

BOARD OF MAYOR AND ALDERMEN

PUBLIC HEARING

MAY 11, 2020

The Board of Mayor and Aldermen (BMA) met in a Public Hearing on Monday, May 11, 2019, at 7:00 p.m. at Town Hall, 123 Boone Street, Jonesborough, TN.

The only item on the Public Hearing agenda was an Ordinance rezoning property at 815 Shell Road (Cloyd property) from R-3 (High Density Residential) district to B-6 (Urban Corridor Commercial Business) district. There were no comments.

The Public Hearing was closed.

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ABBAY MILLER, RECORDER

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CHUCK VEST, MAYOR

BOARD OF MAYOR AND ALDERMEN

REGULAR MEETING

MAY 11, 2020

The Board of Mayor and Aldermen (BMA) met in Regular Session on Monday, May 11, 2020, at 7:00 p.m., at Town Hall, 123 Boone Street, Jonesborough, TN.

Mayor Chuck Vest called the meeting to order. Alderman Adam Dickson led the group in an opening Prayer, and Mayor Vest led the pledge to the Flag.

Upon call of the roll those present were: Mayor Chuck Vest, Alderman Stephen Callahan, Alderman Virginia Causey, Alderman Terry Countermine, and Alderman Adam Dickson. Also present were: Town Administrator Glenn Rosenoff, Town Recorder Abbey Miller, Operations Manager Craig Ford, and Town Attorney Jim Wheeler.

The next item was the Consent Agenda. Mayor Vest asked if there were any items that the Aldermen wished to have pulled from the Consent Agenda. Alderman Causey said she had a request concerning Item 7-b Appointment of a Water Distribution Supervisor. She requested that a six-month position probation period be added to the recommendation. There being no further comments and no items pulled for discussion, Alderman Countermine made the motion, seconded by Alderman Callahan, and duly passed to approve the following items on the Consent Agenda:

1. Approve the minutes for the March 24, 2020, BMA recessed regular March meeting.
2. Approve the following bills for payment:

<u>VENDOR</u>	<u>AMOUNT</u>
A-Z OFFICE RESOURCES	199.89
ALSCO	77.40
ALUMINUM & GLASS SYSTEM	1675.00
AMERICAN GENERAL LIFE	106.52
APPLIED MAINTENANCE	1124.93

ARCHER BROTHERS GARAGE	195.00
<u>VENDOR</u>	<u>AMOUNT</u>
ATFAB LLC	1102.00
AULICK CHEMICAL SOLUTION	1594.28
AUTO ZONE #2087	7.39
BADGER METER	11184.35
BANK OF TENNESSEE	8982.12
BARTLETT TREE EXPERTS	198.00
BLUE CROSS-BLUE SHIELD	86998.67
BOBCAT	368.52
BRETT SEAN MCCLUSKEY	100.00
BRIGHT RIDGE	121.13
C&C MASONARY SUPPLY	87.00
CENTRAL PAPER AND SUPPLY	1008.47
CENTRALIZED CHILD SUPPORT	646.77
CHAPPELL'S PEST CONTROL	50.00
CINTAS CORPORATION #202	626.76
CINTAS FIRST AIR & SAFE	338.34
CITY ELECTRIC SUPPLY	394.24
CLIMATE CHANGER	1028.00
COMPANION LIFE INSURANCE	985.08
COPYNET, LLC	83.96
CORE AND MAIN	540.00
CORECHEM	10272.70
CRAIG'S FIREARE SUPPLY	66.50
CUSTOM ASPHALT SERVICES	7304.00
ECOSAFE LANDFILL YA	7350.94
FENCO SUPPLY CO.	119.74
FERGUSON ENTERPRISES #5	6662.17
FIRE EXTINGUISHER CO	308.95
FIRST HORIZON BANK	3792.73
FLEENOR SECURITY SYSTEM	195.00
FOOD CITY	8.97
FOSTER SIGNS	728.75
FREE SERVICE TIRE CO.	2790.00
FUELMAN	1069.02
G & C SUPPLY COMPANY, INC.	798.75
GALL'S LLC	179.89
GLEN WOODFIN	250.00
GLENN ROSENOFF	500.00
HEISSE JOHNSON HAND UP	112.59
HENRY SCHEIN, INC.	279.00
HIGH TIDE TECHNOLOGIES	360.00
HOUSE & HOME BUILT-INS	180.00
HUNTER CURTIS	310.00
INGLES #4205	341.72
JAMES R WHEELER	4867.00
JASPER ENGINES	2640.00
JEFFERSON SALES SOUTH	6240.67
JONESBOROUGH HRA	3765.00
JONESBOROUGH POSTMASTER	81.20
JONESBOROUGH SENIONR CTR	196.61
JONESBOROUGH/WASHINGTON	3750.00
J2 BUILDING AND HOME IM	1800.00
KEN SMITH AUTO PARTS #4	178.96
KIMBALL MIDWEST	152.00
LAW ENFORCEMENT TARGETS	970.26
LOWE'S	2095.67
MHC KENWORTH - KINGSPORT	252.97
MT. STATES REHABILITATION	718.20
MUNICIPAL EMERGENCY	860.55

NATIONWIDE RETIREMENT	1880.00
<u>VENDOR</u>	<u>AMOUNT</u>
NCSI	388.50
NORFOLK SOUTHERN RAILWAY	633.00
NSI SOULTIONS	149.00
OLD SCHOOL AUTO PARTS, I	4468.21
OLDE TOWN HARDWARE	26.90
OLDE TOWN SMALL ENGINE	379.52
OSBORNE ELECTRIC INC.	4126.32
PACE ANALYTICAL NATIONA	1196.00
PARDUE PHOTOGRAPHICS	500.00
PARISH NURSING	510.00
PORTER'S TIRE STORES	459.00
QUALITY TROPHY & ENGRAVING	33.00
RAD SYSTEMS	100.00
RANGER INDUSTRIES, LLC	508.60
READY MIX USA	1069.09
REGIONS BANK	706.25
RELIANCE STANDARD (VOL)	488.44
RICOH USA, INC.	6348.05
RICOH USA, INC.	134.45
SHARP BUSINESS SYSTEMS	7299.32
SHRED-IT	102.27
SITEONE LANDSCAPE SUPPLY	92.95
SPECTRA ENVIRONMENTAL	99.99
STOPSTICK, LTD	493.00
STOWERS	1234.81
SUMMERS-HARDWARD	592.31
TACP	200.00
TBI-FISCAL SERVICES	589.00
THE HOME DEPOT	3754.26
THE UNIVERSITY OF TN	500.00
TOWN OF JONESBOROUGH	7950.00
TRANSUNION RISK &	50.00
TRI CITY MOWER & SAW	21.06
TRUBLU TACTICAL	533.89
TRUCKPRO LLC	320.82
UNITED PARCEL SERVICE	3.02
UNITED RENTALS	5046.23
UNITED WAY	362.00
USA BLUE BOOK	1227.59
VALLEY EQUIPMENT CO	1968.00
VERIZON WIRELESS	3395.25
WASHINGTON FARMERS CO-OP	114.04
WASTE MANAGEMENT	3972.48
WAYPOINT ANALYTICAL	235.00
WESTERN REFUSE & RECYC	319.78
WHITE'S AUTO PARTS	586.03
	<b>274,110.00</b>

