

BOARD OF MAYOR AND ALDERMEN

PUBLIC HEARING

JULY 12, 2021

The Board of Mayor and Aldermen (BMA) met in a Public Hearing on Monday, July 12, 2021, at 7:00 p.m. at Town Hall, 123 Boone Street, Jonesborough, TN.

The first item on the Public Hearing agenda was an Ordinance rezoning certain property along Boones Creek Road from R-4 (Transition Residential District) to PRD (Planned Residential District). Mayor Vest asked if there was anyone present who had any comments on the proposed rezoning. Jonathan Lewis, Highlands Engineering, addressed the Board and stated he was available to answer any questions regarding the rezoning along Boones Creek Road. There were no comments.

The Public Hearing was closed.

ABBIE MILLER, RECORDER

CHUCK VEST, MAYOR

BOARD OF MAYOR AND ALDERMEN

REGULAR MEETING

JULY 12, 2021

The Board of Mayor and Aldermen (BMA) met in Regular Session on Monday, July 12, 2021, at 7:00 p.m., at Town Hall, 123 Boone Street, Jonesborough, TN.

Mayor Chuck Vest called the meeting to order. Alderman Dickson led the group in an opening Prayer, and Dean Chesnut 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, Operations Manager Craig Ford, Town Attorney Jim Wheeler, and Donna Freeman, Executive Assistant, in the absence of Town Recorder Abbey Miller.

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. There were none. Alderman Callahan made the motion, seconded by Alderman Dickson, and duly passed to approve the following items on the Consent Agenda:

1. Approve the minutes for the May 10, 2021, BMA meeting.
2. Approve the following June, 2021, bills for payment:

<u>VENDOR</u>	<u>GENERAL</u>	<u>WATER</u>	<u>SANITATION</u>
99486-99529 AP	97,181.96		
99530 AP	1,976.58		
99531-99565 AP	21,904.31		
99566-99610 AP	119,221.09		
99611-99633 AP	13,493.11		
99634-99653 AP	15,221.05		
99654-99681 AP	54,864.87		
99682-99696 AP	14,422.15		
99697-99725 AP	63,794.56		
99726-99739 AP	13,297.74		
99740-99788 AP	55,262.21		
	\$467,639.63		
62644-62663 AP		68,908.57	
62664 (Void)		0	
62665 AP		1,976.58	
62666-62675 AP		13,381.46	
62676-62693 AP		14,798.74	
62694-62695 AP		164.40	
62696 (Void)		0	
62697-62703 AP		8,982.54	
62704-62726 AP		141,144.21 – June	
62727-62731 AP		4,4321.41	
62732-62746 AP		227,272.86	
62747-62754 AP		7,151.29 – June	
62755-62773 AP		65,822.47	
		\$554,035.53	
9278-9281 AP			7,107.33
9282-9285 AP			274.37
9286-9288 (Void)			0
9289 AP			559.92
9290-9293 AP			372.55
9294-9299 AP			5,475.36

9300-9308 AP	7,069.19
9309 AP	9,660.84
9310-9312 AP	1,090.00
	\$31,636.56

School Fund

1013 (Void)	
1014 - \$1,830.63	
1015 - \$1,125.00	
	\$2,955.63

3. Approve the following Operations Manager Report:

I realize this sounds like a broken record, but nothing has changed with respect to this project. I continue to meet weekly with Don Bacon on the JRT project. We are continuing to wait for updated plans from the architect in order that they can be approved by the State Fire Marshall's Office in Nashville. This is an important step in the process of completing the project.

Preliminary work has been completed on the HVAC system in order that drywall can be installed. We are also awaiting information such as wall color, exterior color, ceiling tile, and floor tile. These unanswered questions are continuing to hold the project up.

The new brick sign at Wetlands was completed this month. The retaining wall and the sign came in well under budget and really enhanced the look of the park. We will cap the top of the wall and sign this fall when the park closes.

We reported last month the major power failure at the Treatment Plant on June 05, 2021. The Plant was without power for nearly 10 hours and we were unable to treat water during this time.

We were able to have the power at the Water Treatment Plant upgraded. The plant was shut down for most of the day to replace the electrical panels. The electrician assures us going forward that we should be good for several years with the completed upgrades. We were able to complete this work without any interruption in service.

Summers-Taylor continues the concrete work at Lincoln Park, although it has been sporadic.

Work also continues on the baseball fields at Persimmon Ridge Park with the inmate crew. Currently, prison officials want the inmate crews working in parks and away from any human contact outside the prison. We are still getting the

inmates every other week, so it is having a negative impact on what they can get done.

The Street Department continues to work on the turn lane at West Jackson Boulevard near Persimmon Ridge. I am hoping this project is completed by the end of the second week in July.

