

**MINUTES OF THE REGULAR MEETING  
KIMBALL, TENNESSEE  
THURSDAY, JULY 2, 2020**

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A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, July 2, 2020 in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Pesnell called the regular meeting to order at 6:00 p.m.

**INVOCATION AND PLEDGE**

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Mayor Pesnell requested Vice Mayor Case to say the invocation over the meeting.

Mayor Pesnell requested Alderman Lofty to lead the Pledge of Allegiance.

**ROLL CALL**

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Mayor Pesnell asked Recorder May to call roll.

Those present were: Mayor Rex Pesnell, Vice Mayor Jerry Don Case, Alderman Teresa Lofty, Alderman Johnny Sisk, Alderman John Matthews, and Attorney William Gouger, Jr.

**APPROVAL OF MINUTES**

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On a motion by **Alderman Lofty**, seconded by **Alderman Sisk** the Minutes of the Regular Monthly Board Meeting along with the Public Hearing that was also included for June 4, 2020 were approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**OLD BUSINESS**

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Alderman Sisk wanted to know the status of the property near 1841 Main Street concerning it not being mowed and the area remaining wet. Mayor Pesnell will follow up on this; however, someone has attempted to mow the area.

Mayor Pesnell had the following items under old business:

- Mayor Pesnell stated that he met with representatives from FEMA during the month of June. They visited the areas that were damaged on April 12-13, 2020 when our town had severe storms. The town is in the process of submitting a claim to FEMA for clean up and damages that occurred during this flood.
- Mayor Pesnell stated that he attended a Marion County RPO Regional Planning Zoom Meeting during June which addressed the Roadways and Bridges within the county and cities. The meeting was for each mayor to bring up any problems within their coverage areas of concern. Both Kimball and Jasper are still waiting on the Industrial Boulevard project to begin. This project will pave from Main Street at Kimball Lane to the Kimball City limits on Industrial Boulevard and continue into Jasper on Industrial Boulevard. This project is a state project and both towns are anxiously waiting for this project to get started.

**SCHEDULED AGENDA ITEMS**

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**a.) Force Main from Kimball to South Pittsburg**

Mayor Pesnell stated that our engineer Matthew Tucker with James C. Hailey and Company was here to give an update on this project. Mr. Tucker stated that Beth Jones with Southeast Tennessee Development District had made contact with him concerning EDA funds for infrastructure which could lead to the town applying to replace this line in part or completely from the main lift station to the town's city limits. Therefore, in the packet are some estimates which were shared with Ms. Jones for the benefit of the grant. Estimate Line "A" \$163,000 would be for the relocation around the hydraulic basin only, Estimate Line "B" \$634,000 would be for the relocation around the hydraulic basin and under Battle Creek, and Estimate "C" \$1,399,000 would be for complete line replacement from pump station to city limits. These estimates are for the grant purposes at this time; therefore, no action is needed by the board.

**b.) Repairing the Roadway at Mountain View Drive**

Matthew Tucker with James C. Hailey and Company also addressed the repairing of the roadway at Mountain View Drive. He has been in contact with three local contractors to give a quote concerning the repairs at this site. The contractors are Bailey Contracting, David Payne Contracting and Lofty Construction. TDEC will have to issue a permit as the Glover's

Branch is a blue line stream and an Emergency Repair Permit will be required. There will be two 30-inch pipes installed and asphalt as well as concrete used on the area. Mr. Tucker will report back to the board as he receives the quotes.

**c.) Marion County Veteran's Park War Memorial Donation in the Amount of \$1,000**

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the donation to the Marion County Veteran's Park War Memorial in the amount of \$1,000. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**d.) Sequatchie Valley Honor Guard Donation in the amount of \$1,000**

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the donation to the Sequatchie Valley Honor Guard in the amount of \$1,000. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**e.) Approve the Bill from VFIS/The Steve Frost Agency for the Fire Department's Accident and Sickness Policy in the amount of \$3,899 and review the Optional Enhancements listed on the Form**

A motion was made by **Alderman Matthews**, seconded by **Alderman Sisk** to approve the bill from VFIS/The Steve Frost Agency for the Fire Department's Accident and Sickness Policy in the amount of \$3,899. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**f.) Invoice from Southeast Tennessee Development District for Local Planning Services for July 1, 2020 to June 30, 2021 in the amount of \$8,750**

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve the invoice from Southeast Tennessee Development District for Local Planning Services for July 1, 2020 to June 30, 2021 in the amount of \$8,750. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**g.) Approval of the Local Government Corporation Hardware Maintenance Agreement and Software/Website Invoice for July 1, 2020 to June 30, 2021 in the amount of \$25,507**

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to approve the Local Government Corporation Hardware Maintenance Agreement and Software/Website Invoice for July 1, 2020 to June 30, 2021 in the amount of \$25,507. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**h.) 2020-2021 Public Official & EPLI Renewal in the amount of \$4,319 from Greenwich Insurance Company**

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve the 2020-2021 Public Official & EPLI Renewal in the amount of \$4,319 from Greenwich Insurance Company. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**i.) 2020-2021 Marion County Partnership for Economic Development Annual Dues in the amount of \$5,000**

A motion was made by **Alderman Lofty**, seconded by **Alderman Sisk** to approve the 2020-2021 Marion County Partnership for Economic Development Annual Dues in the amount of \$5,000. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

**j.) Discuss changing Dental Insurance to Blue Cross Blue Shield for increased benefits for less premium**

Mayor Pesnell wanted to discuss changing the Dental Insurance from Delta Dental of Tennessee to Blue Cross Blue Shield of Tennessee. The question of whether the town should bid these services was addressed by the attorney. The town does

not have an ordinance pertaining to this. In addition, the town already has coverage through this provider. Another factor that the attorney pointed out was the policy for Delta Dental ends August 31, 2020.

