

**MINUTES OF THE VAN BUREN COUNTY COMMISSION
VAN BUREN COUNTY, TENNESSEE**

The Van Buren County Commission met in a Regular Meeting Tuesday, February 20, 2018 at 6:00 p.m. at the Van Buren County Yvonne Sutton Fair Building. The following action was taken as recorded in Minute Book, "Q".

Call to Order

Sheriff Eddie Carter called the Meeting to Order.

Roll Call

Members present: Lesa Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle. William Maxwell was absent.

Also present: County Attorney Howard Upchurch, County Mayor Greg Wilson and County Clerk Lisa Rigsby.

Approval of Minutes from the January 16, 2018 Meeting

Lesa Bouldin made a motion, second by Mickey Robinson to approve the Minutes from the January 16, 2018 meeting as presented. All agreed by voice vote. Motion passed.

Approval of 2nd Quarterly Reports

David Chandler made a motion, second by Robert Van Winkle to approve all Quarterly Reports.

Upon roll call: Lesa Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Committee A Reports

Committee A

01-26-2018

Attending: Lesa Bouldin, Will Maxwell, Henry Seamons, Robert Van Winkle, Mickey Robinson

Also Present: Greg Wilson and Tiawanna Bricker

Discussed quotes on repair of old vs purchase of new ambulance. Quotes are attached from Clark Logistics on repairing current ambulance. Prices range from \$21,000 to \$27,229.44. New ambulance would cost approximately \$190,000. Mayor Wilson proposed different funding options in the event a new ambulance was considered. (Attached) After discussion it was deferred to February 13th Meeting.

The grant for the Craft Pavilion beside the Farmers Market has been approved. The cost to the County will be \$2425. Henry Seamons made the motion and Robert Van Winkle second to accept the only bid received from Johnson Builders to take to the full commission for approval. All voted yes upon roll call.

Will Maxwell made the motion and Henry Seamons second to take to the full commission for final approval the budget for the Department of Community Health Grant at no cost for Van Buren County in the amount of \$65,000 as follows:

Piney Fire Department/Community	\$20,000
Mooneyham/Lonewood Community Building	\$20,000
Walking Tracks at Bone Cave, Cummingsville, Mooneyham/Lonewood	\$25,000

All voted yes upon roll call.

Discussed Library damages and repairs.

The next meeting was set for Tuesday, February 13, 2018 at 5:00 p.m.

Mickey Robinson made the motion and Robert Van Winkle second to adjourn. All voted yes by regular voting sign.

Committee A
02-13-2018

Attending: Lesa Bouldin, Mickey Robinson, Henry Seamons, Robert Van Winkle, Will Maxwell

Also Attending: Mayor Greg Wilson, Tiawanna Bricker, Sheriff Eddie Carter

Discussed ambulance. After much discussion on the different option, Mickey Robinson made the motion and Robert Van Winkle second to direct the EMS Director and County Mayor solicit for bids for approval of the Full Commission to remount Fleet #1108 a 2008 Ford F450. On roll call all voted yes.

Discussed need for a new Stryker Cot. Will Maxwell made the motion and Mickey Robinson second to solicit bids for Full Commission approval for the purchase of a new Stryker Cot. All voted yes upon roll call.

Tiawanna discussed some changes in Medicare revenue. Will Maxwell made the motion and Mickey Robinson second to increase line 118-55130-399 other Contacted Services in the amount

of \$8,000 and increase 118-44170 Miscellaneous Refund revenue in the amount of \$32,000. All voted yes upon roll call.

Discussed the opportunity the County had to apply for a CDBG grant for \$315,000, the County's match would be \$57,000. The award of this grant would purchase all new breathing apparatus' for the fire departments in the County. For on road travel purposes these have a 15-year life and are currently expired.

