
**MINUTES OF THE PUBLIC HEARING
KIMBALL, TENNESSEE
THURSDAY, DECEMBER 2, 2021 – 6:00 P.M.**

A Public Hearing of the Town of Kimball Board of Mayor and Aldermen was held on Thursday, December 2, 2021, at 6:00 p.m. in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee. Those members present were Mayor Rex Pesnell, Vice Mayor Jerry Don Case, Alderman John Matthews, Alderman Teresa Lofty, and Attorney William Gouger.

Mayor Pesnell called the public hearing to order concerning Ordinance No. 274 – An Ordinance to Amend the Official Zoning Ordinance to Remove the F-1 Flood Hazard District and Replace this Section with Reference to the Municipal Floodplain Zoning Ordinance in the Town of Kimball, Tennessee.


NEW BUSINESS

- a) **Ordinance No. 274 – An Ordinance to Amend the Official Zoning Ordinance to Remove the F-1 Flood Hazard District and Replace this Section with Reference to the Municipal Floodplain Zoning Ordinance in the Town of Kimball, Tennessee**

There was no comment on this ordinance.

ADJOURNMENT

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


Rex Pesnell, Mayor


Tonia May, Recorder

**MINUTES OF THE REGULAR MEETING
KIMBALL, TENNESSEE
THURSDAY, DECEMBER 2, 2021**

A meeting of the Kimball Board of Mayor and Aldermen was held on Thursday, December 2, 2021, in the Meeting Room of Town Hall, 675 Main Street, Kimball, Tennessee.

Mayor Pesnell called the regular meeting to order after the public hearing which started at 6:00 pm.

INVOCATION AND PLEDGE

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

Mayor Pesnell asked Recorder May to call roll.

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

Alderman Johnny Sisk was absent from the meeting.

APPROVAL OF MINUTES

On a motion by **Alderman Matthews**, seconded by **Alderman Lofty** the Minutes of the Public Hearing and Regular Monthly Board Meeting for November 4, 2021, were approved unanimously on a board vote.

OLD BUSINESS

Mayor Pesnell had the following items under old business:

- There was an open house and ribbon cutting at Raulston Woods and Gardens. Mayor Pesnell attended along with some others from the county. This will be a venue in town for weddings, parties, and other social gatherings. This is the old Hamilton Home on Old Dixie Hwy.
- The new sign has been placed on Red Bud Trail. The memorial sign is placed on the road "In Memory of John Allen Smith 1942-2021 Developer of Red Bud Trail". The grandson stopped by Lamarr Manis's home and stated how nice the Memorial Sign is and that he and his family really appreciate all involved in getting this sign on the roadway.

SCHEDULED AGENDA ITEMS

a.) Paul Johnson with Johnson, Murphey and Wright P.C. CPA concerning the Fiscal Year Audit for July 1, 2020, through June 30, 2021

Paul Johnson with Johnson, Murphey and Wright P.C. CPA attended the meeting to go over the Fiscal Year Audit for July 1, 2020, through June 30, 2021. The town had a positive financial year. It was noted that the Town General Government Activities net position went from \$6.366 million dollars to \$6.994 million dollars. The Business-type Activities net position went from \$2.857 million to \$2.926 million. The town is also doing well on the amount the town submits for Tennessee Consolidated Retirement System. The town has (\$83,241) which means there is an ample amount of retirement funds in the town's account based upon the number of retirees. The negative amount in this fund is a good number as this is the amount overage in the account at this time to cover those retiring or already retired.

b.) Second and Final Reading of Ordinance No. 274 – An Ordinance to Amend the Official Zoning Ordinance to Remove the F-1 Flood Hazard District and Replace this Section with Reference to the Municipal Floodplain Zoning Ordinance in the Town of Kimball, Tennessee

It was recommended that the town table this approval until the Town Attorney could verify with Chad Reese, Southeast Tennessee Development District Planner, on the exact wording needed to completely verify the removal of the zone.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to table the approval of the Second and Final Reading of Ordinance No. 274. The motion passed unanimously on a board vote.

c.) Approval of Meeting Calendar for 2022

A motion was made by **Vice Mayor Case**, seconded by **Alderman Lofty** to approve the Meeting Calendar for 2022 which is as follows: January 6, February 3, March 3, April 7, May 5, June 2, July 7, August 11, September 1, October 6, November 3, and December 1, 2022. The motion passed unanimously on a board vote.

d.) Approve Cyber Liability Insurance Renewal through First Volunteer Insurance from 12-5-2021 to 12-5-2022

The town has received a quote of \$9180 for the renewal based upon the answers to the questions received from the cyber insurance company. This is almost double last year's rate which is their rate based on the town's liability. The town currently does not have MFA multifactor authentication. This is just another layer of security which needs to be put in place before the next renewal or asap to keep the information at town hall safe.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve based upon the Town Attorney's recommendation the cyber liability insurance renewal through First Volunteer Insurance from 12-5-2021 to 12-5-2022 in the amount of \$9,180. The motion passed unanimously on a board vote.

