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**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, AUGUST 14, 2014**

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A regular meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, August 14, 2014 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.

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**INVOCATION AND PLEDGE**

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Mayor Jackson said the invocation over the meeting.

Mayor Jackson requested Vice-Mayor Pesnell to lead 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 Mark Payne, Alderman Johnny Sisk and Attorney William Gouger, Jr. Alderman Jerry Don Case was absent.

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**APPROVAL OF MINUTES**

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On a motion by **Alderman Sisk**, seconded by **Vice-Mayor Pesnell** the Minutes of the Regular Monthly Board Meeting for July 10, 2014 were approved unanimously on a board vote.

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**OLD BUSINESS**

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Alderman Payne wanted to commend Police Officer Brent Hubbard publicly for his efforts of going above and beyond the duties of a police officer when addressing a situation involving an elderly lady. He also stated that State Representative Bill Spivey has been in contact with him concerning the Interstate signs for Huntsville/Scottsboro. This should help assist the motorist and truck traffic that is currently using the wrong exit when traveling on I-24 West Bound.

Mayor Jackson stated the town has received a letter from the Director of the Office of State and Local Finance in which they have reviewed and approved the Town's 2015 fiscal year budget as submitted to their office.

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**SCHEDULED AGENDA ITEMS**

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**a.) Open Bids on Restroom at Kimball Pavilion**

Mayor Jackson opened the bids as follows:

Bailey Contracting, LLC	\$19,450
STH & Associates, Inc.	\$19,800

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to accept the low bid from Bailey Contracting, LLC in the amount of \$19,450 for the Restroom at the Kimball Pavilion. The septic system was not part of the original bid; therefore, this will have to be done at a later date. The motion passed unanimously on a board vote.

**b.) Beer Permit Application for Off Premises Permit for Tri Star Energy LLC owned by William Kimbro located at 205 Main Street Kimball, Tennessee**

A motion was made by **Alderman Payne**, seconded by **Vice-Mayor Pesnell** to approve the beer application for off premises permit for Tri Star Energy LLC owned by William Kimbro located at 205 Main Street Kimball, Tennessee. The motion passed unanimously on a board vote.

**c.) Resolution 2014-04 – A Resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to adopt a Natural Hazard Mitigation Plan**

Attorney Gouger stated that the county, South Pittsburg and Jasper have already approved resolutions on the Natural Hazard Mitigation Plan concerning weather related grants. Steve Lamb stated that municipalities can opt into this grant by means of adopting a resolution. Mr. Lamb said that this set up policies and procedures for natural hazards for the following: flash flooding, flooding, tornadoes, and thunderstorms. The guidelines would have been used for example when South Pittsburg and Kimball were both affected by floods. The hazard mitigation funding is updated every five years. The county has already used this grant with the mass notification implementation.

A motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to approve Resolution 2014-04 – A resolution of the Board of Mayor and Aldermen of the Town of Kimball, Tennessee to adopt a Natural Hazard Mitigation Pan. The motion passed on a board vote with Alderman Payne voting no.

**d.) St. Jude 2014-2015 Donation**

A motion was made by **Alderman Sisk**, seconded by **Vice-Mayor Pesnell** to approve the donation to St. Jude for \$1,000 for the 2014-2015 fiscal year. The motion passed unanimously on a board vote.

**e.) Greater Jasper Jaycees 2014-2015 Donation**

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to approve the donation to the Greater Jasper Jaycees for \$1,000 for the 2014-2015 fiscal year. The motion passed unanimously on a board vote.

**f.) Ratify Bill from Lee-Smith, Inc. for work on Fire Truck #703 in the amount of \$3,110.99 for repairs to a/c, truck seat, oil change and fuel filter change plus 71 point inspection**

A motion was made by **Vice-Mayor Pesnell**, seconded by **Alderman Sisk** to ratify a bill from Lee-Smith, Inc. for work on Fire Truck #703 in the amount of \$3,110.99 for repairs to a/c, truck seat, oil change and fuel filter change plus 71 point inspection. The motion passed unanimously on a board vote.

