

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

The Van Buren County Commission met in a Regular Meeting Tuesday, October 16, 2018 at 6:00 p.m. at the Van Buren County Administrative Facility & Justice Center. The following action was taken as recorded in Minute Book, "R".

Call to Order

Sheriff Eddie Carter called the Meeting to Order.

Roll Call

Member present: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle. Zach Fletcher was absent.

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

Approve Of Minutes from the September 18, 2018 Meeting

Henry Seamons made a motion, second by Robert Van Winkle to approve the Minutes from the September 18, 2018 Meeting.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Committee A Report

Committee A Chairman William Maxwell went over the Minutes from the October 4, 2018 Committee A Meeting.

Committee A

October 4, 2018

Roll Call:

Members present: David Chandler, Mickey Robinson, Robert Van Winkle, Henry Seamons, and Will Maxwell. Mayor Greg Wilson Tiwana Bricker, Steven Cope, Tim Burger, and Dale Cole also in attendance

Discussion of lease of solid waste truck

Mayor stated that the truck was down with possibility of an unfeasible repair. Several quotes were presented from multiple vendors to buy, Lease/purchase, and lease. The quotes were reviewed and the committee decided that more information would be needed before proceeding. Mayor Wilson will obtain additional info for the next meeting.

Amendment to the approved purchase of the Ambulance

Director Bricker spoke to the committee about the cost of the ambulance that had been approved for purchase last year. The Commission had approved the purchase of the ambulance not to exceed \$182,000.00. However due to the tariffs and taxes that have been placed on steel and aluminum the cost has come in at \$187,549.00. Director Bricker also stated that the company has our unit in line for production and has a dodge chassis reserved for the manufacture of our unit and if we fail to act in the near future it will be released to another buyer. With no timeframe of securing another chassis as demand is very high for this type of vehicle at this point in time.

Mr. Robinson made motion to amend the approved purchase of the ambulance from \$182,000.00 up to \$187,549.00 to secure the production of the unit. Seconded by Mr. Van Winkle, Roll Call: All Voted Yes

ECD Grant for the Burritt College Building

Mayor Wilson stated that a grant had become available to assist with the preservation of the Burritt College Building totaling \$50,000.00 with a 5% match of \$2,500 and he would like to apply for it.

Mr. Chandler made a motion to allow Mayor Wilson to apply for the grant not to exceed the match of \$2,500 Seconded by Mr. Seamons Roll Call: All Voted Yes

Budget amendment for the Sheriff's Dept.

Last fiscal year money was transferred from the Drug fund to the Sherriff's Budget for the purchase of office equipment and furniture for the new justice center. The remaining funds were omitted from the current year budget and some of the items still need to be purchased. Mr. Chandler made the motion to increases line item 54110-435 from \$850 up to \$17,227 total increase of \$16,377. Seconded by Mr. Seamons Roll Call: All voted Yes

Recess

Motion was made by Mr. Chandler to recess until Wednesday October 10 to allow the mayor to obtain the needed info for the Solid waste item and seconded by Mr. Robinson, All members were in favor Committee A stands in recess.

Reconvene on 10/10/18

All Present also Greg Wilson and Dale Cole.

Lease of solid waste truck

Mr. Chandler made motion to direct mayor to solicit bids for the lease of a solid waste container transport truck. Seconded by Mr. Seamons Roll Call: all voted yes.

Adjourn

Motion was made by Mr. Robinson to Adjourn and seconded by Mr. Chandler. All Voted



EEP: Emergency Equipment Professionals, Inc.
Alabama / Mississippi / Tennessee

Main #: 888-980-2815

Ambulance Sales Manager: Rob Cartee 256-466-2772



Official quote for: VAN BUREN County EMS - TN
 112 Generations Drive
 Spencer, TN 38585

description	price	
 CONTRACT: SAVVIK_DA06 Demers MXP150 / Dodge RAM 4500 4x2 Savvik Member # 21673 Van Buren County TN Ambulance Service	\$ 136,895.00	✓
Ambulance Options	\$ 27,654.00	✓
Stryker: Power Load Fastener	\$ 23,000.00	✓
Stryker - installation at EEP	included	✓
24/7 EMERGENCY PHONE NUMBER FOR OUT-OF-SERVICE APPARATUS: 888-898-5580 	included	✓
Total Per Ambulance and Selected Options:	\$ 187,549.00	tax not included