The Street Department and Parks and Recreation Department did a tremendous job preparing downtown for Jonesborough days. I cannot express enough how the entire Town staff performed in preparing for this event.

I feel we had record numbers participate and the fireworks show was spectacular. The Police and Fire Departments did a tremendous job in staging for the event and getting the traffic cleared out after the show. So many were complimentary all weekend long.

I continue to work with the contractor on issues at the JRT project. There are many issues with this project that we have had to contend with, but we continue to forge ahead.

4. Approve the following Committee Reports: Jonesborough Board of Zoning Appeals, Jonesborough Planning Commission, and Historic Zoning Commission.
5. Approve the following Supervisor Reports: Environmental Services/Wastewater, McKinney Center, MBM Outreach Program Director, Building Inspector, Visitors Center and Facilities Rental Manager, Solid Waste and Recycling, Police Department, Water Distribution, Marketing and Promotions Coordinator, Senior Center, Fire Department, Events Coordinator, Director of Tourism and Main Street, Animal Control, Street Department, and Water Treatment Plant.
6. Accept the retirement of Larry Baines as a Street Department Equipment Operator III with the effective date of June 25, 2021.
7. Approve the appointment of Joshua Ensor as a Meter Reader II at Grade 5 Step 1 (\$25,909), retroactive from the time of his temporary hire date of June 16, 2021, and subject to all pre-employment requirements being met.
8. Approve the appointment of Jordan Arney as a Firefighter I in the Fire Department at Grade 9 Step 1 (\$31,491), and transition to Grade 9 Step 2 (\$32,437) upon successful completion of the Fire School. (Note: Mr. Arney has completed all pre-employment requirements).
9. Approve the appointment of Lorena Craddock as a part-time Assistant to Recorder/Operations Manager, not to exceed 16 hours per week, at \$24.26 per

hours through the end of 2021, and that she be eligible for any pay increase approved in the FY21-22 budget.

10. Approve the promotion of James Walden to the position of Street Department Equipment Operator III at Grade 9 Step 5 (\$35,444), retro-active to July 1, 2021, and that Mr. Walden be eligible for any pay increase approved in the FY21-22 budget.
11. Approve the promotion of Jeff Ward to the position of Street Department Equipment Operator II at Grade 7 Step 5 (\$30,304), retro-active to July 1, 2021, and that Mr. Ward be eligible for any pay increase approved in the FY21-22 budget.
12. Approve the following vehicles and equipment as surplus to be sold on GovDeals.com:
 1. 2001 Ford Ranger 2wd camper top, VIN 1FTYR14VP1PB21767, 132,392 miles (Water Distribution)
 2. 2000 Ford F450 Service Truck 4wd, VIN 1FDXF47S5YED81656, 91,147 miles (Wastewater)
 3. Truck Lift (Garage General)
 4. 1990 Trailer (Wastewater)
 5. Concrete Mixer (Street)
 6. Two (2) Clark Electric Fork Trucks (Garage General)
 7. Caterpillar Fork Truck (Street)
13. Approve the declaration of the Public Safety Radio System as surplus and sell of the radio equipment to the Town of Erwin, TN, at \$350.00 each and that the radio equipment that is not purchased by the Town of Erwin be sold on GovDeals.com.

The next item on the agenda was the approval of the Financial Report. Mayor Vest said the sales tax collections continue to be strong, and asked the Aldermen if they had any comments. Alderman Dickson said he was excited to see the Chuckey Depot Museum reserve. He said when we first started the Depot Museum, he was a little concerned about their long-term success and where the revenue would come from. He said that they had a fund raiser and raised a little more than \$7,600, and it seems that right now the Depot is in very good shape. Alderman Dickson said he was also curious about any numbers regarding the Water Park. Matt Townsend, Parks and Recreation Director, said for the month of June the Water Park revenues were approximately \$217,000. Mr. Townsend said since he has been with the Town that is the highest June revenues we have ever had. Alderman Dickson said that was outstanding. Mayor Vest asked the Aldermen if they had any further comments. There being none, Alderman Countermine made the motion to approve the Financial Report as presented, seconded by Alderman Callahan, and duly passed.

Communications from the Mayor was the next item on the agenda. Mayor Vest said he is very pleased with the staff we have here in Jonesborough that do such a great job getting ready for all these events. Mayor Vest said the 2021 Music-On-The-Square opening night held on Friday, July 9th, was a great event, and it was wonderful to see such a large turnout. He said that Trey Hensley and his band gave an outstanding performance.