<u>VENDOR</u>	<u>GENERAL</u>	<u>WATER</u>	<u>SANITATION</u>
<b>MARCH</b>			
95474-95586 AP	133,862.77		
95587-95600 AP	6,848.08		
95601-95603 AP	69,244.65		
95604-95627 AP	23,714.13		
95628-95652 AP	7,649.91		
95653-95654 AP	1,325.00		
95655-95662 AP	25,666.65		
95663-95676 AP	8,052.41		

95677-95699 AP	59,328.70		
<u>VENDOR</u>	<u>GENERAL</u>	<u>WATER</u>	<u>SANITATION</u>
95700-95703 AP	1,390.94		
95704-95725 AP	20,909.99		
95726-95728 AP	116,035.22		
95729-95747 AP	2575.00		
	<b>476,603.45</b>		
60517-60595 AP		139,216.66	
60596-60597 AP		1,024.50	
60598-60600 AP		49,268.68	
60601-60615 AP		33,922.65	
60616-60617 AP		1,274.52	
60618-60626 AP		43,840.51	
60627-60630 AP		2,179.91	
60631-60632 AP		863.03	
60633-60634 AP		5,434.96	
60635-60643 AP		1,643.16	
		<b>278,668.58</b>	
8681-8701 AP			32,768.31
8702 AP			8,866.95
8703-8706 AP			4,896.94
8707-8709 AP			416.84
8710 AP			190.00
			<b>47,139.04</b>
<b>APRIL</b>			
95748-95921 AP	230,015.97		
95922-95933 AP	39,733.59		
95934-95938 AP	19,995.73		
95939-95979 AP	57,169.66		
95980-95982 AP	1,577.15		
95983-95995 AP	330,476.38		
95996-96096 AP	16,075.17		
	<b>695,043.65</b>		
60644 AP		5,500.00	
60645-60739 AP		255,401.53	
60740-60743 AP		47,357.64	
60744-60748 AP		1,367.70	
60749-60754AP		3,941.33	
<u>VENDOR</u>	<u>GENERAL</u>	<u>WATER</u>	<u>SANITATION</u>
60755 AP		1,300.05	
60756-60765 AP		3,366.53	
		<b>318,234.78</b>	
8711-8737 AP			37,313.92
8738-8739 AP			3,329.72
8740-8741 AP			166.46
8742-8743 AP			420.51
8744-8745 AP			605.74
			<b>41,836.35</b>

3. Approve the following Operations Manager Report:

We continue to be without the assistance of inmate labor from the Carter County Prison Workcamp and the Washington County Sheriff's Office. I am receiving weekly updates from Captain Lundy of the Workcamp regarding the status of the work crew. At this point he does not know when they will release the "short lines" to return to work.

Likewise, we are without the services of inmate labor from the Washington County detention Center. We utilize two inmates from the county jail for our recycling program. These inmates pick up and sort the recyclables with our

employee driving the vehicle. The inmates also bale and prepare the recyclables for sale at the processing facility.

Recycling was suspended for 30 days due to the corona-virus outbreak and a letter was sent to Town residents. We are starting to receive inquiries about when we will begin recycle pick up again. At this point, we do not know when we will get the inmates back and it would be very difficult for us to pick up recycling without them.

We were able to get some much-needed asphalt striping completed this month. The parking lots of the McKinney Center, Visitors Center, Post Office and Town Hall was restriped. We were also able to get Boone Street completed, the hill on East Main from Clay to Boone, the intersection of Franklin and Main and Washington and College were also completed.

In addition, the crosswalk was added on West Main near Persimmon Ridge and the parking lot of the Fleet Maintenance building was striped.

The Street Department was able to get the new intersection of North Cherokee and Smith Lane completed. The roadway was regraded, the new triangle was installed and the final coat of asphalt was put down.

Once this was completed, we had the entire area striped and we have also placed all the new signage and planted the triangle. The end product looks great.

We have continued to do what we can at the new park, despite the rain. The block foundation has been laid for the restrooms and the retaining wall is almost complete. Wastewater lacks one more sewer line, then we can finish water and drainage. I am currently working on pricing the building materials in order that we can begin building the pavilion.

We were also able to get the weather head on the JRT building moved out of the way. We also have the design of the walkway through the Eureka courtyard completed for the new emergency exit of the JRT building. Once we have the inmate crew back, I will work as quickly as possible to get the new emergency exit installed.

GRC is progressing on the roof of the Jackson. I was able to get the roof drains they were needing to complete that project. They have been delivered to JRC and the plan was to start on the roof on May 07, 2020.

I have been involved in numerous meetings the past month-and-a-half on our response to COVID-19. We are continuing to make changes as the Governor issues new orders.

We were able to hold court on May 07, 2020 for the first time in over a month. WE followed all the guidelines set for by the State Supreme Court and local judges. Our court occurred without any problems.

4. Approve the following Committee Report: Historic Zoning Commission.
5. Approve the following Supervisor Reports: Parks and Recreation, Building Inspector, Fire Department, Solid Waste and Recycling, Water Treatment, Water Distribution, McKinney Center, MBM Program Director, Police Department, Event Coordinator, Senior Center, Environmental Services/Wastewater, Marketing and Promotions Coordinator, Visitor Center Manager, Street Department, Animal Control, Director of Tourism and Main Street, and Website Manager.
6. Approve the promotion of Rick DuVall as Building Inspector at Grade 16 Step 1 (\$44,312) retro-active to April 13, 2020, being placed on a six-month probation

period, being eligible to receive any salary increase approved by the BMA for the next fiscal year, and with the condition Mr. DuVall obtain all six of the required code certifications for a Building Inspector within his first twelve months employed as Jonesborough Building Inspector.

7. Approve the promotion of Kevin Brobeck to Water Distribution Superintendent at Grade 20 Step 6 (\$62,441) retroactive to April 20, 2020, being placed on a six-month probation period and with no additional salary increase for the FY20-21 budget year.
8. Approve the appointment of Dino Bradley as a Water Worker I at Grade 1 Step 1 (\$21,315) retroactive to May 4, 2020, when Mr. Bradley was temporarily appointed by Mayor Chuck Vest, subject to all pre-employment conditions including WorkSteps being successfully completed.
9. Approve the appointment of Zachary Bruton as a Public Safety Officer within the Jonesborough Police Department, subject to all pre-employment conditions including WorkSteps, with compensation at Grade 10, Step 1 (\$33,067), and moving to Grade 10, Step 2 (\$34,059) upon graduating from the Police Academy.
10. Approve the transfer of Frederick Callins from the Water Distribution Department to the Wastewater Department as a Maintenance Technician at Grade 8 Step 1 (\$29,992) being placed on a six-month probation period and remaining in Grade 8 Step 1 for the 2020-21 fiscal year as long as he remains uncertified.
11. Approve the appointment of Josie Silvers as a Collection System Operator I in the Wastewater Department at Grade 2 Step 1 (\$22,381), subject to all pre-employment conditions including WorkSteps, with Ms. Silvers remaining in Grade 2 Step 1 for the 2020-21 fiscal year as long as she remains uncertified.
12. Request for approval of a Special Event Request for Movies on Main for the 2020 season was deferred until a Called BMA meeting on Jonesborough downtown events for the next three (3) months can be held.
13. Approve the Tennessee Department of Transportation (TDOT) State Route Highway Maintenance Contract for FY20-21 with the reimbursement amount of up to \$39,195.60.