Date: September 5th, 2018

Subject: '18 RAM Cab Chassis Delays

Olathe Fleet has been communicating on a consistent basis with (FCA) Chrysler representatives regarding scheduling delays for 2018 RAM Cab Chassis 4500 and 5500. These units of concern have not been serialized and are outside the normal window for production lead-times. Information from Chrysler's scheduling team has been very limited and production for the month of October and November is still unknown at this time.

In our phone calls with Chrysler, we understand the issue is chassis allocation volumes that have been established by FCA for production. The allocation segments involved are Export, Retail and Commercial and our concern falls under the Commercial category. In addition, the Saltillo plant was shut down in March and April for a paint booth changeover and retooling. When the plant reopened in May, the first 30 days of production were used for Low Volume Special Paint Colors (i.e. Yellow) that are not generally used in the Ambulance industry.

We understand that Chrysler has oversold the Commercial allocation for the 2018 model year by approximately 1500 units. Production for the 2018 model year will end December 22, 2018 and Job #1 for the 2019 model year is slated for January 2, 2019.

The production period for the 2019 model year will be shorter than normal and is estimated to balance out approximately June of 2019. We have been unofficially informed that the Commercial chassis allocation could be limited to 2400 units due to this short production run.

We believe that these unscheduled 2018 cab chassis orders have a high probability of not being produced as a 2018 model year chassis and could be cancelled and pushed into the 2019 model year. If this happens we could be facing more delays as the number of 2018 unbuilt chassis' roll-over to a 2019 model year.

Olathe Fleet will continue to communicate with Chrysler daily and keep pushing for status on your unscheduled chassis orders. Should you choose to convert to another chassis brand we are prepared to work with you and your customers.

Committee A Chairman William Maxwell brought forward action that needs to be taken by the Full Commission from the Committee A Meetings.

Discussion of lease of Solid Waste Truck

The County Mayor Greg Wilson discussed with Committee A about the Solid Waste Truck being down with possibility of an unfeasible repair. Committee A (budget Committee) reviewed several quotes from multiple vendors to buy or lease a waste truck. Mayor Wilson quoted, "We are now spending \$1,078.00 per month on maintenance on the truck." County Truck driver Steven Cope was present at the meeting and stated, "It's a light duty truck and it's wore out." "The truck is more of a weight class of an 8,000 pound load and we average 18,000 pounds inside the box not including the weight of the truck." Mayor Wilson stated, "The one good thing about the lease of a truck is the Company's we've gotten quotes from will take care of all maintenance on the truck with the exception of the oil changes, tires and keeping the cab clean. William Maxwell made a motion, second by David Chandler to direct the County Mayor to solicit bids for the lease of a Solid Waste Container Transport Vehicle.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Amendment to the approved purchase of the Ambulance

The Full Commission had approved the purchase of a new Ambulance last year not to exceed \$182,000.00 but due to the tariffs and taxes that have been placed on steel and aluminum the cost has come in at \$187,549.00. William Maxwell made a motion, second by Henry Seamons to increase \$182,000.00 up to \$187,549.00 for the purchase of the new Ambulance.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

ECD Grant for the Burritt College Building

Mayor Wilson stated that a grant had become available to assist with the preservation of the Burritt College Building totaling \$50,000.00 with a 5% (\$2,500.00) match to the County and he would like to apply for it. David Chandler made a motion, second by Michael Woodlee to allow the Mayor to apply for the grant not to exceed the \$2,500.00.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Budget amendment for the Sheriff's Department

Last Fiscal year the Full Commission had approved a transfer of funds from the Drug fund to the Sherriff's Budget for the purchase of office equipment and furniture for the new Justice Center. When the new fiscal year started the funds had been omitted in the new Budget so funds need to be amended. William Maxwell made a motion, second by Robert Van Winkle to increase line item 54110-435 from \$850.00 up to \$17,227.00 total increase of \$16,377.00.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Committee B Report

Committee B Chairman Brian Simmons went over the minutes from the Committee B Meeting.