Van Buren County Sheriff's Department was awarded \$11295.65 grant to purchase Tasers Magnetometer and Hand Held Detectors. The cost to the County was \$1129.57, Will Maxwell made the motion and Mickey Robinson second to request the Full Commission's approval to amend Revenue 46290 Other Public safety Grants in the amount of \$10166.08 and 110-708 Communication Equipment in the amount of \$1129.57 to allow for the purchase of this equipment. All voted yes on roll call.

Sheriff Carter also presented the Committee with a letter from Howard Upchurch, County Attorney where he had reviewed the contract with M&M Micro Systems for the Sheriff's Office Management System Software. Will Maxwell made the motion and Robert Van Winkle second to take the acceptance of this contract of the full Commission for approval. All voted yes upon roll call.

Discussed possible personnel needs for the new Jail/Sheriff's Department.

Circuit Clerk Brandy Baker and Chancery Clerk Tina Shockley requested approval for use of their restricted monies to purchase the following from the reserve fund:

Circuit Clerk – Three (3) Pro Computers & Monitors \$2,420.

Chancery Clerk – One (1) Pro Desk Computer & Monitor \$810.

Will Maxwell made the motion and Henry Seamons second to take this request to the full Commission for approval. All voted yes.

Will Maxwell made the motion and Henry Seamons second to adjourn, all voted yes by regular sign.

Committee A Chairman Lesa Bouldin brought forward action that needs to be taken by the Full Commission from the 01-26-2018 & 02-13-2018 Meetings.

Craft Pavilion

A Grant was awarded for the building of the new Craft Pavilion. The County took bids for this job. Johnson Builders was the only bid received in the amount of \$48,500.00, the County will be responsible for \$2,425.00. The new Craft Pavilion will be located next to the Farmers Market at the old Administrative site. David Chandler made a motion, second by Henry Seamons to except the total bid from Johnson Builders for the Craft Pavilion.

Upon roll call: Lesa Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Department of Community Health Grant

The County received the Department of Community Health Grant in the amount of \$65,000.00 at no cost for the County. Mayor Wilson purposed in his budget for the following: **Piney Fire Department Community at \$20,000.00, Mooneyham/Lonewood Community Building at \$20,000.00 and Walking tracks at Bone Cave, Cummingsville and Mooneyham/Lonewood at \$25,000.00.** Lesa Bouldin made a motion, second by Robert Van Winkle to approve the budget for the expenditure at \$65,000.00 as presented.

Upon roll call: Lesa Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Repairs/Purchase of a new Ambulance

The Full Commission discussed quotes on repairs and purchasing a new Ambulance. In the Committee A meeting on February 13, 2018 it was voted to direct the EMS Director and County Mayor to solicit bids for a remount on Truck #1108. Also the Ambulance that was wrecked has been totaled by the Insurance. Currently Truck #1107 needs to go to the shop but the County can't go without it at this time. If this Truck goes down it will leave the County with one Ambulance. The EMS Director has had to call different Counties to get back up. (Bledsoe/White) A new Ambulance will cost \$182,000.00 plus the cost for add-ons. After much discussion on this matter, Mickey Robinson made a motion, second by Zach Fletcher to give Committee A, once the bids are open to award to order the remount not to exceed \$130,000.00 including the insurance money.

Upon roll call: Lesa Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

New Stryker Cot

Lesla Bouldin made a motion, second by David Chandler to approve the purchase of a Stryker Cot for \$15,000.00 to go in the new Ambulance. **This money will come directly out of the Ambulance fund.**

Upon roll call: Lesla Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Medicare Revenue

EMS Director Tiwana Bricker was present to explain to the Full Commission some changes in Medicare Revenue. After much discussion, Lesla Bouldin made a motion, second by Robert Van Winkle to increase line other contacted Services in the amount of \$8,000.00 expenditures in Ambulance Service and increase Miscellaneous Refund in the amount of \$32,000.00.