#### **INSERT CONTRACT**

14. Approve the construction of two speed tables on Forest View Drive in the area of the most numerous complaints on speeding, to be specifically located by Town Engineer Todd Wood and Street Superintendent Malcolm Highsmith.
15. Approve the construction of two speed tables on North Lincoln Avenue with the first to be located just below the top of the hill of N. Lincoln just below the intersection of the Community Park entrance and the second to be located down the hill just above the sweeping curve on N. Lincoln, at the locations specified on the traffic calming schematic prepared by Town Engineer Todd Wood and Street Superintendent Malcolm Highsmith.
16. Approve the bid from Valley Equipment to provide a new pump and motor for the big slides at the Wetlands Water Park and to repair the motor and assemble and install a replacement pump in the filter room for a total of \$13,361, to be paid from the current Water Park budget.
17. Approve the low bid of \$27,000 from Comfort Systems USA for providing Carrier HVAC equipment at the Visitor Center including complete installation, to be paid from the current Visitor Center budget.

18. Accept the recommendation from Operations Manager Craig Ford to declare the following equipment/property as surplus to sell at auction on GovDeals:

- Ditch Witch JT920 Directional Boring Machine
- 24D American Auger
- 1984 Case Wheel Loader
- Barnes Submersible Pump Model SGV5032L
- Homa Submersible Pump Model AM444-260-20E
- Aries Saturn III Township Mainline Sewer Inspection System
- Caterpillar 316 Trackhoe
- Various Printer Inkjet cartridges and bottles of toner sold together as a set

The next item on the agenda was the approval of the Financial Report. Mayor Vest asked the Aldermen if they had any comments on the Financial Report. Alderman Countermine said it looks like the Town is doing well even with all that is going on with COVID-19. Abbey Miller pointed out that there is about \$300,000 in outstanding grant reimbursement requests in the General Fund. Mayor Vest said sales tax collections in the month of April were very strong. Ms. Miller commented that those collections were based on sales in February, 2020, and the March sales tax will be received in May. Mayor Vest asked the Aldermen if they had any further comments. There being none, Alderman Causey made the motion, seconded by Alderman Dickson and duly passed, to approve the Financial Report as presented.

Communications from the Mayor was the next item on the agenda. Mayor Vest said the Employee of the Month for May will be carried over along with the April employee of the month until we can have those employees in person to issue their awards to them, hopefully at the June 8<sup>th</sup> meeting.

Mayor Vest welcomed Glenn Rosenoff, Jonesborough's new Town Administrator, to his first Board meeting. Mayor Vest said Glenn Rosenoff and Craig Ford have been working together on a couple of important projects. He said one is getting our Town facilities up and ready to go so they can operate safely for our staff and residents. Mayor Vest said they are getting pretty close to being able to open up 100%, but there are still some safety items that need to be installed and hopefully will be completed this week; we should see things moving toward back to normal by the end of this week or the first of next week at the latest. Mayor Vest said Glenn and Craig have worked on an Infectious Disease Policy for the staff and making sure staff is taking care of their health. He added that they will be working closely with residents also. Mayor Vest added that he was pleased to see the number of building permits issued in April which means the Jonesborough economy is doing well despite the current challenges.

Mayor Vest said he wanted to thank Katelyn Yarbrough whom he appointed to help spur Jonesborough's Census 2020 program. He said we want to make sure all the residents in Jonesborough are signed up for the census and counted. Mayor Vest said Ms. Yarbrough did a lot of work on the front end. He said right now Jonesborough is leading the region in compliance at over 70% which is about what the final percentage was ten years ago. Mayor Vest said Kevin Flannery called him to complement the Town for leading the way on census registrations. Mayor Vest said he challenged Cameo Waters, the McKinney Center staff, and the talented team we have here in Town to put together a video for a Census Program contest which they submitted in hopes of winning a \$5,000 grant. He said we want to make sure people comply and everybody gets counted because that is important for our area in getting our return of Federal tax dollars.

Mayor Vest said he has had residents call him asking when the Town's recycling program would be starting back up. He said that depends on when the Washington County Sheriff's Department determines it is safe to allow the inmate crew back into the community and get our recycling program started back. Mayor Vest said the Park and Recreation Department has planted over 300 trees in the areas around The Meadows subdivision, Permission Ridge Park and Trail, Mill Springs Park, and the new Town Garage, and added that it is good to see the Recreation staff staying busy during this

virus crisis. He said the Senior Center staff has been staying busy with the Meals on Wheels Program during the COVID-19 crises and they have taken care of a lot of senior citizens. He added that he appreciates what the Senior Center staff does for the Town's residents every day.

Mayor Vest said there are two re-appointments and one vacancy on the McKinney Center Advisory Committee. He said the recommendation is to appoint Katelyn Yarbrough for a three-year term and reappoint Heidi Ehle and Karen Sullivan for three-year terms each. Mayor Vest asked the Alderman if they had any comments. There being none, Alderman Dickson made the motion to approve Mayor Vest's recommendations for the McKinney Center Advisory Committee as presented, seconded by Alderman Countermine and duly passed.

Alderman Communications was the next item on the agenda. Mayor Vest asked the Aldermen if they had any comments. Alderman Countermine said he wanted to thank the Town's citizens for supporting Town merchants by purchasing carry-out meals and for spending their money in other stores in Jonesborough.

Alderman Dickson said he would like to say how much he appreciated the post on Facebook by Mayor Vest a few days ago about the young man in Brunswick, Georgia, that was shot and killed. He said he responded to the Mayor's post via Facebook and wanted to share that with the public this evening. Alderman Dickson said he is very proud of the Town of Jonesborough and Town Staff. Alderman Dickson said he thinks we are living the idea of community building. He said that sometimes that phrase, the talk, may get weak and people may get frustrated, but when he thinks about employees like Jeff White, Jeff Thomas, and Fred Callins, it is very important for our community to see diversity because when they see that diversity, we won't have wild incidents like what happened in Brunswick, Georgia. Alderman Dickson said people will really be able to understand what a community is, and it is very refreshing to see that. He said he thought about it all weekend that an individual can say, "Adam, I don't care if they are black, white, plaid or whatever, we just want to hire qualified people", and he gets that and completely understands that. Alderman Dickson said when we are able to see diversity in our community, we are able to build bridges, we are able to see commonalities, we are able to move forward. He said it is just refreshing that Tennessee's oldest town gets that, and it something he is very proud of. Mayor Vest thanked Alderman Dickson for his comments. He said he feels we are all proud of Jonesborough. He said everyone who lives in Jonesborough has always been really respectful of each other.

Town Attorney Comments was the next item on the agenda. Mayor Vest asked Town Attorney Wheeler if he had any comments. Attorney Wheeler said it has been a really busy month, with by far the most of it being on the contracts for the school project, which would be discussed later in the meeting.

Mayor Vest asked if there were any citizens who would like to make comments at this time. There were none.

The first item under Old Business was second and final reading of an Ordinance rezoning property at 815 Shell Road (Cloyd property) from R-3 (High Density Residential) district to B-6 (Urban Corridor Commercial Business) district, being Parcel 1.00 on Washington County Tax Map 059E. Mayor Vest asked the Aldermen if they had any questions; there being none, Alderman Countermine made the motion to approve the rezoning request as presented, seconded by Alderman Dickson, and duly passed.