Mayor Vest asked William "Beebo" Russell to come forward to accept the July Employee of the Month Award. Mayor Wolfe read the following:

I would like to recommend, William "Beebo" Russell as the Town of Jonesborough July 2021 Employee of The Month. As we all know, Jonesborough Parks and Recreation is typically hard at work during the spring and summer months. With the athletic programs, water park and miles of green spaces and parks we are tasked with attending to, it is an extremely tough task to keep all things in the shape we expect here in Jonesborough. It is with this in mind that I would like to recognize Beebo and his hard work and dedication. His work ethic and drive are second to none. He puts in countless extra hours to ensure our town has the best possible aesthetic. When you factor in our department is responsible for the upkeep of 9 parks, the grounds downtown and the multiple outlying green spaces, it really makes you appreciate what a valuable asset Beebo is to our town. Over the last two weeks, we have been focused on the long and difficult task of cleaning up the 11E medians, which are visible to all who visit Jonesborough. Beebo was the driving force in getting these 13 medians back in shape and ready for the crowds we are expecting for Jonesborough Days. Without his presence, we would not have been able to complete this important project to the level at which it sits. Beebo is without a doubt one of the hardest working individuals I have ever had the pleasure of working with. Plus, when you factor in his willingness to interact as an ambassador for Jonesborough with passersby, coworkers and the public in general, you can easily see why our department holds him in such high regard. It is for these reasons, and the countless others, that I proudly nominate William Beebo Russell as Employee of The Month for the Town of Jonesborough.

Submitted by: Matt Townsend, Recreation Director

Mayor Vest asked Mr. Russell if he had anything to say. Mr. Russell said it has been a long year, a long last year, and we are just grinding it and that is all we need to do. Mayor Vest asked Mr. Russell how long he had been employed with the Town. William Russell said 13 years, and he thanked everyone.

Mayor Vest said that a Budget Workshop/Called Meeting date needs to be set and asked Board members what would be a good date and time for them. The Board set Wednesday, July 28, 2021, at 6:00 p.m., as the date for the FY2021-22 Budget Workshop/Called Meeting.

Alderman Communications was the next item on the agenda. Alderman Countermine read a letter he received from a local citizen: *Dear Terry, Recently, I*

recommended the Water Park to friends who were taking care of their grandchildren visiting. Later, I asked them how they liked the water park and they responded very positively. A true family environment where everyone was getting along and having a good time - a real pleasurable experience. Grounds were well kept. Pleasant environment. Lifeguards were wonderful, attentive and professional. Other staff were very nice. It was a great experience. Their grandchildren wanted to return, which they will, and next year they are looking forward to getting an annual pass. Kudos to the park staff. Alderman Countermine said it is nice to get emails like that from people who have visited from out-of-town; it is another reflection on our parks. He added that he recently had family and friends in from out-of-town, and every time they visit, they are very impressed.

Alderman Dickson said great things are happening in Jonesborough. He said you couldn't have put an order in for better weather than we had for Jonesborough Days; it was just perfect. Alderman Dickson said he is really proud of the people that make up Town staff. He said they did an outstanding job with Jonesborough Days, people really enjoyed themselves, and of course, there is that desire to get out and just socialize. Alderman Dickson said Jonesborough Days really reminded him of Jonesborough Days of old, and it was really good to see that dynamic in Tennessee's oldest town. Alderman Dickson thanked all involved in putting on such a great event.

Alderman Callahan said it wasn't a big secret that there was an article in the Herald and Tribune last week, and he would just like to clear the air and hopefully put this thing to bed. Alderman Callahan said he didn't think he was the first one to have an argument with a neighbor in Jonesborough, and he then formally apologized to Marcy Hawley. He said he met with Marcy last week, and they had a really good meeting. Alderman Callahan said he was really sorry for any friction that it has caused in the Town. He said his business is doing really well, and things have kind of spiraled out of control, but he just wanted everyone in Town to know that he and Marcy Hawley have met, and they have discussed the path forward, and he feels it is a good path, and he looks forward to being neighbors with Marcy for a long time, especially since the renovation of the Parson's Table will soon begin. Alderman Callahan said the other thing he wanted to talk about was the citation he got a few weeks ago that was also mentioned in the Herald and Tribune article. He said he did get a citation, has a court date, and he will have his day in court and will see how it goes. Alderman Callahan said he is really proud of the Town, is happy to be a part of the Town, and Tennessee Hills is proud to be part of the Town. Alderman Callahan said he is also proud to be a part of this Board. Mayor Vest said the Board appreciates Alderman Callahan's remarks and feels that everything will work out.

Alderman Causey said she had a compliment on the parade regarding where the participants were lined up. She said she was told there was a person putting the walkers in who was super nice, and she assumed that was Beebo Russell or Matt Townsend because they were talking about what a great personality the man had, and you don't find that very often, especially as busy as they were. Alderman Causey said she would also like to thank Alderman Callahan for his apology.

