**i.) Municipal Regional Planning Commission**

Mayor Jackson stated that the Kimball Municipal Planning Commission recommends that the board start the process to convert to a Municipal Regional Planning Commission. A Municipal Regional Planning Commission will have a 9 member board with 2 members living in the new area; this will allow for enforcement of subdivision regulations outside the city limits which will assist in controlling land development that could impact our town.

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to approve the town proceeding to convert to a Municipal Regional Planning Commission. The motion passed unanimously on a board vote.

**j.) Discuss Expanding Urban Growth Plan**

Chad Reese with Southeast Tennessee Development District is preparing the boundary and description for the expansion. The board will discuss this after reviewing these documents.

**k.) Discuss Purchasing 50 White Oak Trees and 50 Tulip Poplar Trees at the park from Stewart's Nursery through the TAEP Community Tree Planting Project Grant**

Motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve the town to purchase 50 White Oak Trees and 50 Tulip Poplar Trees for \$2,500 from Stewart's Nursery on November 15, 2011 to be planted at the park through the TAEP Community Tree Planting Project Grant. The motion passed unanimously on a board vote.

**l.) Discuss approving Jason Collins Construction to plant and mulch the 100 trees at the park through the TAEP Community Tree Planting Project Grant**

Motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to approve Jason Collins Construction to plant and mulch the 100 trees at the park through the TAEP Community Tree Planting Project Grant after the trees arrive on November 15, 2011 for \$3,600. The motion passed unanimously on a board vote.

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**POLICE REPORT**

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

Litigation Tax and Training Fees	\$103.25
Court Costs	\$431.75
Fines	\$80.00
Report Fee	\$50.00
Sessions Court	\$227.52
<b>Total</b>	<b>\$892.52</b>

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**FIRE REPORT**

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Vice-Mayor Pesnell gave the fire report for September 2011; the department had six calls during the month. There were two vehicle fires, two mutual aids, one smoke removal, and one signal nine (cancelled in route). The new rescue truck was brought through town last month before being taken to Georgia for some final touchups before the delivery date sometime in October.

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**PARK AND RECREATION BOARD REPORT**

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Alderman Sisk had no report.

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**PLANNING COMMISSION REPORT**

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Alderman Case stated the planning commission meeting for the month of September was held on Tuesday, September 20, 2011. On the agenda was the process for amending the Urban Growth Boundary. Changing the planning commission to a Municipal Regional Planning Commission was also discussed. The board approved to move forward with both items. The planning commission and BZA will be attending their annual required training on Tuesday October 25, 2011. The next planning commission meeting is scheduled for Tuesday, October 18, 2011 at 6:00 pm.

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**SEWER REPORT**

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Mike Nelson stated the sewer project has been completed.

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**ATTORNEY REPORT**

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Attorney Gouger had no business.

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**NEW BUSINESS**

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Alderman Case discussed the shopping center traffic signage painted on the asphalt. Mayor Jackson will contact the shopping center representative concerning this issue.

Vice-Mayor Pesnell stated there had been some concerns over the cars that appear to be abandoned in the shopping center parking lot. It was pointed out that one of the tenants may have repossessed these vehicles. Mayor Jackson will address this with the shopping center representative when contacting them concerning the other issue.

Mayor Jackson had items under new business as follows:

- Sales Tax for August 2011 \$240,710.77 this is up \$17,014.30 from August 2010.
- Kimball Soccer League will host the Soccer Games Saturday October 15 and October 22.
- The town will have its 2<sup>nd</sup> Trunk or Treat on Saturday October 29 from 5:00 until 8:00 pm and Citizens State Bank will be sponsoring a Movie "Monster House" beginning around 7:30

pm in the field at the Park on Industrial Blvd. Citizens and Businesses are encouraged to participate in this event.

- The baseball/softball fields have been constructed; however, the town does not have a piece of equipment to drag the fields to maintain the infields properly. Tractor Supply has a utility vehicle on sale for \$2,500 that could do the job and also be used by the maintenance department for other jobs throughout town.

Motion was made by **Alderman Case**, seconded by **Alderman Sisk** to purchase a utility vehicle from Tractor Supply Company for \$2,500. The motion passed unanimously on a board vote.

- Finances

<b>General Fund</b>		<b>State Street Aid</b>	
Checking	\$ 48,707	Checking	\$ 22,540
Payroll	\$ 44,511	<b>Drug Fund</b>	
Savings FVB	\$ 76,144	Checking	\$ 2,386
Savings FJB	\$ 169,000	<b>Sewer Fund</b>	
Savings PSB	\$ 245,047	Checking	\$ 61,961
CD	\$ 437,841	CD	\$ 76,000
Total	\$1,021,250	<u>Savings</u>	\$ 102,044
		Total	\$ 240,005
<b>Grand Total</b>		<b>\$1,286,181</b>	

Fire Chief Keef wanted to request that the park closed sign be modified at the previous entrance due to people not reading the other sign that directs people to enter through Lofty Drive. Mayor Jackson stated the sign will be modified.

Alderman Case wanted to know about the interstate tower lights being off. Mayor Jackson stated the interstate work damaged the lines going to the tower lights; however, the contractors stated the lines were not as deep as the plans designated. The state is working to correct this and will be having this fixed.

Mike Nelson wanted clarification concerning the law on cats. It was stated that the town's leash law applies to dogs and cats.

Mayor Jackson encouraged everyone to go to the Jasper Jaycees Boat Races on Saturday October 8 and Sunday October 9 at the Marion County Park.

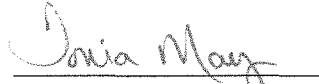
Mayor Jackson will be meeting with David Daniels the TBF Tennessee State President to consider the town hosting a state fishing tournament.

The next monthly meeting will be Thursday, November 3, 2011 6:00 pm.

**ADJOURNMENT**

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

  
David Jackson, Mayor

  
Tonia May, Recorder