## **INSERT ORDINANCE**

The first item under New Business was first reading of an Ordinance annexing Parcel 197.01 on Washington County Tax Map 059 and zoning the parcel R-1 (Low Density Residential) district. Mayor Vest said this property is 7.64 acres owned by the Town and is the location of the Town's Persimmon Ridge 3-million-gallon water tank. Mayor Vest asked the Aldermen if they had any questions; there being none, Alderman Causey made the motion to approve on first reading the annexation of Parcel 197.01 on

Washington County Tax Map 059 and to zone the parcel R-1 (Low Density Residential) district. The motion was seconded by Alderman Callahan and duly passed.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO ANNEX CERTAIN PROPERTY OWNED BY THE TOWN OF JONESBOROUGH INTO THE PRESENT CORPORATE BOUNDARIES OF THE TOWN OF JONESBOROUGH, TENNESSEE**

Be it ordained by the Board of Mayor and Aldermen of the Town of Jonesborough, Tennessee as follows:

SECTION 1. That the Town of Jonesborough owns a 7.64 acre (referred to as the Persimmon Ridge water 3-million gallon tank property) and wants to annex this property into the corporate limits of the Town of Jonesborough, and the property is both adjacent to Jonesborough’s current city limits, and in Jonesborough’s Urban Growth Boundary.

SECTION 2. That the Jonesborough, Tennessee Zoning Ordinance Map which was adopted and enacted as part of the zoning ordinance be amended as follows:

Parcel 197.01 as shown on Washington County Tax Map 059 and located adjacent to the current Town’s Persimmon Ridge Park Property is hereby annexed into the corporate limits of the Town of Jonesborough.

SECTION 3. This ordinance shall be effective thirty (30) days after its passage on second and final reading, the public welfare requiring it.

SECTION 4. The property is hereby zoned R-1 (Low Density Residential) upon annexation.

Approved by the Planning Commission \_\_\_\_\_

Passed on First Reading May 11, 2020

Public Hearing Held \_\_\_\_\_

Passed on Second Reading \_\_\_\_\_

Approved and Signed in Open Meeting \_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
TOWN RECORDER

Approved as to Form: \_\_\_\_\_  
TOWN ATTORNEY

The next item on the agenda was approval of the purchase of vehicles in the Solid Waste and Water/Sewer departments. Mayor Vest said the recommendation is to:

1. Approve the purchase of a used fuel truck for \$5,500 out of the Water/Sewer Fund to be used on construction job sites and as a back-up fuel supply in emergencies, to be paid from Water Distribution budgeted funds.
2. Approve the purchase of a new brush truck meeting Town specifications from Stringfellow, Inc. in Nashville for a Sourcewell bid amount of \$171,921.10 plus a

complete set of back-up cylinders for the truck costing \$15,605, to be paid from the Solid Waste Reserve Fund.

3. Approve the purchase of a new side loader garbage truck from Stringfellow, Inc. of Nashville for a Sourcewell bid of \$355,676.15, including a Heil 28-ton packer with a hydraulic arm and a Peterbilt truck and chassis, to be paid through an eight (8) year lease with Community Leasing Partners.

Mayor Vest asked the Aldermen if they had any questions; there being none, motion was made by Alderman Countermine to approve the recommendations as presented, seconded by Alderman Callahan, and duly passed.

The next item on the agenda was the approval of a Resolution authorizing the lease purchase of a Heil/Peterbilt 2020 side loader garbage truck. Mayor Vest said the recommendation is for approval of a Resolution labeled as Exhibit B authorizing the purchase of a Heil/Peterbilt side loader garbage truck for a purchase price of \$355,676.19 with a lease payment schedule based on a 2.606% fixed interest rate over an eight-year term, and authorizing the signing by Mayor Vest of the Master Equipment Lease Purchase Agreement with Community First National Bank and associated Exhibits and Attachments. Mayor Vest asked the Aldermen if they had any questions; there being none, Alderman Causey made to motion to approve the Resolution authorizing the lease purchase of a Heil/Peterbilt 2020 side loader garbage truck as presented, seconded by Alderman Dickson, and duly passed.

#### **INSERT RESOLUTION**

The next item on the agenda was first reading of an Ordinance annexing property along Anderson Road. Mayor Vest said the recommendation is to approve on first reading the Ordinance annexing, by request, 13.8 acres owned by Whitney Riddle, being a portion of parcel 171 on Washington County Tax Map 051 with the metes and bounds as designated on the DT Wood Engineering schematic dated April 2, 2020, and that the property being annexed be zoned PRD (Planned Residential Development) district. Mayor Vest said this is near Ashley Meadows. Alderman Causey asked if this property, when it gets annexed, will come out on Anderson Road or will there be a different street that comes out on College Street because Anderson Road is really dangerous. Mayor Vest said he thinks right now it exits onto Anderson Road. He added that the right side of Anderson Road is still in the County, while the left side is in the Town. He said exiting Anderson Road is very dangerous with not the best sight-lines and we are getting more and more homes there. Mayor Vest said it is something we need to look at; there has been discussion that there could possibly be a back exit in the future but it depends on the development of the area, so that might be years away. He said once we get this property annexed, we probably should determine if there is something the Town should do to address the safety issue. Mayor Vest asked if Anderson Road is a State route and could we possibly get some cooperation with the State. Operations Manager Craig Ford said it is a State Route. He said he will get with Todd Wood and Malcolm Highsmith to go out there and look at it. Mr. Ford said he would like to approach the two property owners on College Street before you get to Anderson Road to see if they would allow the Town to do some grade work on that bank; that would also make it easier for them to maintain their property as far as mowing it. He said he feels if we can get that bank cut back far enough, it would greatly improve the sight distance. Mr. Ford said we can at least approach them and see what the property owners' thoughts are on it and whether they agree with that plan or not. He said he would like to have the opportunity to talk to Todd Wood and Malcolm Highsmith and see how they feel. Mr. Ford said there is a convex mirror up there, and if people would go the speed limit, it would not be as dangerous, but they don't. Alderman Callahan asked if it was 55 or 65 mph through there. Mr. Ford said it's 30 mph in the city limits in the curve, but just right there at the end of the Ashley Meadows development, it jumps to 45 mph, and motorists start to accelerate out into the County when they come around that curve. Alderman Callahan asked if a Caution Sign should be placed right there to get speeders attention because it is a bad spot. Mayor Vest said he agreed, and a lot of times homeowners are very cooperative on issues like that. Glenn Rosenoff said that Todd Wood would be at Town Hall tomorrow so he and Mr.

Wood can discuss this issue, after Craig has talked with Todd and Malcolm. Mayor Vest asked the Aldermen if they had any further comments; there being none, Alderman Callahan made the motion to approve on first reading the Ordinance annexing, by request, 13.8 acres owned by Whitney Riddle, being a portion of parcel 171 on Washington County Tax Map 051 with the metes and bounds as designated on the DT Wood Engineering schematic dated April 2, 2020, and that the property annexed be zoned PRD (Planned Residential Development) district, seconded by Alderman Causey, and duly passed.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO ANNEX CERTAIN PROPERTY LOCATED AT  
ANDERSON ROAD AND THE PRESENT CORPORATE BOUNDARIES  
OF THE TOWN OF JONESBOROUGH, TENNESSEE**

Be it ordained by the Board of Mayor and Aldermen of the Town of Jonesborough, Tennessee as follows:

SECTION 1. That the Town of Jonesborough has received a request by Whitney Riddle, to annex 13.8 acres along Anderson Road into the corporate limits of the Town of Jonesborough, and the property is both contiguous to Jonesborough's current city limits, and in Jonesborough's Urban Growth Boundary.

SECTION 2. A 13.8 acre portion of Parcel 171 on Washington County Tax Map 051 is hereby annexed by request into the corporate limits of the Town of Jonesborough.