Upon roll call: Lesla Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

CDBG Grant

The Sheriff's Department was awarded a Grant to purchase Tasers Magnetometer and Hand Held Detectors. Lesla Bouldin made a motion, second by Brian Simmons to amend Revenue 46290 Other Public Safety Grants by \$10,166.08 in the Sheriff's Department budget 110-708 Communication Equipment in the amount of \$1,129.57 as an expenditure to allow for the purchase of this equipment.

Upon roll call: Lesla Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

M&M Micro Systems

Letter attached for the record:

**LAW OFFICE OF
HOWARD L. UPCHURCH
P.O. BOX 381 PIKEVILLE, TENNESSEE 37367**

**HOWARD L. UPCHURCH
Attorney at Law**

**C. FROCTOR UPCHURCH
1927-2004**

Eddie Carter
Van Buren County Sheriff
P.O. Box 86
Spencer, Tennessee 38585

Jarrod A. Campbell
Jail Administrator
Van Buren County Sheriff's Department
17 Veteran's Square
P.O. Bo 86
Spencer, Tennessee 38585

**Re: M&M Micro Systems Inc.
Sheriff's Office Management System Software**

Dear Sheriff Carter and Jarrod:

I have reviewed the Software Proposal relative to the SOMS jail records and court management software from M&M for the utilization of this computer software system. These documents limit the use of this system to law enforcement purposes. Ownership and licensing of the software will pass to the Sheriff's Department upon payment. The proposed documents contain adequate confidentiality provisions which protect both M&M and the County. M&M will further be required to indemnify the Sheriff's Department and hold the Sheriff's Department harmless for any losses and expenses, including attorney's fees, caused by the Sheriff's Department's use of the software, provided that the software is used consistent with the provisions of the contract. The proposed documents contain limited warranties, as well, relative to the license and software system, including copyright, patent infringement, and intellectual property warranties. The agreement prohibits assignment of the rights under the contract. Finally, the proposed documents establish the governing law for disputes arising between the Sheriff's Department and M&M as the State of Tennessee and the venue for any such action in the Courts of Knox County, Tennessee.

These documents appear to clearly define the respective rights and obligations of the Sheriff's Department and Van Buren County and provide adequate protection from third party liability to the Sheriff's Department. It would be my recommendation that these documents be executed and that the Sheriff's Department enter into this agreement with M&M accordingly.

In the event I can provide additional information, please contact my office immediately.

**Sincerely,
Howard Upchurch**

M&M Micro Systems is an Office Management System that basically links the entire Jail Network together, information forms that the Department fills out will now go straight to the TBI and agencies all over the State of Tennessee. County Attorney Howard Upchurch has looked over the Contract and thinks it looks good. Lesa Bouldin made a motion, second by David Chandler for the Commission to accept and allow the Sheriff to enter into a contract with this Company.

Upon roll call: Lesa Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Circuit Court Clerk & Chancery Clerk

Circuit Court Clerk Brandy Banker and Chancery Clerk Tina Shockley requested approval for use of their restricted monies for purchase of Computers and Monitors. Lesa Bouldin made a motion, second by Mickey Robinson to approve the purchase of three Computers and Monitors for the Circuit Court Clerk's Office and one Computer/Monitor for the Chancery Clerk's Office to come out of the restricted monies.

Upon roll call: Lesa Bouldin, David Chandler, Zach Fletcher, Joey Grissom, Hugh Hillis, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Committee B Reports

None

Notary Approval of David Chandler, Barbara Kimble, and Jessica Grissom

Lesla Bouldin made a motion, second by Brian Simmons to approve Notaries for David Chandler, Barbara Kimble and Jessica Grissom as presented. All agreed by voice vote. Motion passed.