- **Discuss the policy from MCA for Minecast for an added layer of protection for email security with a one-time installation service in the amount of \$1,160 and a monthly service of \$192.74**

The town attorney recommended to install this extra layer of security based upon the amount of information the town has of its employees, along with third-party information available through the town that needs to be kept secure.

A motion was made by **Alderman Lofty**, seconded by **Vice Mayor Case** to approve based upon the Town Attorney's recommendation to approve the policy from MCA for Minecast for an added layer of protection for email security with a one-time installation service fee in the amount of \$1,160 and a monthly service of \$192.74. The motion passed unanimously on a board vote.

e.) David Henley passed the Certified Wastewater Collection Grade 2 Exam on November 10, 2021

Mayor Pesnell stated how proud he was of David Henley for getting the Wastewater Collection Grade II certification. The Mayor also requested to the board about an increase in pay from David's current Maintenance Supervisor pay to a new level of pay based upon this new certification. Mayor Pesnell recommended to increase his salary to \$46,000 per fiscal year to incorporate the new level of certification along with remaining as Maintenance Supervisor retro back to the date of test completion.

A motion was made by **Vice Mayor Case**, seconded by **Alderman Matthews** to approve the recommendation to increase David Henley's salary to \$46,000 per fiscal year retro back to November 10, 2021, for the Maintenance Supervisor and Certified Wastewater Collection Grade II. The motion passed unanimously on a board vote.

f.) Discuss Purchasing an Extra Pump for the Lowe's Lift Station from Byrd Electric in the amount of \$9,975

A motion was made by **Alderman Matthews**, seconded by **Alderman Lofty** to approve the purchase of an extra pump for the Lowe's Lift Station from Byrd Electric in the amount of \$9,975. The motion passed unanimously on a board vote.

g.) Maintenance Report

Alderman Matthews stated he was proud of David Henley for passing the exam and has been speaking with the Maintenance Crew. In their talks, it was mentioned that another employee may want to get certified for the sewer systems.

h.) Fire Report

Alderman Matthews gave the fire report for November 2021; the department responded to twelve calls during the month which were six fires, four mutual aids and two signal nines.

i.) Parks and Recreation Report

Alderman Lofty stated the Park and Recreation Board meeting for November 2021 was cancelled due to lack of agenda items. The construction of the parking lot and basketball pad has begun. Grass and More has met with the contractors to verify a smooth transition for their part of the new basketball court. The next meeting is scheduled for December 30th and the meeting will start at 5:30 pm.

j.) Police Report

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

Litigation Tax and Training Fees	\$0.00
Court Costs	\$0.00
Fines	\$0.00
Report Fee	\$110.00
Sessions Court	\$438.90
Total	\$548.90

The report from Marion County E-911 showed that the Kimball Police Department responded to 244 calls for the month.

k.) Planning Commission Report

Vice Mayor Case stated the Kimball Planning Commission meeting for November 2021 was cancelled.

The next planning commission meeting is scheduled for December 21, 2021, at 5:30 pm. The public is invited to attend.

l.) Attorney Report

Attorney Gouger stated he had nothing more to report.

NEW BUSINESS

Vice Mayor Case wanted to wish the South Pittsburg High School Pirates the best of luck and to bring back the gold ball. He stated he prayed for a safe game and that those involved enjoy the day. Vice Mayor Case stated he would be in attendance cheering them on. Alderman Lofty stated she would be there to support them as well. It was also stated that this will be the first time Father and Son and other Son had won the championship by coaching in the State of Tennessee.

Mayor Pesnell had items under new business as follows:


- Wanted to wish the South Pittsburg Pirates the best of luck and a safe game in Chattanooga for the Championship. He stated he was looking forward to watching the game and appreciated the attention that these championships bring to the youth of Marion County.
- The town will have a Special Called Meeting December 16, 2021, at 2 pm to open bids on the sewer line relocation, consider a beer permit submitted by Jefferson's for on premises sales, and then open bids on the sewer grinder installation bids
- Town Hall and Maintenance will be closed for the Christmas Holiday on Thursday, December 23rd and Friday, December 24th.
- Town Hall and Maintenance will be closed to observe the New Year's Day Holiday on Friday, December 31st.
- Finances

General Fund	\$ 3,183,279
State Street Aid	\$ 63,230
Drug Fund	\$ 10,488
Sewer Fund	\$ 1,132,857
Grand Total	\$ 4,389,854

- The next regular scheduled meeting will be January 6, 2022, at 6:00 pm.
- The town would like to wish everyone a Merry Christmas and Happy and Safe New Year.

ADJOURNMENT

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


Rex Pesnell, Mayor


Tonia May, Recorder