Town Attorney Comments was the next item on the agenda. Mayor Vest asked Town Attorney Jim Wheeler if he had any comments. Jim Wheeler said he had a couple of items. Mr. Wheeler said first, if you recall, there was the presentation in a previous BMA meeting from Branstetter, Stranch and Jennings (BS&J), PLLC, the law firm in Nashville. He said they were there representing the Town in the lawsuit against Endo Pharmaceuticals for opioid related lawsuits. Mr. Wheeler said in the course of that representation, BS&J, who represent a number of cities and counties including Washington County, have also been monitoring the Perdue Pharma bankruptcy which was one of the larger opioid manufacturers. He said as a part of that bankruptcy, there is now a proposed plan to settle with entities like the Town for 4.5 billion dollars, and there is no way to know at this point how that will be divided. Attorney Wheeler said BS&J has actually now made an appearance for the Town in Bankruptcy Court and will need to vote on the Town's behalf, and they have asked the Mayor to communicate with them about the settlement, but the BMA has to be the one to make that decision. Mr. Wheeler said he is recommending that the BMA agree with this proposed settlement because if the Board votes against it, then where do we go from there because the Town cannot fight Perdue Pharma on its own. He said BS&J is not the plaintiffs' attorneys in this, and there is a much larger group of law firms that represent the plaintiffs and reached this proposed settlement. Mr. Wheeler said the court will look at this in August and the Town got notice of the bankruptcy hearing, but we won't attend that. He said the plaintiffs' attorneys, of course, will advise the Court how many entities have voted for the settlement and how many have voted against the settlement and how many have not voted. Mr. Wheeler said it fit within the time frame of tonight's BMA meeting for the Board to consider this and recommends the Board doing that. Attorney Wheeler said they would see how small the Town's check comes to by the time the 4.5 billion dollars is split. He said he wasn't sure if the Board was up to speed or not, but there was legislation passed this year that will pay that money to the State. Attorney Wheeler said the State is going to take its share first. He said our Representatives worked hard to increase the portion that the State's Attorney General wanted to give the local governments as a reasonable amount. Attorney Wheeler recommended to the Board to add this to tonight's agenda and the K-9 agreement after that. Mayor Vest asked Attorney Wheeler to discuss the K-9 agreement. Attorney Wheeler said the second thing is the Memorandum of Understanding for the purchase of a K-9 with a contribution to be made to the Town, and the agreement incorporates the terms the person who is contributing this gift asked for. Attorney Wheeler asked Ruth Verhegge if it was appropriate to identify the person tonight to show appreciation. Ms. Verhegge said she saw no reason not to identify her. Attorney Wheeler said that contribution is from Becky Frazier and is a pretty significant contribution to purchase a K-9. He said he is asking the Board to add the K-9 agreement to the agenda and to vote separately on those two items.

Mayor Vest asked Attorney Wheeler in regards to the first motion what did it need to state. Attorney Wheeler said that would be a motion to authorize the Mayor to vote "yes" to the proposed Perdue Pharma settlement. Mayor Vest said the first motion would be to authorize the Mayor to vote "yes" on the proposed settlement with Perdue

Pharma that the Town Attorney brought forward and the next item would be to agree to the Memorandum of Understanding on the purchase of the K-9 for the Police Department. Mayor Vest said Becky Frazier has been a good friend to Paws In Blue and got involved with it a couple of years ago, and is a great supporter of the Town of Jonesborough. Mayor Vest called for a motion to add those items to the agenda. Alderman Dickson made the motion, seconded by Aldermen Countermine, and was duly passed.

Mayor Vest called for a motion to authorize the mayor to vote "yes" to the proposed Perdue Pharma settlement. Alderman Countermine made the motion, seconded by Alderman Callahan, and was duly passed.

Mayor Vest called for a motion to approve entering into the Memorandum of Understanding with Becky Frasier for the purchase of a K-9 for the Police Department. Alderman Causey made the motion, seconded by Alderman Dickson, and was duly passed. Mayor Vest asked Attorney Wheeler if he had anything else to report. Attorney Wheeler replied that he did not.

Citizens Comments was the next item on the agenda. Mayor Vest asked if there were any citizens present who wanted to address the Board. Gary Degner, 61 New Halifax Street, stated that he wanted to thank the Town for having a super, super Jonesborough Days, and added that having the fireworks in two locations was a terrific idea. Mr. Degner said they went behind the Senior Center, and it got to be standing room only there, but had a great view of the fireworks. He said having the fireworks split up like that was a tremendous idea, and he hopes the Town can continue doing that in the future. Mayor Vest said he agreed and thanked Mr. Degner for his comments. Mayor Vest thanked Wolfe Development for sponsoring the fireworks. Mayor Vest asked if there were any further comments from citizens. There were none.