Minutes of Committee B September 4, 2018

Committee B met in a regular meeting, Tuesday September 4, 2018 at 5:00 p.m. at the Van Buren County Administration Facility & Justice Center. The following action was taken as recorded in Minutes.

Call to Order: County Mayor Greg Wilson call the Meeting to Order.

Roll Call: Member present: Michael Woodlee, Brian Simmons, Joey Grissom and Bill Mosley. Other present: County Mayor Greg Wilson, Road Superintendent Randy Oakes and James Brown.

Election of Chairman: Joey Grissom nominated Brian Simmons as Chairman of Committee B. Joey Grissom made a motion for all Nominations to cease, 2nd by Bill Mosley. All voted yes.

Election of Vice Chairman: Brian Simmons nominated Joey Grissom as Vice Chairman of Committee B. Bill Mosley made a motion for all Nominations to cease, 2nd by Michael Woodlee. All voted yes.

Minutes of Committee B
September 17, 2018

Committee B met in a called meeting, Monday September 17, 2018 at 5:00 p.m. at the Van Buren County Administration Facility and Justice Center. The following action was taken as recorded in Minutes.

Call to Order

County Mayor Greg Wilson called the Meeting to Order.

Roll Call: Members present: Brian Simmons, Michael Woodlee, Bill Mosley, and Zach Fletcher.
Also present: County Mayor Greg Wilson

1. 5 lots in Indian Trails Estates Phase 3 left from 2012 tax sales. 10 for 10 sale. County Mayor asked Commission about selling properties. Motion was made by Brian Simmons to put land out in bids. Motion 2nd by Bill Mosley.
 2. Place Jail up for sale
Motion was made by Brian Simmons for the Jail to go on Market September 24, 2018 and that the minimum bid be \$40,000.00. 2nd by Michael Woodlee. All voted yes.
 3. Brian Simmons made the motion to repair fairgrounds in-house. 2nd by Michael Woodlee. All voted yes.
 4. Brian Simmons made a motion for Meeting to adjourn. 2nd by Bill Mosley. All voted yes. Meeting adjourned.
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MINUTES OF COMMITTEE B
October 4, 2018

Committee B met in a regular meeting, Thursday October 4, 2018 at 5:00 p.m. at the Van Buren County Administration and Justice Center. The following action was taken as recorded in the minutes.

Call to Order: County Mayor called the Meeting to Order.

Roll Call: Brian Simmons, Michael Woodlee and Bill Mosley
Others present: County Mayor Greg Wilson and Road Superintendent Randy Oakes.

1. Fair Building/Pole Barn: Michael Woodlee made a motion to fix what was left of the building instead of rebuilding entire structure, 2nd by Bill Mosley. All voted yes by roll call.
2. Landfill land: Bill Mosley made a motion to allow Ronnie Measles to purchase 5 acres of the Landfill land along with Zach Sullivan, 2nd by Michael Woodlee. All voted yes.
3. Hawks Bluff Road Phase 1//Roadway off Phifer Mine: Michael Woodlee made the motion to deny allowing the County to fix this Road. Hawks Bluff did not meet the minimum requirements for the County to even consider taking on the responsibilities of maintaining this roadway.

Brian Simmons made a motion to adjourn Meeting, 2nd by Michael Woodlee. All voted yes.

Committee B Chairman Brian Simmons brought forward action that needs to be taken by the Full Commission from the Committee B Meetings.

