

The City of Dyer Board of Mayor and Alderpersons met in regular session Monday, June 28, 2010 at 7:00 p.m. Those present were Mayor Walton Thompson; Alderpersons – Judy Baker, Bitsy Gilliland, Nathan Reed, Jimmy Landrum, Robert Johnson, Cody Childress, and Roger Gray. Attorney Jennifer Deen was present. Alderperson George Fisher was absent.

Motion made by Bitsy Gilliland seconded by Nathan Reed to approve the June 14, 2010 meeting minutes as written. Motion carried with all ayes.

Motion made by Judy Baker seconded by Bitsy Gilliland to approve the June 22, 2010 Special Call meeting minutes as written. Motion carried with all ayes.

In the Visitor's section, Butch Reed asked the City Council to adjust his water bill. Mr. Reed advised the Board that he had a water leak at his residence. He further advised that the leak had been repaired and he would like for the Board to consider adjusting his water bill.

Motion made by Robert Johnson seconded by Cody Childress to adjust the water bill for Butch Reed to the average of the prior three months usage. Ayes – Baker, Gilliland, Landrum, Johnson, Childress, & Gray. Abstain – Reed. Motion carried.

Brent Croom asked if the Board was considering an ordinance that would charge for the use of the ball fields at the park and require a liability insurance policy. Mr. Croom made it known that the Gibson County Baptist Association would like to use the ball fields during the last two weeks of July for a co-ed tournament and a men's tournament. Alderperson Bitsy Gilliland advised Mr. Croom that the City is currently working on an ordinance but at the moment, no ordinance had been completed. Mr. Croom advised that the Baptist Association would acquire a liability insurance policy for the events. Alderperson Jimmy Landrum asked Mr. Croom to provide a copy of the liability insurance policy for City Hall to keep on file.

Treva Hunt spoke to the Board representing Badgett's Chapel C.P. Church in Rutherford, Tennessee. Ms. Hunt asked the Board for permission to host a "Teen Night" in Dyer. Ms. Hunt mentioned a couple of possible locations for the event. This issue was referred to committee.

In the Mayor's Report, Mayor Walton Thompson read a letter of resignation from City Recorder, Kenneth W. McEwen.

Motion made by Roger Gray seconded by Bitsy Gilliland to accept the letter of resignation from Kenneth W. McEwen. Motion carried with all ayes.

Motion made by Roger Gray seconded by Cody Childress to appoint Jason K. Griggs as City Recorder. Motion carried with all ayes.

In the Street Department Report, Supervisor Steven Tucker advised that he had contacted Barker Brothers Waste in regards to the price for two front load dumpsters to help alleviate the garbage issues at the city park during the Fourth of July festivities. Tucker advised that the two dumpsters would cost \$250.00 for one week.

Motion made by Robert Johnson seconded by Judy Baker to rent two dumpsters for the 4th of July weekend at a cost of \$250.00. Ayes – Gilliland, Reed, Johnson, Childress, & Gray. Pass – Landrum. Abstain – Baker. Motion carried.

In the Water & Sewer Department Report, Randy Gregory advised that Newbern Machine had completed the repair work to the Industrial Park Water Tank. Gregory advised that they had done an excellent job.

Gregory also advised that he is having trouble with the Rate of Flow Controller at the Water Plant. Higdon Electric was able to make corrective adjustments that have helped this problem momentarily. Gregory advised that this issue would need immediate attention and could not wait until the next board meeting to address. He further advised that this controller is one of the most vital parts of the water treatment process. Alderperson Johnson asked Gregory to get an estimate as soon as possible.

Motion made by Robert Johnson seconded by Bitsy Gilliland to acquire an estimated cost of replacement and installation of the Rate of Flow Controller and to authorize the Mayor to expend up to \$2,000.00 to resolve this issue. Motion carried with all ayes.

Randy Gregory advised that the Environmental Protection Agency has instituted new tests relating to the annual sludge inspection. Gregory advised that the costs of the new tests would be \$430.00.

Motion made by Robert Johnson seconded by Cody Childress to approve up to \$430.00 for additional tests related to the Annual Sludge Inspection. Motion carried with all ayes.

In the Fire Committee Report, Committee Chairman Cody Childress informed the Board that the paging system for the fire department had malfunctioned and a new system had to be purchased. Childress reported that Fire Chief, Bob Moore had informed him of the situation and that this was indeed an emergency situation because firefighters could not be paged to respond to a fire without this system.

In the Park Committee Report, Chairperson Bitsy Gilliland advised that the City of Dyer could apply for a grant. The grant has a max of \$200,000.00 and would require a 50% match from the applicant. Gilliland advised that City Recorder, Jason Griggs would look into the possibilities of getting this grant.

In the Water and Sewer Committee Report, Chairperson Robert Johnson advised that Kurt Miles had submitted a proposal to repair the leak at the Ashley Street Water Tank.

Motion made by Robert Johnson seconded by Bitsy Gilliland to allow Kurt Miles to repair the Ashley Street Water Tank for \$600.00. After much discussion, Robert Johnson and Bitsy Gilliland rescinded their respective motions to allow Kurt Miles to repair the Ashley Street Water Tank for \$600.00.