The first item under Old Business was second and final reading of an Ordinance rezoning an 8.46-acre tract of land located along Boones Creek Road owned by Slonaker Development, identified on Washington County Tax Map 52, Parcels 77.00, 78.00, 79.00 and 80.00 from R-4 (Transition Residential District) to PRD (Planned Residential District). Mayor Vest asked the Aldermen if they had any questions or comments. There being none, Alderman Countermine made the motion to approve on second and final reading an 8.46-acre tract of land located along Boones Creek Road, identified on Washington County Tax Map 52, Parcels 77.00, 78.00, 79.00 and 80.00 from R-4 (Transition Residential District) to PRD (Planned Residential District). The motion was seconded by Alderman Callahan, and duly passed.

INSERT ORDINANCE

The first item under New Business was three Special Event Application requests for (1) the Goose Chase Half-Marathon, (2) the 2021 Storytelling Festival, and (3) Movies on Main. Mayor Vest asked the Aldermen if they had any comments on these three events. Alderman Dickson asked if Jeff Gurley was comfortable just doing three

nights of Movies on Main based on the staff recommendation because there are conflicts with some of the dates Mr. Gurley proposed. Town Administrator Glenn Rosenoff said he emailed Jeff Gurley to let him know that there were conflicts with some of the dates he requested. Mr. Rosenoff said the only date that Mr. Gurley mentioned was the 5-K Pioneer Run. Mr. Rosenoff said in talking with Public Safety, it is a conflict to have both Movies on Main and the Pioneer Run on the same night because the Pioneer Run has an after-race event. He said other than that he did not hear back from Mr. Gurley wanting to pursue the other dates. Mr. Rosenoff said the only other date in his recommendation was the movie for this coming Saturday, July 17th, and whether the Board wants to consider it or not because of the close proximity to tonight's BMA meeting. Alderman Causey said she feels the Board needs to enforce a 30-day window for special event requests to be submitted, and if not submitted within that length of time, then they need to be postponed. She said because it makes it hard on staff to review those requests in a short period of time before they come to the Board for approval. Alderman Causey said she feels the Special Events Ordinance needs to be changed to at least 30 days. Alderman Callahan said it is 90 days right now. Alderman Causey said she feels 90 days is too far in advance, at times, for an event to be requested. Alderman Callahan said he agreed. Mayor Vest said they could probably make that part of the motion, and the Board agrees to approve these three events being requested. He said then going forward the application time requirement could be changed to 30 days. Attorney Wheeler said there actually needs to be an amendment to the Ordinance to change the application time requirement to 30 days. Mr. Wheeler said it would be fine if the Board instructed staff to make the change to the Ordinance. Mayor Vest said he liked that idea. Attorney Wheeler said he had two other issues that need to be changed on the recommendation. Mr. Wheeler said on the Storytelling Festival Event, their Hold-Harmless Agreement and insurance are in order and that can be approved with no further requirements. He said on the Goose Chase Half Marathon and on the Movies on Main, they both need to be subject to the Attorney's review and acceptance of the Hold-Harmless Agreement and proof of insurance. Attorney Wheeler said in reviewing the Movies on Main submittal, they submitted both but neither one is correctly done, and he will send a letter to Jeff Gurley regarding those two items, if the event is approved by the Board. Mayor Vest asked if the Movies on Main drive-in style was something the Town was going to get away from. Glenn Rosenoff said with Music-On-The-Square happening on Friday nights and Brews and Tunes on Sunday, they thought with Jeff Gurley submitting the Movies on Main and filling some of the gap on Saturday evenings, that they would go with that this season. Mayor Vest said if the Aldermen did not have any more discussion, that he would entertain a motion to approve the three Special Event Application requests noting that the 2021 Storytelling Festival is in order and the Goose Chase Half-Marathon and Movies on Main are subject to proof of insurance and Hold-Harmless Agreements, and to instruct staff to change the Special Event Application request to 30 days as an amendment to the Ordinance and bring it back to the Board. Glenn Rosenoff asked Mayor Vest if the recommendation is to start the Movies on Main on July 24th. Mayor Vest said that is correct. Alderman Countermine asked if the 30 days is when the Board addresses it or when the application must be turned in. Mayor Vest said the application must be submitted at least 30 days before the event. Alderman Causey suggested 30 days

before the Board meeting. Alderman Callahan said that could be two months. Glenn Rosenoff said that does need to be clarified tonight, and he will communicate with the Board as staff works on an amendment to the Ordinance regarding the language for an event. Mayor Vest said they can negotiate that length of time during the amendment to the Ordinance. Mayor Vest asked for a motion for the approval of the three events. Alderman Causey made the motion to approve the three events as follows: (1) the Goose Chase Half-Marathon to be held on October 30, 2021, from 8:30 a.m. to 11:30 a.m., the Goose Chase organization's donation of \$2,000 to be shared equally between Paws In Blue and Shop With A Cop, and subject to the Town Attorney's review and acceptance of the Hold-Harmless Agreement and proof of insurance; (2) the 2021 Storytelling Festival to be held September 30 – October 3, 2021; and (3) Movies on Main to be held on July 24, August 14, and August 28, 2021, and subject to the Town Attorney's review and acceptance of the Hold-Harmless Agreement and proof of insurance. The motion was seconded by Alderman Countermine, and duly passed.