SECTION 3. That the Jonesborough, Tennessee Zoning Ordinance Map which was adopted and enacted as part of the zoning ordinance be amended as follows:

A 13.8 acre portion of Parcel 171 as shown on Washington County Tax Map 051 and located along Anderson Road is annexed into the corporate limits of the Town of Jonesborough and is hereby zoned PRD (Planned Residential District).

SECTION 4. This ordinance shall be effective thirty (30) days after its passage on second and final reading, the public welfare requiring it.

Approved by the Planning Commission \_\_\_\_\_

Passed on First Reading \_\_\_\_\_ May 11, 2020 \_\_\_\_\_

Public Hearing Held \_\_\_\_\_

Passed on Second Reading \_\_\_\_\_

Approved and Signed in Open Meeting \_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
TOWN RECORDER

Approved as to Form: \_\_\_\_\_  
TOWN ATTORNEY

The next item for discussion was conceptual approval of a Public/Private Agreement with Renaissance Properties/Eureka Hotel. Mayor Vest said this conceptual agreement allows two exits from the JRT building to enter onto permanent pedestrian easements on the Historic Eureka Inn property in order to access First Avenue, with the Town constructing sidewalk connections as shown on the schematic dated March 13, 2020, along with two decorative lights acceptable to the Eureka Inn business and property owners as well as the Historic Zoning Commission, with the formal agreement to be signed after being submitted to the BMA for final approval. Mayor Vest asked the Aldermen if they had any comments. Alderman Countermine said it was a good solution to the problem. Alderman Callahan asked if we are leasing the other side from Shane Adams for \$700 a month. Mayor Vest said he didn't think that was the case. Alderman Countermine made the motion for conceptual approval of a Public/Private Agreement with Renaissance Properties/Eureka Hotel as presented, and seconded by Alderman Callahan. Mayor Vest asked if there was any further discussion. Attorney Wheeler pointed out that he thinks Alderman Callahan was referring to a possible long-term lease with Shane Adams for the alleyway which may be an issue that comes up later; none of the staff is seriously talking about doing that but are looking at other ways to deal with the alleyway. He pointed out that this agreement is separate from any agreement with Mr. Adams. The motion was duly passed.

## **INSERT AGREEMENT**

The next item for discussion was the naming of the community park being developed on the old city garage property between North Lincoln Avenue and Longview Drive. Mayor Vest said the park has not been formally named, and it has been called Lincoln Street Park because the Recreation Education Services of TDEC titled it that with the \$500,000 grant award. Mayor Vest said this is the new park we have under construction next to the Senior Center, and the recommendation is to name it Lincoln Park after President Abraham Lincoln. Mayor Vest asked the Aldermen if they had any comments; there being none, Alderman Callahan made the motion to approve the official name of the community park being developed on the old city garage property, between North Lincoln Avenue and Longview Drive as "Lincoln Park". The motion was seconded by Alderman Dickson and duly passed.

The next item for discussion was the naming of the connection lane between Smith Lane and North Cherokee Street above the Fox Plaza north of Jackson Blvd. Mayor Vest said that Washington County 911 wants the Town to formally name that section of the connector. He said a speed table will need to be constructed just below the intersection of the new Ivy Trace Subdivision and N. Cherokee Street on the 11E side of the ridge in order to slow traffic down on N. Cherokee coming over the hill before the through lane connector curves off to the east and Smith Lane. He added that it is not expected that residential or business development will occur off of the connector. Mayor Vest said the recommendation has three options from a naming stand point:

1. Name the short connector something different from N. Cherokee Street or Smith Lane. N. Cherokee Street should not be an option because it goes past the Justice Center to Jackson Blvd., and N. Cherokee Street continues on the other side of Jackson Blvd. to Main Street. Also, there is a small office complex above the Justice Center that has N. Cherokee Street addresses. Naming the connector a third name is going to be confusing. It will be confusing to emergency personnel, and it will be confusing to anyone using GPS for directions. The third name will show up on GPS and people will be looking for it. We will need to sign it, and that will be confusing because it flows like it is part of Smith Lane and it is short. The connector really should have the same name as the section of existing Smith Lane from the connector to Jackson Blvd.
2. Name the connector Smith Lane as well. The connector is intended to be the through street carrying traffic to and from N. Cherokee Street, including the new school, over to the new traffic signal that will be installed at Smith Lane and Jackson Blvd.

The connector looks like it is an extension of the section of the current Smith Lane from Jackson Blvd. to the connector, and the vast majority of the traffic in the future will use it that way.

There are the two original residences on what was graveled Smith Lane that are on what is essentially a one lane street serving the two driveways into the two residences. The narrow asphalt section at the end of existing Smith Lane stops just beyond the driveway, but the right-of-way has been dedicated to the Town and goes across to the Eldridge property. If the lower section of the Eldridge property develops, it is likely that the narrow short section at the end of Smith Lane will be widened and extended over as a public access to the Eldridge property. If the BMA chooses to name the connector as part of Smith Lane, then the narrow short end of existing Smith Lane will need to be renamed.

The owners of the two houses at the end of Smith Lane are not the original occupants. Those two houses are the only houses or businesses with a Smith Lane address. Changing addresses is an aggravation, but it is somewhat of a short-term aggravation. If the BMA chooses the Smith Lane naming option, you may want to consider asking the two homeowners if they have a preference on what new name their street is named.

3. The third option is to rename the section of Smith Lane from Jackson Blvd. to the connector, and the connector itself something else. There are no houses or businesses on that section of Smith lane or off the connector. So the impact of renaming most of Smith Lane will be with 911, and we will have to change some existing signage.

As far as a recommendation is concerned, the BMA is being asked to either change the end of Smith Lane with the houses to something else or to rename Smith Lane from Jackson Blvd to the connector and the connector itself to N. Cherokee Street with another name. We do not need a third name just for the connector.

Mayor Vest said he feels we should keep Smith Lane as it is and name the connector Smith Lane Connector. Mayor Vest asked the Aldermen if they had any questions or comments, and there were none. Operations Manager Craig Ford asked for clarification from the Board about the naming of Smith Lane Connector; where does Smith Lane start/end and where does Smith Lane Connector start/end. Mayor Vest said Smith Lane remains the way it is now, and the new small part becomes Smith Lane Connector with signage installed; Smith Lane remains the same and North Cherokee remains the same. Mayor Vest called for a motion. Alderman Causey made the motion to name the newly constructed connector between Smith Lane and N. Cherokee Street as Smith Lane Connector and keep the short section of the street serving the two houses as part of Smith Lane. Alderman Callahan seconded the motion and it was duly passed.