5 Lots in Indian Trails Estates phase 3 left from 2012 tax sale.

Mayor Wilson found 5 lots that were left open from the 2012 tax sale and he would like to sell the properties. After discussion of the pricing of the lots per acre, Brian Simmons made a motion, second by Bill Mosley to get the remaining properties up for bid so they can go back on the tax roll with a minimum of \$1,000.00 per acre with a 10 for 10 sale.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Place the old Jail up for sale

The first date for the old jail to go on the market was September 24, 2018 and we have went beyond that. Mayor Wilson would like to get this started and it doesn't have to be a 10 for 10 sale it can be put in the paper that the County is taking sealed bids. Brian Simmons made a motion, second by Michael Woodlee to place the Jail on the market with a minimum bid of \$40,000.00.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Repairs at the Fairground

The pole barn at the fairground had fallen in and Committee B agreed to repair the 3 rafters on the top in house that way it will save the County money. **No action was taken by the full Commission.**

Landfill Property

There is some County owned land around the old land field and the County has had an inquiry about purchasing the property. This was brought up in the last meeting and the Full Commission voted to advertise this land for sale in the paper. There was one interested party for 5 acres and another one for 3.25 acres. The County Commission decided to table this matter until they went back and look at the quote that was stated to add it into the minutes. **No action was taken.**

Hawks Bluff Road Phase 1/ Roadway off Phifer Mine

Committee B discussed taking over the roads but cannot because these private roads do not meet the minimum requirement for the County to even consider taking on the responsibilities of maintaining the roadways. They would have to be brought up to the County standards.

Notary approval for Kim Grissom

William Maxwell made a motion, second by Bill Mosley to approve the Notary Renewal for Kim Grissom. All approved by voice vote. Motion passed.

Old Business

None

New Business

Road Superintendent Randy Oakes was present asking for budget transfer of \$323.00. When doing his proposed Budget for fiscal year 2018-2019 he budgeted 2,000.00 in line item 131-40280 Mineral Severance Tax and needed 2,323.00 with a difference of \$323.00. David Chandler made a motion, second by William Maxwell to move the funds from 131-34550 Fund Balance to 131-40280 Mineral Severance tax in the amount of \$323.00.

Upon roll call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed. Listed as Following:

**LETTER TO THE FULL COMMISSION FROM THE RANDY OAKES
VAN BUREN COUNTY HIGHWAY DEPARTMENT
P.O. BOX 106
SPENCER, TENNESSEE 38585**

October 15, 2018

To: The Van Buren County Commission Board

Subject: Mineral Severance Tax in Revenue

There was an error in the proposed Budget for the Fiscal Year 2018-2019. On page 1 first line item:

131-40280 Mineral Severance Tax Proposed amount was 2,000. After calculating the 5 year average the amount should have been proposed as none less than: 2,323.

Therefore changes need to be amended from the first proposed budget in making changes as follows:

ACCOUNT NUMBER	DESCRIPTION	DEBIT	CREDIT
131-40280	MINERAL SEVERANCE TAX		323.00
131-34550	FUND BALANCE	323.00	

Thank you in advance for your assistance in this matter.

Sincerely,
Sharon R. Mooneyham
Secretary/Bookkeeper

Authorized By:Randy Oakes
Van Buren Highway Superintendent

Van Buren
Highway Certification Worksheet

Enter amounts for accounts in which you received revenue. Enter ZERO(0) for accounts in which you did not.