The next item on the agenda was a Resolution authorizing the Town to participate in the Public Entity Partners "Safety Partners" Matching Grant Program. Mayor Vest asked the Aldermen if they had any comments. There being none, Alderman Dickson made the motion to approve a Resolution authorizing the Town of Jonesborough to participate in the "Safety Partners" Matching Grant Program, seconded by Alderman Countermine, and duly passed.

INSERT RESOLUTION

The next item on the agenda was the approval of Change Order JRT-003 for the JRT Building Improvement Project totaling \$52,860.49. Mayor Vest asked Town Administrator Glenn Rosenoff to explain the change order. Glenn Rosenoff said several months ago as part of the JRT renovation project, the Sonia King Trust was obligated to \$325,000. Mr. Rosenoff said with the renovation of any historic building, a contractor runs into a lot of different issues, and the project has grown larger. Mr. Rosenoff said he has talked with JRT Board President Kelly Wolfe who has talked to Wade Farmer of Blackburn, Childers and Stegall, who provides reimbursements for the project, and they are update-to-date on the project. He said there are funds available through the Sonia King Trust to continue the project if it goes go beyond the \$325,000. Mr. Rosenoff said the invoices reflected in Change Order JRT-003 include: (1) Re-roofing of Roofs – labor totaling \$35,000; (2) Extra Work Outside of Original Proposal – filling in windows and doors of the stage area with masonry - labor totaling \$880; (3) Extra Work Outside of Original Proposal – raising of concrete pad level of Stage Door – Labor totaling \$550; (4) Extra Work Outside of Original Proposal – Stage Door repair of plumbing in Stage Door – Materials and Labor totaling \$6,388.48; (5) Addition of Decorative Pieces to Auditorium Wall – laboring totaling \$7,800; (6) Extra Work Outside of Original Proposal – sound room – materials and labor totaling \$2,242.01. Mr. Rosenoff said the goal is to complete the project and have the JRT back open for business very soon. Mayor Vest asked the Aldermen if they had any questions. There being none, Alderman Callahan made the motion to approve JRT Change Order JRT-003 totaling \$52,860.49 as presented, seconded by Alderman Causey, and duly passed.

The next item on the agenda was first reading of an Ordinance to amend Title 4, Chapters 1 and 2 of the Jonesborough Municipal Code adopting the 2018 editions of the International Building, Residential, Plumbing, Mechanical and associated codes. Mayor Vest said in collecting building permit fees, he feels that the Town's fees are somewhat underpriced and asked if that is something that staff could look at in putting the Ordinance together. Glenn Rosenoff said they could review that before second reading. Mr. Rosenoff said in regards to ADA, in the proposed amendment to Ordinance, it is a 2010 version and that has already been adopted by the Board. Mayor Vest asked the Aldermen if they had any comments. Town Attorney Jim Wheeler advised Mayor Vest to read the Ordinance caption. Mayor Vest read the caption, as follows: "An Ordinance Adopting the International Building Code –2018 Edition, the International Residential Code –2018 Edition, the International Fire Code – 2018 Edition, the International Mechanical Code – 2018 Edition, the International Fuel Gas Code – 2018 Edition, the International Existing Building Code – 2018 Edition, the 2018 Energy Conservation Code, and the 2018 International Plumbing Code". Mayor Vest asked the Aldermen if they had any comments. There being none, Alderman Countermine made the motion to approve on first reading the Ordinance Adopting the International Building Code –2018 Edition, the International Residential Code –2018 Edition, the International Fire Code – 2018 Edition, the International Mechanical Code – 2018 Edition, the International Fuel Gas Code – 2018 Edition, the International Existing Building Code – 2018 Edition, the 2018 Energy Conservation Code, and the 2018 International Plumbing Code, as presented, seconded by Alderman Dickson, and duly passed.