Resolution for Continuing Education for the County Equalization Board

RESOLUTION NUMBER 387

RESOLUTION TO REQUIRE COUNTY BOARD OF EQUALIZATION MEMBERS AND COUNTY BOARD HEARING OFFICERS TO COMPLETE ANNUAL CONTINUING EDUCATION

WHEREAS, the State of Tennessee, through its General Assembly, has mandated that the County Legislative body shall by Resolution establish a minimum of at least four (4) hours of annual training for County Board of Equalization members and County hearing officers and the minimum record keeping requirements related to members' certificates of attendance; and

WHEREAS, the General Assembly, in passing Chapter 13 of the Public Acts of 2017, amended Tennessee Code Annotated 67-5-403€ to provide that such mandatory training shall be a condition of appointment or continued service; and

WHEREAS, the General Assembly, in passing Chapter 13 of the Public Acts of 2017, amended Tennessee Code Annotated 67-5-403€ to provide that mandatory annual continuing education and training is only required to the extent that such education and training is provided by the Comptroller of the Treasury free of charge.

NOW, THEREFORE BE IT RESOLVED, by the County Legislative Body of Van Buren County, Tennessee, meeting in _____ session on this 20th day of February 2018, at Spencer Tennessee, that:

SECTION 1. As a condition of appointment or continued service, County Board of Equalization members and County hearing officers shall complete a minimum of four (4) hours of annual training to include Board Governance, open meetings, requirements, and other topics reasonably related to the duties of the members of the County Board of Equalization, as provided by the Comptroller of the Treasury.

SECTION 2. Members' certificates of attendance shall be turned over to the Assessor of Property for preservation for a period of at least three (3) years.

SECTION 3. This Resolution shall be effective upon its passage and approval, the public welfare requiring it.

Adopted this 20th day of February, 2018.

County Mayor Greg Wilson

County Clerk Lisa Rigsby

Lesa Bouldin made a motion, second by Mickey Robinson to approve the Resolution for Continuing Education for the County Equalization Board. All agreed by voice vote. Motion passed.

Resolution for CDBG Grant for County Fire Departments

RESOLUTION NUMBER 388

A RESOLUTION TO APPLY TO TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, Van Buren County, Tennessee, is eligible for grant funds under the Community Development Block Grant (CDBG) Program administered by the Tennessee Department of Economic and Community Development; and

WHEREAS, Van Buren County needs to improve Community Livability through the purchase of fire protection equipment; and

WHEREAS, fire protection projects are eligible activities under the Community Development Block Grant Program; and

WHEREAS, Van Buren County, Tennessee, is eligible for a maximum Grant of three hundred fifteen thousand dollars (\$315,000.00) under the Community Development Block Grant Community Livability category, including the Three Star bonus; and

WHEREAS, Van Buren County has agreed to pay the required 17% of the totals project cost, plus any additional funding required to complete the project beyond the Grant amount.

NOW, THEREFORE BE IT RESOLVED, by the County Commission that:

1. The County Executive be authorized and directed to:
 - A. Execute and submit an application for Community Development Block Grant funds to the Tennessee Department of Economic and Community Development in order to provide adequate fire protection for the Community.**
 - B. Enter into the necessary agreements with the Tennessee Department of Economic and Community development to receive and administer said Grant Funds.**
 - C. Execute necessary agreements for Administrative services without further action by the Commission, contingent upon approval by the funding agencies.**
2. The Upper Cumberland Development District shall prepare all necessary documents for the completion of said application for the proposed project at no charge to Van Buren County. Should said CDBG grant application be approved, UCDD shall be engaged to perform all Administrative services for said project.

DULY PASSED AND ADOPTED this the 20th day of February, 2018, the public welfare requiring it.

Mayor Greg Wilson

Date

County Clerk Lisa Rigsby

Mickey Robinson made a motion, second by Robert Van Winkle to approve the Resolution for CDBG Grant for County Fire Departments. Everyone agreed by voice vote. Motion passed.

Resolution for THDA Grant

No action taken at this time.

Old Business

None

New Business

Mayor Wilson and the full Commission set the next Committee A and Committee B Meetings on Thursday, March 1st at 5:00 & 6:30 p.m. at the Civic Center.

Adjournment

Mickey Robinson made a motion, second by Henry Seamons to adjourn. All agreed by voice vote. Motion passed. Meeting adjourned at 6:50 p.m.