The next item for discussion was the approval of a change order on the Jackson Theatre project. Mayor Vest asked Craig Ford to explain the project change order request. Craig Ford said there was a knee-wall that needed to be built in order to be able to finish the roof project. Mr. Ford said he knows that is a point of contention with GRC because he doesn't know when the Town can get that done, and it is going to hold GRC up from being able to finish the roof project. He said he knows that is one of the change orders. Mayor Vest said it is part of the front façade work and will allow GRC to move forward and keep the project moving forward. Mr. Rosenoff said what is being recommended are change orders that result in a net increase of \$4,303.95 to the GRC Construction Contract; there is work that the inmates are not available to do because of the virus, and if we don't move the project along, then there will be a lot of cost involved in remobilizing. Mayor Vest agreed that it is certainly something we need to do, and it is a change order adding \$14,000 to GRC's construction contract, and we have an existing credit of almost \$10,000 right now, so the result is an actual increase of \$4,300 but that really does keep the project moving forward. He said right now with the inmate

labor being hard to come by, we always need to be prepared in the future that we are not always going to have the inmate labor. Mr. Rosenoff said it is different when the contractor is dragging its feet versus the Town, and he feels we need to move the project forward. Alderman Countermine said he thinks it's important the we move it forward. Alderman Countermine made the motion to approve (1) the change order with GRC Construction adding front façade work on the Jackson Theatre building, adding the cost of removing bad soils with the foundation work needed to install the numerous steel beams, and the grading costs associated with the Shane Adams' construction easement, combined with a \$28,000 credit for deleting the underground connection into the JRT building for a total change order additional cost to the GRC contract of \$4,303.95; (2) an additional change order totaling \$6,932.49 to the GRC Construction adding additional work on the Jackson Theatre roof area including the framing and construction of the front (north) wall of the Theatre so roof work can be completed on the existing Jackson Theatre building, as well as the framing on sheeting of parapet walls on the Jackson Theatre/Stage Door buildings needed so GRC Construction can provide the wall caps and complete their original scope of work. Alderman Causey seconded the motion. Mayor Vest asked if there was any further discussion. Alderman Callahan asked how the Jackson Theatre was going to be connected to the JRT if we are eliminating the underground connection. Craig Ford said there is a connection in the back and there is still connection from the Jackson Theatre and the Stage Door on the first and second floors, and there is a connector on the second floor of the Stage Door that ties into the Repertory Theatre. He said the plan was to build a green room downstairs of the Jackson to be used for both the Jackson Theatre and the JRT, but it is not at this point feasible to do that. He said you will still have the connection on the second floor to the Stage Door and then to the JRT. Alderman Callahan said Bob Browning was excited about that underground connection. Craig Ford said there will still be a connection in the stage area; there will be a step up but the connection will still come underground underneath the stage and there may be a step up or so; it depends on how those floors actually meet once they make that connection behind the JRT stage. Alderman Callahan said it is going to be really nice when it is completed, and he is very excited about it. Mayor Vest called for the vote and the motion was duly passed.

The next item for discussion concerned a possible Economic Development Administration (EDA) grant for a water/sewer project for the Washington County Industrial Park. Mayor Vest said he had discussions with Mr. Rosenoff and Ms. Miller about the Town investing time, labor and equipment in a project at the Industrial Park. He said we have a history of working with Washington County on these types of projects which add jobs to our county which benefits us all. Mayor Vest said Glenn Rosenoff had some good news for the BMA; instead of this being a 50-50 match, it is a 20% grant match which benefits to the Town. The Mayor said he is excited about that because when we invest time, labor, equipment, and dollars into projects, we need to make sure we are getting a return for the Town's tax payers. He said Ms. Miller pointed out that the Town has ongoing water/sewer revenues that come out of the industrial park. Mayor Vest said there are several recommendations and asked Attorney Wheeler if they could all be handled as one. Attorney Wheeler said they could. Alderman Countermine asked Attorney Wheeler if the grant had been approved by Washington County and if the County was aware the BMA is making this motion tonight. Attorney Wheeler said the County Commission has not dealt with it, and he is not sure about Mayor Grandy. Alderman Countermine said in approving this we are assuming the County will approve the Grant, and if that doesn't happen, then the Town will have to reassess. Attorney Wheeler said the recommendation states "on the following conditions". Alderman Countermine asked if the County has even agreed to do this. Mr. Rosenoff said he does not know if they have or not. He said he thinks there have been conversations with the County Mayor about it. He said that our crews will over-match the project so we will be reimbursed grant dollars and the match; the Town's responsibility will be \$252,000 which we will cover our labor and equipment. Mr. Rosenoff said the news on the 20% match is a better position for Jonesborough. Attorney Wheeler said it would appear the County would have a strong interest in supporting this. Mr. Rosenoff said that the work our staff will be doing is not just for the industry coming to the industrial park but also creates a redundancy for our water system, so each time we look at these projects we are looking at that redundancy and just in-case scenario. He said it helps

us currently and then when the plant opens up with increased water/sewer revenues that come from the new industry to the Town. Mayor Vest said the grant to supply the water and sewer to this new plant at the Industrial Park is a 80-20 match which will reimburse our Town for the labor and equipment to install the water and sewer lines, and the future revenues coming out of that facility will also benefit the Town. Mayor Vest said he feels in talking with Mayor Grandy that the County is excited about this project and the jobs it can bring to our area.

Alderman Callahan made the motion to authorize staff to construct the water and sewer lines associated with utility expansion needed in the Washington County Industrial Park if grant funding or other funding is provided to cover the cost of materials, engineering, labor and equipment, and project administration. The motion was seconded by Alderman Causey and duly passed.

Alderman Dickson made the motion to approve a Resolution authorizing staff and the Mayor to submit an EDA application and to complete the necessary documentation including an associated Resolution for an amount not to exceed \$1,008,000 in grant funding from the Economic Development Administration in order to construct new water and sewer lines within the Washington County Industrial Park needed to serve ebm-papst, Inc. and any additional industry within the existing Industrial Park, on the following conditions: a.) Washington County provides written confirmation that they will cover any matching requirements associated with the Water/Sewer grant project that are not covered with the labor and equipment expenses the Town is investing in the construction project. b.) Washington County will assist in acquiring the easements across the properties along Blalock Road that are needed in order for the Town to construct the 12" water line from the cul-de-sac planned at the end of the new Industrial Park access road to US-11E with the easements being in a location that is just beyond any future expansion area of Blalock Road required by TDOT specifications. The motion was seconded by Alderman Countermine and duly passed.

## **INSERT RESOLUTION**

The next item for discussion was Employee Health Insurance for the period June, 2020, through May, 2021. Mayor Vest said health insurance costs continue to rise, whether it's for government or the private sector, and you hear of large increases which always lead to negotiations with the insurance companies and providers. He said Town Recorder Abbey Miller and her team worked out a really good solution with generic prescriptions remaining at the same \$10 co-pay and a small increase on specialty drug prescriptions that helps off-set some of the premium increases. Mayor Vest said the cost increase for employees per pay period will be \$6.56 for single coverage, \$13.14 for employee/spouse (plus 1), and \$19.11 for family coverage. He said part of this is the Town's Health Reimbursement Account (HRA) which is a safety net to help lower premium increases and at the same time keep the employee deductible at \$1,500. The changes to plan benefits are as follows:

1. The co-pay for a doctor's office visit is currently \$35 per visit. Under the revised plan, the co-pay for a doctor office visit will be \$30 for primary doctors and \$50 for specialists.
2. The deductible the employee pays now is \$1,500 and under the revised plan, the deductible remains at \$1,500. With the Health Reimbursement Account (HRA) Program, we have currently set aside \$214,693. You may remember, when we realized what a small percentage of employees were meeting their deductibles each fiscal year, we chose to create the HRA and raised the deductible to \$3,000. The employee paid the first \$1,500, and the Town paid the second \$1,500 out of the HRA.
3. The deductible for the employee is \$1,500 and under the revised plan it remains \$1,500 for the employee. The plan recommended raises the deductible to \$4,000 (Town pays \$2,500 out of the HRA fund, if needed) and the maximum out-of-pocket goes to \$5,000 (Town pays up to \$3,500 if needed). In order to cover the Town's

exposure, the amount the Town contributes into the HRA is recommended to be increased from 10% to 12% of the Town's maximum exposure.