INSERT ORDINANCE

The next item on the agenda was approval of contract agreements with Community Development Partners and GRW Engineers, Inc. for the EDA (Economic Development Administration) Grant Project No. 04-01-07624. Mayor Vest asked Town Administrator Glenn Rosenoff to explain this project. Glenn Rosenoff said this is for the EDA Grant Project for water and sewer utilities for the EBM-PABST Plant coming into the Washington County Industrial Park; it is a 50-50 grant match. Mr. Rosenoff said it is great company with great expansion possibilities and initially employing over 100 employees. Community Development Partners and GRW Engineers were instrumental in putting this program together to get it approved by the State, and this is where the Board has the opportunity to enter into agreements with Community Development Partners to administer the grant and GRW Engineers to provide engineering services. He said the figures in each contract were part of the preliminary engineering report and the amounts were sent to the State in order to secure the grant. Mayor Vest expressed his appreciation to everyone for all their hard work and efforts in this project. Mayor Vest asked the Aldermen if they had any comments. There being none, Alderman Causey made the motion to approve the contract with Community Development Partners, LLC for Administrative Services for the EDA Grant Project No. 04-01-07624 for the EBM- PABST Project at the Washington County Industrial Park, in the amount of \$35,000, Alderman Countermine seconded the motion, and it was duly passed.

INSERT CDP CONTRACT

Alderman Dickson made the motion to approve the contract with GRW Engineers, Inc. for Engineering Services for the EDA Grant Project No. 04-01-07624 for the EBM-PABST Project at the Washington County Industrial Park, in the amount of \$90,000. Alderman Counterline seconded the motion, and it was duly passed.

INSERT GRW CONTRACT

The next item on the agenda was first reading of an Ordinance Amending Title 13, Chapter 2, Sewer Use and Wastewater Treatment, in its entirety. Mayor Vest asked Town Administrator Glenn Rosenoff to explain the changes to the Sewer Ordinance. Glenn Rosenoff said from time to time the Town must update and revise our polices and Ordinances to meet regulations of the Tennessee Department of Economic and Conservation (TDEC). Mr. Rosenoff said this is one of those times that the Town is required to amend our municipal code in regards to Title 2, Chapter 13, which is the Sewer Use and Wastewater Ordinance. He said the amendments that have to be changed and updated are listed in red and the monthly average and daily maximum load numbers are the ones that were updated. Mayor Vest read the Ordinance caption, as follows: "An Ordinance Replacing Title 13, Chapter 2, Sewer and Wastewater Treatment, of the Jonesborough Municipal Code, in its Entirety", and asked the Aldermen if they had any comments. There being none, Alderman Callahan made the motion to approve on first reading the Ordinance Replacing Title 13, Chapter 2, Sewer and Wastewater Treatment, of the Jonesborough Municipal Code, in its Entirety, seconded by Alderman Causey, and duly passed.

INSERT ORDINANCE

The next item on the agenda was first reading of the Ordinance Amending the General Fund, Drug Fund and Solid Waste Fund budgets for FY2020-21. Mayor Vest asked Town Glenn Rosenoff if he had any comments. Glenn Rosenoff said overall the department heads did a really good job in managing their budgets, and Town Recorder Abbey Miller keeps everybody in their lane and does a great job in doing so. Mayor Vest asked the Aldermen if they had any further comments. Alderman Counterline asked where the Town was on recycling because he keeps getting calls. Mr. Rosenoff said that will be reviewed during the budget process. Mayor Vest asked the Aldermen if they had further comments. There being none, Alderman Counterline made the motion to approve on first reading the Ordinance Amending the Fiscal Year 2020-2021 budgets for the General, Solid Waste and Drug Funds, seconded by Alderman Dickson, and duly passed.

INSERT ORDINANCE

The next item on the agenda was a request from the JRT Board of Directors for a one-time exception to the 2009 JRT Operating Agreement. Mayor Vest said this comes

into play with some of the performances having to move to Elizabethton. He said normally the net revenue split is 25% to the Artistic Director, 25% to the JRT, and 50% to the Town. Mayor Vest asked Town Administrator to explain the exception to the 2009 JRT Agreement. Glenn Rosenoff said the JRT is unable to perform at home here in Jonesborough because of the JRT building improvement project not being completed, and due to the additional incurred cost to perform outside of their home, he is recommending a one-time exception to the Operating Agreement to allow for a change in the breakdown based on the net revenues associated with the Sound of Music performance at the Bonnie Kate Theatre in Elizabethton, TN: 25% to the Artistic Director; 25% to the JRT; 30% to the Town of Jonesborough; and 20% to the Bonnie Kate Theatre. Mayor Vest asked the Aldermen if they had any comments. There being none, Alderman Causey made the motion to approve the one-time exception to the 2009 JRT Operating Agreement as recommended by staff, seconded by Alderman Countermine, and duly passed.