I. Calculate Average	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018*	Total	II. Fiscal Year Appropriation	2018-2019
40110 Current Property Tax							40110 Current Property Tax	
40115 Discount on Property Taxes							40115 Discount on Property Taxes	
40120 Trustee's Collections - Prior Year							40120 Trustee's Collections - Prior Year	
40125 Trustee's Collections - Bankruptcy							40125 Trustee's Collections - Bankruptcy	
40130 Circuit/Clerk & Master Collections - Prior Years							40130 Circuit/Clerk & Master Collections - Prior Years	
40140 Interest and Penalty							40140 Interest and Penalty	
40150 Pick-up Taxes							40150 Pick-up Taxes	
40161 Payments in Lieu of Taxes - T.V.A.							40161 Payments in Lieu of Taxes - T.V.A.	
40162 Payments in Lieu of Taxes - Local Utilities							40162 Payments in Lieu of Taxes - Local Utilities	
40163 Payments in Lieu of Taxes - Other							40163 Payments in Lieu of Taxes - Other	
40210 Local Option Sales Tax							40210 Local Option Sales Tax	
40220 Hotel/Motel Tax							40220 Hotel/Motel Tax	
40240 Wheel Tax							40240 Wheel Tax	
40250 Litigation Tax - General							40250 Litigation Tax - General	
40260 Litigation Tax - Special Purpose							40260 Litigation Tax - Special Purpose	
40270 Business Tax							40270 Business Tax	
40280 Mineral Severance Tax	2,561	1,342	1,746	2,728	3,237	8,377	40280 Mineral Severance Tax	2,000
40285 Adequate Facilities/Development Tax							40285 Adequate Facilities/Development Tax	
40290 Other County Local Option Taxes							40290 Other County Local Option Taxes	
40320 Bank Excise Tax							40320 Bank Excise Tax	
40330 Wholesale Beer Tax							40330 Wholesale Beer Tax	
40331 Beer Privilege Tax							40331 Beer Privilege Tax	
40340 Coal Severance Tax							40340 Coal Severance Tax	
40350 Interstate Telecommunications Tax							40350 Interstate Telecommunications Tax	
44110 Investment Income							44110 Investment Income	
44990 Other Local Revenues							44990 Other Local Revenues	
Total Local Revenue	2,561	1,342	1,746	2,728	3,237	8,377		
Average = Total of 5 years total local revenue divided by 5						Five-Year Average		
*estimate if audit figures are unavailable								

* There is a handwritten note in the right margin, possibly indicating a discrepancy or correction for the 40280 Mineral Severance Tax line item, which has a handwritten '2,000' in the 2018-2019 column.

Commission Chairman Joey Grissom turned over the meeting to the public to allow them to speak of their concerns about Solid Waste Fees, the wheel Tax and Hawks Bluff residents about their road conditions with a three minute limit.

Laura Wallace was in attendance to state concerns for a group of Citizens in Van Buren County. They feel the Sunshine law has been violated and the passing of the wheel tax and solid waste fees should be void. She had forms to pass out to all the Commissioners and other Citizens that were present for the meeting. The forms listed as following: "The Sunshine Law", Statement of Special Called Meetings, E-mail from the Division of Elections, Van Buren County Code of Ethic, Andrew W. Dodd, Nashville, Tennessee, Petition for Popular Election on County, "Wheel Tax".

Ms. Wallace described (3) positions this group would go if the wheel tax and solid waste fees were not voided.

1. Submit a signed petition and pass it on the election review under TCA codes with a special election within 90 days.
2. The right to take legal action in the appropriate court. (Ms. Wallace's 3 minutes was up)