4. Pharmacy costs have become a big factor in premium increases. The plan recommended keeps the generic prescription co-pay at \$10. The co-pay for name brand drugs will increase from \$35 to \$75, and the co-pay for specialty drugs will increase from \$50 to \$150. The high price drugs are typically associated with high-cost disease treatment so the maximum out-of-pocket for any employee with a serious illness will likely be met early. The cost of prescriptions under the plan recommended counts toward the employee's maximum out-of-pocket, so if high costs drugs are needed, the maximum out-of-pocket amount is met quickly. Under the current prescription plan, there is a \$200 "deductible" for non-generic drugs, so the employee has to pay \$200 on the front end along with the co-pay. With the recommended plan, the \$200 deductible is eliminated, and the employee's cost of the prescriptions is applied to the overall out-of-pocket for the employee.

Alderman Countermine asked Ms. Miller if she feels good about this plan. Ms. Miller said she did. Mayor Vest asked Glenn Rosenoff if he had any comments. Glenn Rosenoff said he concurs with the plan and appreciates the efforts of Ms. Miller and her team in getting the rate down. Mayor Vest asked the Aldermen if they had any comments. Alderman Causey asked that since the premium increases go into effect on June 1<sup>st</sup>, can we, as the Town, absorb the difference of the insurance cost increase in the month of June until our employees get their raises in July, because the lower-end people are really the ones going to be affected with the premium increase. Mayor Vest said he feels that is a good suggestion to really make this increase effective for employees on the date our Town employees get their pay increases. Alderman Callahan asked if the insurance cost difference in June could be drawn from the HRA account to off-set the cost. Ms. Miller said if needed, the difference could be drawn from the HRA account. Alderman Callahan said he is proud to know Jonesborough does that for their employees. Alderman Countermine agreed, and said it was a good idea. Ms. Miller said if you look at the HRA statement in the packet we dropped the contributions down to 10% for the 2019-20 fiscal year, and through April, claims have been more than the contributions so she recommends we increase the contributions for FY2020-21. Alderman Causey said Ms. Miller does a great job with the employee insurance and the HRA account. Mayor Vest called for a motion. Alderman Callahan made the motion to approve the Town's health insurance program for employees as recommended with the Town absorbing the premium increase until the effective date of employee salary increases as recommended. Alderman Causey seconded the motion, and it was duly passed.

The next item for discussion concerned approval of the plan to add more parking spaces associated with Barkley Creek Park off West Main Street; to pave the public parking area off Willow Creek Lane and to allow Becky Isabell and Ben Parrish to use two of the parking spaces developed off Willow Creek Lane nearest the garage for their vehicles/boat for as long as they are alive and are living in one of the condo units off Willow Creek Lane, with Town staff completing the Willow Creek Lane extension paving this calendar year. Attorney Wheeler commented that the minutes need to reflect that as long as Ben Parrish and Becky Isbell are occupying the residence, because if they go to assisted living or a nursing home, then their use of the parking spaces would stop at that point. Alderman Countermine asked if it then becomes the Town's parking spots. Attorney Wheeler said that is correct, and if the Town signs an agreement with them, we will make sure it reflects that. He said he wants to make sure the minutes reflect that is what the Board approved. Alderman Countermine made the motion to 1) approve the plan to add more parking spaces associated with Barkley Creek Park off West Main Street; 2) move forward to pave the public parking area off Willow Creek Lane based on the plan presented, and (3) authorize Ben Parrish and Becky Isbell to use two of the parking spaces developed off Willow Creek Lane nearest the garage for their vehicles/boat for as long as they are occupying one of the condo units off Willow Creek Lane,

with Town staff completing the Willow Creek Lane extension paving this calendar year. The motion was seconded by Alderman Dickson and duly passed.

The next item for discussion concerned a Memorandum of Understanding between the Town and Clint Douglas, owner of Jonesborough Wine and Spirits. Mayor Vest said Clint Douglas has purchased vacant property on the southside of West Jackson Blvd (US-11E) that also borders Persimmon Ridge Road, and is in the process of developing the property and constructing a new building to move his business into when it is completed; Mr. Douglas has presented a site plan to the Planning Commission, which approved the plan based on the connectivity between the expected lots along US-11E, a left-turn lane west bound on 11-E into a single entrance that would serve whatever lots were developed, and a connection from the development to Persimmon Ridge Road that will provide a short distance to the traffic signal at Persimmon Ridge and US-11E; the signal would provide safe turns onto US-11E westbound toward Greeneville. Mayor Vest added that the plan was also reviewed and recommended by the Traffic Advisory Committee; Mr. Douglas has submitted the plan to TDOT, and they are currently working on the permit request. Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Dickson made the motion to approve the Memorandum of Understanding with Clint Douglas establishing a public/private partnership that results in safer traffic flow in and out of the Douglas property at US-11E and Persimmon Ridge Road, seconded by Alderman Causey and duly passed.

#### **INSERT MEMORANDUM OF UNDERSTANDING**

The next item for discussion was approval of the renewal of a Certificate of Compliance for Ingles Market, Inc. #398, to sell wine. Mayor Vest said the Tennessee Alcoholic Beverage Commission requires food stores permitted to sell wine to get their permit renewed every two years. Mayor Vest asked the Aldermen if they had any comments or questions. There being none, Alderman Callahan made the motion to approve the Food Store Certificate of Compliance for wines sales at the Ingles Market, Inc. Store #398. Alderman Causey seconded the motion, and it was duly passed.

The next item for discussion concerned an Architect Contract and Construction Advisor Contract associated with the Jonesborough K-8 School Project. Mayor Vest said this is one of the biggest projects impacting the Town of Jonesborough for the next 30, 40, or 50 years, and it is good to be on the front edge of this project. He said it's going to be great for our community, the students, and the overall quality of life in our area. Mayor Vest asked Attorney Jim Wheeler to explain the changes that are being proposed. Attorney Wheeler said he sent Board members two documents which are the Owner/Architect Agreement and the General Conditions which helps clarify the relationship between the Architect and Contractor. He said the Architect's Contract controls, so if there is any discrepancy between the contract and general conditions, the Architect's Contract controls. The General Conditions document is subordinate to the Architect's Contract, and the Construction Manager which is in the Contractor's contract, and helps bridge between the two. Attorney Wheeler said that is what that document is for, and the Board will see it again when the contract is negotiated with the school building contractor. He said there will be a contract that will be sent out with an RFQ to contractors for their competitive proposals. He said once the contractor is selected, we will go through a phase where we will negotiate that contract some and come back to the BMA for final approval. Attorney Wheeler said likely there will be some changes to the General Conditions document as a result of the negotiation with the Contractor so the architect will be back involved with the contractor negotiations. He said the architect has helped to design the Contractor Contract to protect the Town with respect to the contractor's performance as of now, but we will do more of that as we move forward after the RFQ. Attorney Wheeler said the last document that is attached to the documents the Board received is a copy of the agreement with the Construction Advisor which is Burleson Construction. He said we have not spent much time with that, but in Tommy Burleson's role, he has no liability; he is there as the Town's representative and eyes. He said the Architect remains responsible for the

design and for oversight of the contractor, and the Construction Advisor's liability is extremely limited; therefore, there is not as much importance with each word of the advisor document as there are with the others.