The next item on the agenda was selection of the General Contractor for the Jonesborough K-8 School Project. Mayor Vest said they had a good meeting this afternoon at the Visitor Center with some of the School Board members and the Design Committee. He said Bob Browning and Tommy Burleson were also present at the meeting to answer questions. Mayor Vest said Tommy Burleson was present tonight to answer any questions BMA members may have. Mayor Vest said this is another project that Washington County Mayor Joe Grandy has been involved in as well, and we appreciate his participation in helping to shepherd this project through. Mayor Vest asked Tommy Burleson to inform the BMA about the selection of a General Contractor for the project. Tommy Burleson thanked the Mayor and members of the Board for the opportunity to be at the meeting tonight. Mr. Burleson said he oversaw the Request For Proposals (RFP's) process, and four contractors submitted RFP's. He said the way that this is set-up is that the contractors are graded on qualifications and experience, the technical side, and the cost side which is 30% of total debt. Mr. Burleson said in qualifications and experience there were five evaluators who reviewed and graded each of the submissions. Mr. Burleson said the evaluators, which were numbered 1-5, consisted of five members and included himself, Glenn Rosenoff, Kelly Wolfe, Ken Ross, and Greg Matherly, and they met on Thursday, July 8, 2021, and Friday, July 9, 2021. He explained the rating system and the expectations of the evaluators and that each evaluator had to rate each of the contractors without deliberation with the other evaluators. Mr. Burleson said at the end of the first day, J.A. Street out of Blountville was ahead by one point. Mr. Burleson said when the cost bids were opened the next day which is a complete and separate operation, BurWil Construction Company in Bristol with their bid moved them to first place; Cordell Construction Company out of Winchester, Kentucky, was second place, J.A. Street Construction, Blountville, TN, was third place, and Cleveland Construction, Inc. out of Charlotte, NC, was fourth place. Tommy Burleson said the process worked, and it is the Evaluation Committee's recommendation that the BMA follow the results of process and select BurWil Construction Company for the project. Mr. Burleson said what the BMA is doing with this is allowing BurWil to begin the process. He said BurWil's pre-construction amount was \$10,000 and that is money that you are basically committing to because the

contract is such that they go through the pre-construction process to bring the project within the budget and the contract can be terminated if BurWil cannot get the cost within the budget. Mr. Burleson said if that were the case, then all the Town would be out is \$10,000, and you are not committing to \$28,000,000. Mr. Burleson said the drawings are about 75% complete, and it will take another 4 to 6 weeks to get drawings and guarantee maximum price numbers back. He said their goal is to get an early grading package out. Mr. Burleson said he has heard back from Matt Keiter at Rural Development and everything is good with them. Mr. Burleson read the correspondence he received from Matt Keiter which states that RD has received everything, but with their government computers they cannot use Drop Box by email and cannot open what was sent. Mr. Burleson said they will be resending it another way tomorrow. Mr. Burleson said it needs to be noted in the BMA minutes that the Town's Board of Mayor and Aldermen acknowledges that its approval is conditional upon USDA-RD funding agency's concurrence and provides the DRAFT minutes of the meeting when available to Rural Development for its record that the Town approved the contract. Mr. Burleson said once that is done, RD will then approve the contractor. Mr. Burleson said depending on how the GMP (guaranteed maximum price) part goes, they may be able to break out an early grading package to get started on the grading in order to take advantage of good weather. He said Matt Keiter has no problem with that. He said we would have to write and request that once we get into the process, which his office will take care of. Mr. Burleson said the Evaluation Committee that put all this together is recommending BurWil Construction Company based upon USDA-RD's concurrence. Mayor Vest said one of the most impressive things is that there were really four quality contractors bidding on the project, and they all have done very impressive projects. He thanked Tommy Burleson, Clark Nexsen, and Ken Ross for reaching out to some good contractors. Mr. Burleson said any of the four contractors could have done the school project. Mayor Vest asked the Aldermen if they had any comments or questions about the project because the Board will be committing \$10,000. Mayor Vest asked Mayor Joe Grandy if he had any comments. Mayor Grandy said they worked with BurWil on the Boones Creek School, and they are really an outstanding contractor, very well organized internally, the information they provide is accurate, and they have a lot of in-house capabilities in terms of their design. Mr. Grandy said he has had the pleasure of working with BurWil Construction for over three decades, and they bring on board the best subcontractors which is really important in a construction project. Mayor Vest said this is another step in the path toward the new school for our community and asked Board members if they had any discussion on this proposal. Alderman Callahan made the motion to approve BurWil Construction Company as the contractor for the new Jonesborough K-8 School project and that this be conditional upon the concurrence and approval of the USDA-Rural Development. Alderman Countermine seconded the motion, and upon call of the roll, the motion was passed unanimously.

There being no further business the meeting was duly adjourned.

ABBIE MILLER, RECORDER

CHUCK VEST, MAYOR