**g.) Ratify Bill from Clarke Power Services, Inc. for emergency repairs to the Sanitation Truck for transmission issues and other repairs in the amount of \$5,832.27**

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to ratify a bill from Clarke Power Services, Inc. for emergency repairs to the Sanitation Truck for transmission issues and other repairs in the amount of \$5,832.27. Alderman Payne stated the transmission comes with a two year warranty. The motion passed unanimously on a board vote.

**h.) Delta Dental Insurance**

Recorder May stated the town had been sent renewal rates from Delta Dental which have the existing rates as employee only \$33.24, family \$99.35, and renewal rates employee only \$35.90, family \$107.30. In addition, there have been two other packages included that meet the Essential Health Benefits (EHB) for a Low Option and High Option certified pediatric dental package. According to the Delta Dental Representative that was spoken with about these plans, the EHB does not have to be in compliance until 2016.

A motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to approve the Delta Dental Insurance with the renewal rates only for the 2014-2015 year and forgoing the EHB plans at this time. The motion passed unanimously on a board vote.

**i.) Repair Flower Beds**

Mayor Jackson stated that the town hall and fire hall flower beds are in need of maintenance and in an effort to reduce annual mulching, the town could place river rock in the flower beds. Vinson's Lawn Service has quoted a price of approximately \$4,000 to remove the mulch and ground barrier, replace the ground barrier and install the rock at town hall and fire hall.

A motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to approve Vinson's Lawn Service to remove the old mulch and ground barrier, install new ground barrier and rock at town hall and the fire hall. The motion passed unanimously on a board vote.

**j.) LPRF Grant Dugout Covers and Concrete Slab**

Mayor Jackson stated the state would not approve the drawing as submitted; therefore, the town had to hire an architect to draw the specifications in order to come in compliance for the state to approve. The architect fees for drawing these specifications were \$475 to meet the state's regulations.

A motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to approve the town to accept bids for the dugout covers and concrete slab in the Kimball Complex through the LPRF grant. The motion passed unanimously on a board vote.

**k.) Recommendation from the Park and Recreation Board to Hire a Representative to design three (3) options for the Playground Area**

A motion was made by **Alderman Sisk**, seconded by **Alderman Payne** to approve the town to accept Requests for Proposals (RFPs) to assist in the design of the playground equipment that will be installed in the Kimball Complex through the LPRF grant with the representative being able to submit three (3) designs. The motion passed unanimously on a board vote.

**l.) Discuss Property located at 120 Raulston Cove Road**

Attorney Gouger stated that the town has several options which were to cite the owners through city court, which results in fines only, purchase the property (although there is a lien that more than likely exceeds the property's value), or meet the owners face to face to try and resolve the issues on the land. If the meeting did not satisfy the town's concerns, then court may be the next step in order to conform with the town's ordinances and regulations, which can be filed in Chancery Court. If the town demolishes the building, it takes away the property owner's right to have property. Even though the town and surrounding citizens may think it is making the property better, the family may disagree. If the town demolishes the building and adds a lien to the property, the bank already has a lien on the property; therefore, the bank's lien would be first and the town's lien would be next. The town has a liability to do something on this property since they are aware of the issue and this property is considered an attractive nuisance.

After much discussion, a motion was made by **Alderman Payne**, seconded by **Alderman Sisk** to authorize Attorney Gouger to contact the heirs of the family at 120 Raulston Cove Road by electronic mail and/or certified mail in order to arrange a meeting with the heirs and the Kimball Board of Mayor and Aldermen to address the concerns on the property. If these attempts fail either the meeting does not happen or a resolution is not reach during the meeting, Attorney Gouger is given the latitude to proceed with further action on this property. The motion passed unanimously on a board vote.

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**POLICE REPORT**

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Mayor Jackson gave an update on the Police Department as follows:

Litigation Tax and Training Fees	\$103.25
Court Costs	\$461.75
Fines	\$95.00
Report Fee	\$10.00
Sessions Court	\$228.95
<b>Total</b>	<b>\$898.95</b>

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**FIRE REPORT**

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Vice-Mayor Pesnell gave the fire report for July 2014; the department responded to five calls during the month which were one rescue, one fire, one gas leak/spill, one investigation and one signal nine. ISO visited the department; however, the results of the visit have not been released. The gentleman did state his visit would not affect the town's rating.