Attorney Wheeler said he would like to go over some changes that were made today that are not reflected in the Architect Contract document that the BMA has looked at since Friday, as follows:

1. Article 1 – Initial Information  
Section 1.1.12.1 – List of Consultants working for the Architect, Number 4 – Civil Engineer information was somehow dropped from the listing but has been added back, which is Todd Wood of DTWood Engineering, and he will be paid by the Architect.
2. Article 2 – Architect's Responsibilities  
Section 2.6.1 – The Commercial General Liability with policy limits of not less than should be \$3,000,000 rather than \$2,000,000.
3. Article 2 - Architect's Responsibilities  
Section 2.6.5 - Professional Liability limits are not required until time of construction, and that is basically because the architect doesn't have that limit right now and anticipates having that limit before the construction period, which will be \$5,000,000.
4. Article 4 – Additional Services  
Section 4.3.4 – If the services covered by this Agreement have not been completed in twenty (20) months has been changed to thirty-six (36) months. This change was because originally the anticipation was that this would be signed much later in the process and we need to make sure we have plenty of time to design and build the building. Attorney Wheeler said all that deals with is if the project went beyond that 36 months period of time, the additional services have been built into the Architect's Contract, and then the architect would have to be paid more.
5. Article 11 - Compensation  
Section 11.8.1 – There are two sub-paragraphs to deal with:
  - 3) Added to the end is a limitation for any printing or reproduction over an initial ten (10) sets of construction documents, if requested or required, which means the architect will provide ten (10) sets of construction documents at no cost to the Town and anything above that the contractor requires, the Town would have to pay for the additional printing.
  - 7) This sentence has been modified to include the architect, as well as the architect's consultants, in two places in that sentence, which means if the architect's normal professional liability limits are \$2,000,000, we pay the difference to get to \$5,000,000; which is not an inexpensive amount, estimated to be \$10,000 - \$15,000 or possibly more than that, and the anticipation is that the Architect will have \$5,000,000 at the time construction starts, so that is why we made the change in the first paragraph.

Attorney Wheeler said those were all the changes and asked the Board if they had any questions or comments. Mr. Wheeler said that when there is a motion made, the contract will need to be approved with those changes. Mayor Vest said he felt one of the more important changes was getting that time adjusted from 20 months to 36 months, because 20 months to design and complete a project this size is not long when there are always little things that could hold the project up. He said getting that switched to 36 months really makes things more comfortable and allows the Town to more accurately estimate what the costs are going to be, and the way we are getting involved with these contractors on the front-end and requesting totals from the various subcontractors is going to allow us to work on the cost of project on the front-end versus

bidding it out and being surprised on what the project is going to cost. He said he feels once we select a contractor and are working with them to see where we can save some money or improve the project will help us deliver a high-quality school and park project for the budget we have. Attorney Wheeler said this is new to Rural Development, and they are working through this with us and is part of why it is taking a lot of time; but at the same time Rural Development is extremely complimentary of this process we are putting together. Mayor Vest asked Glenn Rosenoff if he had ever built a school in Erwin. Mr. Rosenoff said he had not. Mayor Vest asked Mr. Rosenoff if he was excited about this project. Mr. Rosenoff said he is very excited about this project. Mayor Vest said Bob Browning will be shifting to another position, and Mr. Rosenoff, as Town Administrator, will be on the design committee and will be playing an important part in the school project. Mayor Vest asked the Aldermen if they had any questions for Attorney Wheeler or comments about the project. Alderman Causey asked if the items listed in Section 11.8 Reimbursable Expenses were in addition to the contract amount of \$1.4 million. Attorney Wheeler said the items listed in that section are in addition to the contract amount. Alderman Causey asked if there was a cap on how much the Architect can charge for all of this. Attorney Wheeler said there is not a cap because most of this is what the Town would be demanding of him, so it did not go very well in trying to negotiate or discuss a cap, but they did cut out a lot of items that were in the standard AIA Contract for reimbursables. He said that is the compromise that was agreed upon because the architect has no idea of how many sets of drawings, for instance, that the contractor will demand, and it is possible they may demand 20 because of subcontractors. Mr. Wheeler said if they demand that many that is where the architect is pushing back saying to put a reasonable number in the contract and beyond that he gets paid; or we negotiate in the contract that the contractor pays for sets of plans beyond 10. Alderman Countermine said that would be good. Mr. Wheeler said we may be able to address a few of these things with the Contractor's Contract and try to build them into their contract to help hold down those expenses. He said the other thing is that any of those reimbursables will still need to come out of the project costs rather than actual Town expense. Mr. Rosenoff said in looking at the review, what has been presented to the Board has really exhausted the standard language in the standard AIA Contract. Attorney Wheeler said he feels it is fair to say we sort of wore the architect out, and they were not anticipating the level of changes that we made, and he feels we made a good investment in the two attorneys that we used for that. Mr. Rosenoff agreed and said for example that travel would only be if the Town authorized the architect to travel, so there is a lot of decision making that comes from the Town versus the architect on that. Mayor Vest said it seems like a lot of the reimbursable expenses are items that we are demanding from the architect, so we just have to control how much we demand if we want to control the budget somewhat. He said the expense for overtime work requiring higher than regular rates has to be authorized by the Town, so things like that we will have some control over. Mr. Rosenoff said we will have a great Project Manager to manage what is going on in the school project. Mayor Vest agreed and said ultimately every dollar will have to be watched, and that is certainly something that this Board will do as well. Mayor Vest asked the Aldermen if they had any further comments or questions. There being none, Mayor Vest called for the motion. Alderman Callahan made the motion, seconded by Alderman Countermine and duly passed, to approve the following four items, as listed:

1. The Architect Design Contract on the Jonesborough K-8 School Project with Ken Ross Architects at a fee of five percent (5%) of construction fee to be under the \$1.5 million cap as in the agreement with Washington County.
2. The Construction Advisor Agreement with Burlison Construction at a fee of one percent (1%) of construction fee, with the agreement being an attachment to and part of the Architect's Contract.
3. "General Conditions" Contract for the school construction project.

4. The document approvals are all subject to the review and approval by Rural Development, USDA, and the final acceptance of the Town Attorney to any additional minor changes or required changes by Rural Development.

Mayor Vest asked Attorney Wheeler if he had anything more to add. Attorney Wheeler said they would provide a clean copy of the contracts, with the changes, for the minutes and a list of the changes as well.

The next item for discussion concerned the Project Director's contract. Mayor Vest said one thing he announced when Bob Browning retired is that there are still some Town projects that we want to make sure we still have Mr. Browning's expertise on. Mayor Vest said, as he said back in March, to be able to have Bob Browning here, Craig Ford, add in Glenn Rosenoff, and have Abbey Miller watching what they spend, we have a great team leading our town. Mayor Vest said he had one question regarding Section 2 – Term, and it concerned if this contract is just through the FY19-20 budget year. Attorney Wheeler said it is through July 12, 2020, and the Board will receive another contract at the next regular BMA meeting that will be for Mr. Browning to serve two years as Project Manager. Mayor Vest said this contract will get us through July 12, 2020, and then we will have another contract for an additional two-year term. Attorney Wheeler pointed out that it will go into the FY20-21 budget year by twelve days, which is Mr. Browning's official retirement date, July 12, 2020. He said they requested that to shift some of the expenses into the next budget year, and that is why it was done this way. Attorney Wheeler said it also corresponds with the end of a pay period and that is another reason that date was selected, and then we will go from that date forward with the new contract. Mayor Vest asked the Aldermen if they had any comments about the Project Manager's Employment Contract. There being none, Alderman Causey made the motion to approve the Project Manager's contract as presented, seconded by Alderman Dickson and duly passed

**INSERT CONTRACT**

There being no further business the meeting was duly adjourned.

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ABBAY MILLER, RECORDER

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CHUCK VEST, MAYOR