Mayor Greg Wilson wanted to response to the statement, "What Laura is taking about is totally correct but this is the law for a Special Called Meeting not a Regular Meeting. Our monthly meetings are posted in the paper (Van Buren Eagle, Sparta Expositor) every 3rd Tuesday of the month. The agenda is posted on our Van Buren County website along with every one of the minutes to all meetings." "I and The County Commission have worked diligently for the last 4 years for Van Buren County without a property tax or any other taxes or fees. The biggest issues I heard in 2014 was Van Buren County must grow and move forward and I believe we are each day. We have a new Building for future generations and they will not have to worry about additional space to add on at a much greater cost." "We have a plan to pay for this building in 12 years out of our debt service fund. Paying for this building is not the issue, the additional cost we have for is the staffing in our new Jail. Last year's Budget for the Jail was \$513,438.00 this years is \$723,209.00. The Cost for the additional staffing is a great issue but it is unfair for the property owners to pay for this increase. Everyone that is a resident of this County should have to pay their fair share. We should never burden the property owners to pay for everyone. The Solid waste fee will go in affect November 19, 2018 and there will be no charge to take your trash off. Each community will be served, pick up owners will be charged 2/3 less, currently right now it average \$3000.00 a month, it will cut them down to \$1,000.00 a month. Their cost is being cut as well. We ask them and have talked to them about passing this savings on to the customer. The charge is scheduled to drop off in December of 2021. Van Buren County has to fund the following services, Ambulance Service, we have purchased a new ambulance, and also one in 2017. With Solid Waste we pay \$44.00 a ton for Van Buren County disposable trash, this goes up every year. Sherriff's Office & Deputies, they put everything on the line during their shift. With the jail, when people are incarcerated Van Buren County has to house and pay for their confinement. The Fire Departments, there are 5 volunteer fire departments in this County. "All I can say is we don't do

enough for our Volunteer Fire Departments.” Education, “We don’t fund it all, we need to do more so our children receive the best education possible and in my opinion we need to do more for our hard working teachers and the entire school employees. We have one of the best School Systems around.” “I intend to work with the County Commission, we have a great County Commission some of the most dedicated people I have ever worked with.” “We need to recruit EMT’s and Paramedics which are hard to come by. It will take all of us to work together. Everyone is responsible for progress of this County not just a select few that has to pay property tax because they shouldn’t have to bear it all.”

Virginia Evans, a Van Buren County resident spoke next. Ms. Evans address the Full Commission about the sunshine law and would like the agenda to be made public to what the meeting are about. “Mayor Wilson’s agenda consist of Call to order, Roll Call, Approval of the last month’s meetings, Committee B Reports, Committee A Reports, Old Business, New Business and adjournment.” Mrs. Evans believes this is violates the Sunshine Law and Open Meeting law because the Citizens should be aware of the Meetings and what they are going to address in these Meetings. “With the County paying \$575,000.00 for BDS the County would have like to have known this ahead of time.”

Glenece Cole, a Van Buren County resident agrees that everyone in this County has to pay the bills, this County has to have money to operate. Ms. Cole stated, “This wheel tax is the fair thing to do and County Commission meetings are every 3rd Tuesday of the month.” This tax is fairer than a property tax increase and she supports it.

Nancy Beck a Citizen of VB, stated “I am not going to say I support it or against it.” She would like to see the Commissioners call meetings in their districts to find out before they come here to vote to know what the people they represent opinions are. She wants a fair chance to vote on the wheel tax. “Everybody has a different lifestyle and \$10.00 to some is their medicine, bread and milk.”

Bonnie Hale, VB Citizens, stated “Most people in the County are on fixed incomes and can’t afford the \$7.00 or \$10.00.” “There is a lot of things the County can do without, for instance the Gazeboos, Farmers Market, walking trails, that money was wasted.” She would like to see the County Commission knock on doors to ask the opinion of the people they represent.

Many residences from Hawks Bluff were present to talk about their road conditions and a broken covert in phase 1. Brad Taylor is a property owner in Hawks Bluff community and has been here since 2003 and with the money he has paid in taxes, he would like to see the roadways worked on. Mr. Taylor stated, “We are interested in finding out what avenue that we need to take to getting it built correctly not only for our residences, the ones that live beyond us, also but the ones that may build in the future.” “There is a covert break at the bridge and if we have another rain like the last one it’s going to wash it away.” “This bridge has to be used by the EMS, mail,