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**PARK AND RECREATION BOARD REPORT**

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Alderman Sisk stated the Park and Recreation Board met in July in which they discussed items to finish the LPRF grant, the previous baseball/softball season and looking to future seasons and soccer. The town held soccer registration the first two Saturdays of August. The next park board meeting is scheduled for August 21, 2014 at 6:00 p.m.

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**PLANNING COMMISSION REPORT**

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Mayor Jackson stated the July planning commission meeting was cancelled. The next planning meeting is scheduled for August 19, 2014 at 6:00 p.m.

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**SEWER REPORT**

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Alderman Payne stated that the CDBG sewer line project has been completed and the project will be under budget. The remaining appropriated funding will be returned on this project as there are no other homes that are in the service area eligible for connection. The town will host a public hearing closing meeting on the CDBG project on Tuesday at 3:30 p.m. He also stated that the town is currently having some issues with the Lowe's pump station. The pump station is working at this time with a part that Alderman Payne had in his possession. The town will be working to have some replacement parts on hand to prevent cases like this in the future. The EDA sewer line extension has been completed. Chattanooga State will start classes in the new facility on August 25<sup>th</sup>.

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**ATTORNEY REPORT**

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Attorney Gouger had nothing new at this time.

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**NEW BUSINESS**

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Vice-Mayor Pesnell wanted to address an issue of 18-wheeler vehicles turning around on Hwy 2 and getting stuck, which causes traffic issues. He would like to review the area at Hwy 2, The Lane and Nelson Lane to consider widening this area for trucks to be able to turn around. After some discussion, it was unclear if the town had enough right-of-way to make changes in this area.

Mayor Jackson had items under new business as follows:

- Jeff Mount has made an offer to the town for property adjacent to the park property which is approximately 3 acres off of Bob Lofty Lane. He is asking \$40,000 for this piece of property.
- On September 6<sup>th</sup>, there will be a Marion One Disaster Preparedness Expo at Whitwell City Park from 9 am until 3 pm. This expo is designed to prepare the average citizen to be ready in case of disaster whether it is banking needs, items to have on hand, or where to go for assistance.
- The town has received a thank you letter from the Rotary Club for the donation.
- The June 2014 sales taxes were up \$2,733 compared to June 2013.
- Finances

**General Fund**

Checking	\$ 138,493
Payroll	\$ 7,144
Checking FJB	\$ 121,153
Savings FVB	\$ 202,815
Savings FJB	\$ 255,719
Savings CSB	\$ 40,059
CD FJB	\$ 462,095
<b>Total</b>	<b>\$1,227,478</b>

**State Street Aid**

Checking	\$ 26,149
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**Drug Fund**

Checking	\$ 3,189
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**Sewer Fund**

Checking	\$ 106,107
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Savings	\$ 25,506
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CD	\$ 78,149
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<b>Total</b>	<b>\$ 209,762</b>
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<b>Grand Total</b>	<b>\$1,466,578</b>
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The town has received \$85,643 from EDA funding on the sewer extension project and in return paid Marion County \$236,820 toward the school project as part of the \$750,000 commitment.


- On September 1st, David Jackson will be taking office as Marion County Mayor, after approval of the minutes during the town’s September meeting; he will tender his resignation as Town Mayor. Vice-Mayor Rex Pesnell will finish the term of Mayor since the 90 day qualification period has passed. The board will need to appoint an Alderman to fill Mr. Pesnell’s position to finish his term as well.

Citizen Lamarr Manis wanted to commend Mayor Jackson for a job well done at Kimball and stated if he continued his pattern at the county he will do a fine job with the county. Mayor Jackson wanted to correct Mr. Manis to make sure everyone knew it took good boards working with Mayor Jackson to bring Kimball to the point where it is now. Mr. Manis agreed with this statement.

- The next board meeting will be September 4, 2014 at 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 **Vice-Mayor Pesnell**. The motion passed unanimously on a board vote.

  
Rex Pesnell, Mayor

  
Tonia May, Recorder