

KIMBALL BOARD OF MAYOR AND ALDERMEN

Special Called Meeting Thursday, February 13, 2014 at 5:30 P.M.

1. Call to Order Special Called Meeting of Kimball Board of Mayor and Aldermen concerning Concessions Contract Bids and any other pertinent business that may come before the board.

2. Roll Call

Mayor Jackson	Vice-Mayor Pesnell	Alderman Payne
Alderman Case	Alderman Sisk	Attorney Gouger

3. Review Concessions Contract Bids

4. Any Other Properly Presented Business

5. Adjourn

**MINUTES OF THE SPECIAL CALLED MEETING
KIMBALL, TENNESSEE
THURSDAY, FEBRUARY 13, 2014**

A special meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, February 13, 2014 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Jackson called the special meeting to order at 5:30 p.m. concerning concessions contract bids and any other pertinent business that may come before the board.

ROLL CALL

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.

SCHEDULED AGENDA ITEMS

a.) Any Other Properly Presented Business

Anthony Pelham, with James C. Hailey and Company, attended the meeting to address some issues with Contract 113 – Sewer System Additions EDA No. 04-01-06667. This will be Change Order No. 1 which addresses the following: correcting typo number of manholes to a total of eight (8), furnish and install extra manhole depth – for six (6) manholes, increase stone from 50 tons to 400 tons for roadway and add item stone for additional roadway and RIP-RAP for bank stabilization proposing 200 tons. The estimated cost for Change Order No. 1 is \$29,900. The new contract price including this change order no. will be \$341,443.36. Mr. Pelham provided the board with a list and breakdown of each. This Change Order requires the contractor, Mr. Lofty and the Mayor's signature upon approval then submittal to EDA for concurrence.

A motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve Change Order No. 1 for Contract 113 – Sewer System Additions EDA NO. 04-01-06667 to increase the contract price by \$29,900 for a total contract price of \$341,443.36. The motion passed unanimously on a board vote.

Mr. Pelham also wanted to address the existing 8" sewer line on Industrial Boulevard which this new line will tie into upon completion. The line will need to be tested. It was recommended to do a letter of intent not to exceed \$30,000 to be itemized for time and materials validating the integrity of the line on Industrial Boulevard.

A motion was made by **Alderman Sisk**, seconded by **Alderman Case** to approve a letter of intent not to exceed \$30,000 validating the integrity of the line on Industrial Boulevard and the town will do a change order based on time and materials for this sewer line. The motion passed unanimously on a board vote.

Mr. Pelham stated that the town has included in the paperwork provided by him a letter from Lofty Construction Company requesting an eight (8) week extension of time because of weather. Mr. Pelham stated he could verify that the weather had been an issue on this project.

A motion was made by **Alderman Case**, seconded by **Vice-Mayor Pesnell** to approve the request for the eight (8) week extension on Contract 113 – Sewer System Additions EDA NO. 04-01-06667 for Lofty Construction Company. The motion passed unanimously on a board vote.

b.) Review Concessions Contract Bids

Mayor Jackson stated the town had the concessions contract bid packet information picked up by one individual Sue Stephens. Mrs. Stephens made contact and stated she could not get workers compensation insurance; therefore, no bids were returned. Attorney Gouger stated that since the town has solicited bids publicly, now the town can negotiate with anyone the town decides upon to operate the concessions program. After discussion among the board, the consensus was for the Mayor to pursue an agreement with Mrs. Stephens.

c.) Any Other Properly Presented Business

Mayor Jackson stated that Ralph Durham has been off work for a couple of months. The town has no job available for him to perform based on his restrictions which limits his work performance at this time. This is a hard decision to make because Ralph has been a good employee for many years. Mayor Jackson recommended releasing Ralph Durham from employment effective March 2, 2014. Attorney Gouger stated the town had made reasonable accommodations for Ralph Durham to maintain employment to this point based on his limitations. However, due to his physical limitations, the town can release him due to the limited availability of work. The town has made reasonable attempt to accommodate Ralph with a position; however, there is nothing available based on his limitations. Attorney Gouger had spoken with Mr. Durham's lawyer and she stated Mr. Durham is under the weather tonight so that is why he is not present at the meeting.

A motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Case** to approve the release of Ralph Durham from employment effective March 2, 2014. The motion passed unanimously on a board vote.

The town is scheduled to interview four (4) potential candidates for a position in the maintenance department. The interviews will be at 5:15 pm, 5:30 pm, 5:45 pm and 6:00 pm on Monday, February 17, 2014.

Mayor Jackson recessed the meeting on Thursday, February 13, 2014 and will reconvene the meeting on Monday, February 17, 2014 at 6:30 pm to consider hiring a maintenance department employee.

Mayor Jackson reconvened the meeting from Thursday, February 13, 2014 on Monday, February 17, 2014 at 6:35 pm. Those present were Mayor David Jackson, Vice-Mayor Rex Pesnell, Alderman Jerry Don Case, Alderman Mark Payne and Alderman Johnny Sisk. Attorney William Gouger, Jr. was absent. Also present was Recorder Tonia May.

Mayor Jackson stated the Board of Mayor and Aldermen had interviewed the following for a position at the maintenance department: Josh King, Dustin Whitcher, Joe Findley and Flint Woodfin.


A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to hire Joe Findley for the maintenance department position. The motion passed unanimously on a board vote.

Mayor Jackson informed the board that Mike Partin with the Sequachee Valley Electric Cooperative had stated their company could allow the town to borrow \$400,000 at 2% for 7 years for the sewer extension project to the college site with the possibility of up to \$750,000 at 2% for 7 years on this project.

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