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the town to change from Delta Dental of Tennessee to Blue Cross Blue Shield of Tennessee effective September 1 with more benefits for less premium. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

### **k.) Update of TOSHA – Tennessee Occupational Safety & Health Program Plan which was last updated in March 2013**

#### **Resolution 2020-02 – A Resolution to Establish an Updated Occupational Safety and Health Program Plan Devise Rules and Regulations, and to Provide for a Safety Director and the Implementation of Such Program Plan**

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve Resolution 2020-02 – A Resolution to Establish an Updated Occupational Safety and Health Program Plan Devise Rules and Regulations, and to Provide for a Safety Director and the Implementation of Such Program Plan. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

### **l.) Maintenance Report**

Alderman Matthews stated they were having issues with the sewer pump at Riverside. This will be followed up on to verify that all the sewer pumps are working appropriately.

### **m.) Fire Report**

Alderman Sisk gave the fire report for June 2020; the department responded to eight calls during the month which were a vehicle fire, structure fire, rekindle, two mutual aids and three signal nines.

### **n.) Parks and Recreation Report**

Alderman Lofty stated the Park and Recreation Board meetings for the past few months have been cancelled due to COVID-19. The Kimball Soccer League cancelled the Spring Season due to the pandemic. All uniforms have been returned to town hall and all registration fees have been mailed to the player's parents or guardians. The Park and Municipal Buildings have been opened to the public with the public required to sign the waivers plus a COVID-19 waiver. This was effective July 1, 2020. This will continue to be monitored based on the Governor's Executive Orders.

Alderman Lofty has brought it to the attention of the board a concern of a rental request with the intent to use the facility to host the prom for the Marion County High School Junior Class. The request was made to use the facility on July 10, 2020.

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to deny the use of the facility on July 10, 2020 due to concerns about COVID-19 Regulations unable to be maintained. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

A motion was made by **Alderman Matthews**, seconded by **Vice Mayor Case** to amend the original motion to include the following: to cancel the request for July 10, 2020 on COVID-19 violation concerns and deny any other requests to use any town owned facility which violates the COVID-19 Regulations. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

### **o.) Police Report**

Vice Mayor Case gave an update on the Police Department as follows:

Litigation Tax and Training Fees	\$43.25
Court Costs	\$273.75
Fines	\$50.00
Report Fee	\$30.00
Sessions Court	\$849.77
<b>Total</b>	<b>\$1,246.77</b>

The server crashed at Marion County E-911 so the monthly report on the number of calls is not available.

## p.) Planning Commission Report

Vice Mayor Case stated the Kimball Planning Commission met on June 16, 2020. There was a public hearing before the meeting on Subdivision Regulations Changes & Updates. The Commission approved Resolution 2020-01PC concerning the Subdivision Regulations and Final Plat on Raulston Cove Road for a three-lot subdivision. The next planning commission meeting is scheduled for July 21, 2020 at 5:30 pm.

## q.) Attorney Report

Attorney Gouger wanted to clarify some of the executive orders. The governor has extended the ability for meetings to be virtual through August 29, 2020. However, there was an additional requirement to allow the public to participate via phone with the governing body providing a number to call in during the meeting or zoom meetings where people can ask questions. This gives the public more access to the meeting not just the posting of the meeting after it was over via Facebook or website for the replay.

## NEW BUSINESS

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Alderman Sisk wanted to address the board concerning continued support to the South Pittsburg Fire Department Coloring Book Program which is given to the youth K-5<sup>th</sup> grade in the amount of \$100.

A motion was made by **Alderman Sisk**, seconded by **Alderman Matthews** to approve the ad for the South Pittsburg Fire Department Coloring Book Program through National Fire Safety in the amount of \$100. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

Mayor Pesnell had items under new business as follows:

- Betty Knotts, Director of the Division of Local Government Finance with the State Comptroller's Office sent a letter to the town approving the town's 2021 fiscal year budget as adopted by the governing body.
- The Election will be held on August 6, 2020 for State/Federal Primary and State/County General Election Primary. Early Voting will be July 17-August 1, 2020 and absentee ballot request deadline is July 30<sup>th</sup>.
- Finances

General Fund	\$ 2,007,581
State Street Aid	\$ 48,887
Drug Fund	\$ 9,911
Sewer Fund	\$ 919,106
<b>Grand Total</b>	<b>\$ 2,985,486</b>

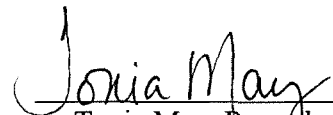
- The next regular scheduled meeting will be August 13, 2020 at 6:00 p.m.

## ADJOURNMENT

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As there was nothing further to come before the board, motion was made by **Alderman Sisk** to adjourn. The motion was seconded by **Alderman Matthews**. The motion approved by roll call vote as follows: Mayor Pesnell yes, Vice Mayor Case yes, Alderman Matthews yes, Alderman Sisk yes and Alderman Lofty yes.

  
Rex Pesnell, Mayor

  
Tonia May, Recorder