In Unfinished Business, Robert Johnson made clarification to the bids that were solicited for the repair to West College Street and New Hope Street. The following bids were solicited:

Agnew Construction – No Bid Submitted
Johnson Concrete – No Bid Submitted
4-J Construction - \$2,700.00

Robert Johnson informed the Board of a Change Order in the bid submitted by 4-J Construction for repairs to West College Street and New Hope Street. When starting work on the repairs, discovery was made of larger repair issues than previously known.

Motion made by Robert Johnson seconded by Nathan Reed to approve a Purchase Order not to exceed \$2,550.00 for the Change Order submitted by 4-J Construction. Motion carried with all ayes.

New Business

Motion made by Nathan Reed seconded by Robert Johnson to approve P.O. 5974 to Heritage Fire for \$409.68 for gloves for the fire department. Ayes – Baker, Gilliland, Reed, Landrum, Johnson, & Childress. Pass – Gray. Motion carried.

Motion made by Nathan Reed seconded by Robert Johnson to approve P.O. 6048 to G&C Supply Co. for \$748.48 for repairing a water leak at the Sewer Plant. Motion carried with all ayes.

Motion made by Nathan Reed seconded by Robert Johnson to authorize the Mayor to sign a rate increase of 4.5% effective July 1, 2010 for services from Barker Brothers Waste. Motion carried with all ayes.

Motion made by Nathan Reed seconded by Robert Johnson to write off the utility account bad debts for auditing purposes totaling \$3,528.04. Motion carried with all ayes.

Motion made by Nathan Reed seconded by Robert Johnson to pass on first reading Ordinance 2010-183 (Maximum Municipal Purchases Without Competitive Bidding). Motion carried with all ayes.

Motion made by Nathan Reed seconded by Bitsy Gilliland to adopt Resolution 2010-184 (Continuing Budget Resolution for FY 2009-2010). Motion carried with all ayes.

Motion made by Nathan Reed seconded by Robert Johnson to pass on first reading Ordinance 2010-184 (Property Tax). Ayes – Baker, Gilliland, & Johnson. Nays – Reed, Landrum, Childress, & Gray. Motion did not carry.

Motion made by Nathan Reed seconded by Robert Johnson to pass on first reading Ordinance 2010-185 (Budget FY 2010-2011). Ayes – Reed, Landrum, Johnson, & Childress. Nays – Baker, Gilliland, & Gray. Motion carried.

Attorney Jennifer Deen addressed the Board and informed that the Lease Agreement with Green Plains Grain TN LLC, which was passed at the May 24, 2010 meeting, was void because the City Charter imposes a 20 year maximum term for franchises and agreements of this nature. Ms. Deen advised the Board that the agreement needed to be revised.

Motion made by Roger Gray seconded by Nathan Reed to revise the Lease Agreement with Green Plains Grain TN LLC. Motion carried with all ayes.

Motion made by Nathan Reed seconded by Cody Childress to approve P.O. 6053 to Area Wide for \$715.00 for a paging system at the Fire Department. Ayes – Baker, Gilliland, Reed, Landrum, Johnson, & Childress. Pass – Gray. Motion Carried.

Motion made by Nathan Reed seconded by Roger Gray to approve P.O. 6068 to Higdon Electric for \$950.00 for electrical repair at the VFW. Motion carried with all ayes.

Motion made by Nathan Reed seconded by Robert Johnson to approve P.O. 6051 to American Development Corporation for \$1,318.49 for chemicals. Motion carried with all ayes.

Motion made by Nathan Reed seconded by Robert Johnson to approve P.O. 6062 to Southern Concrete Products for \$748.40 for repairs to West College Street. Ayes – Baker, Gilliland, Reed, Johnson, & Childress. Pass – Landrum & Gray. Motion carried.

Motion made by Nathan Reed seconded by Robert Johnson to approve P.O. 5993 to King Construction Co. for \$450.80 for gravel. Motion carried with all ayes.

Motion made by Nathan Reed seconded by Roger Gray to grant employees 3 additional holidays for the 2010-2011 fiscal year. The holidays are as follows; Veteran's Day, Good Friday, and a Birthday Holiday.


The birthday holiday must be taken in the month of the employee's birth date. Motion carried with all ayes.

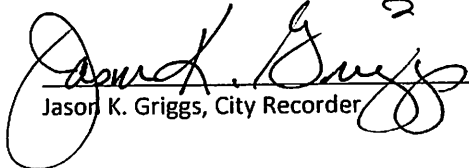
Motion made by Nathan Reed seconded by Bitsy Gilliland to donate \$1,000.00 to the Dyer Volunteer League in the 2009-2010 fiscal year budget. Motion carried with all ayes.

Motion made by Robert Johnson seconded by Nathan Reed to pay \$1,170.00 to Martin Paving for asphalt for the remainder of the paving at the Fire Department and in front of the Pentecostal Church. Ayes – Baker, Gilliland, Reed, Johnson, & Childress. Pass – Landrum & Gray. Motion carried.

Motion made by Bitsy Gilliland seconded by Nathan Reed to pay the general accounts of \$24,220.82. Motion carried with all ayes.

Motion made by Roger Gray seconded by Cody Childress to adjourn. Motion carried with all ayes.


Walton Thompson, Mayor


Jason K. Griggs, City Recorder