utilities and the residents.” Mr. Taylor stated, “I am not standing here asking who is responsible, I am asking for someone to listen to us and give us the opportunity to speak to you and understand our circumstances.” “We were sold a bill of goods that was advertised on the internet, television, and mail correspondence.” “It was sold to us advertised that it was all good.” Commissioner Brian Simmons stated, “The Road money doesn’t come from the County, it comes from the State. We have no control over it that is a misdemeanor for our County Road Superintendent to go and work on your roads.” Mr. Taylor stated, “I am not asking anyone to work on the roads, I am asking for someone to give us a moment of guidance and advise on who we need to speak to and maybe represent us on the County’s behalf.” Mayor Wilson, Randy Oakes and Irene Shaw met in April to check out the condition of the bridge and what it would take to fix it. All agreed it’s in terrible shape. Hawks Bluff had been awarded \$250,000.00 in a lawsuit but that money was not for just phase 1 it was all the roads in Hawks Bluff. Road Superintend Randy Oakes stated at the meeting, “His hands are tide.” Kirk Shaw lives in Hawks Bluff also and stated, “That he thinks they are getting brushed aside, the law says you can’t do anything, it’s as simple as getting approval from the State.” “It’s an excuse because phase 1 is as good as 70% of the roads in Van Buren County.” “Can County funds and equipment be use to repair the bridge?” Commissioner Henry Seamons stated, “We would have no problem taking on your roads if they were brought up to County Standards.”

County Attorney Howard Upchurch stated, “He has listen to everything that’s been said and the issue we have is the prohibitions that the County has with working that road with that bridge under our statutory framework.” “What I think we can do, I just suggested it to the County Mayor the way we can get around that restriction and limitation would be to file on behalf of the County a declaration judgement action, with Chancery Stanley or Circuit Judge Stanley depending on what Court we file it in and ask his honor to enter a Court Order which authorizes our Road Superintendent to actually do these repairs and authorizes the expenditures of County funds on that repair.” “If we can get such an order and secure such an order perhaps we can in light of the fact that roadway is used by School buses and other County vehicles.” “Knowing that I think I can make an argument to the Judge or pursue the Judge to enter an order and that order should provide you with the relief that you are seeking. That’s the only solution that I can think of but that is a solution and I believe I can bring prohibition.” Commissioner Michael Woodlee had a question for School Director Cheryl Cole, “Do school buses access these Roads in Hawks Bluff?” Cheryl Cole stated, “We are not supposed to be on private roads.” Michael Woodlee ask if we have an estimate on how much it will cost to repair the bridge in Hawks Bluff. Residents spoke up and said anywhere from \$5,800.00 to \$6,000.00. Chairman Joey Grissom spoke up and said, “I would not want to do anything to step on Randy Oakes toes, he would have to be in agreement with this and it would have to be voted on by the Full Commission in order to go forward to fix the bridge.” “If this were to go through with this it’s only to fix the tile.”

Don Wilson is a resident in Hawks Bluff and address the Commission on the matter of the County taken over the maintenance of the road in phase 1 only. Brian Simmons stated, "In order for the County to take the Roads they would have to be brought up to code and taking over phase 1 would be opening a big can of worms." "If we took yours then we are obligated to take on the rest of the roads and they are going to be in a lot worse shape than phase 1." They were thankful in getting the bridge fixed but would like to know how to get the roads up to code.

Commissioner Michael Woodlee would like to address the comment that was made earlier about the walking tracks, farmer market, etc. "If I am correct, that was paid for with grant money." Mayor Wilson explained, "This is correct." "In 4 years the County has gotten about 1.5 million in grants. This is more than the County has received in 35 years." Mayor Wilson said that the credit just doesn't go to him it includes the Full Commission. Every improvement made to the County has only cost the County less than \$5,000.00. Michael Woodlee, stated, "The people that work in this building have worked their butts off for these grants, Greg, Jessica, and Heather they work all the time for improvements in the County." "I would like before someone comes up and says something like that, they need to know for sure that we did not waste County funds. This was grant money for improvements in our County and maybe thank the people that are working every day to get these improvements done."

Commission William Maxwell address the public, "If we don't do something to move forward to increase Revenue, we are going to have to decide what we don't want." "This is where we are at right now and our employees expect to make a living here." "We have to have police cars to patrol the streets. The Sheriff has to have employees to do so. We have to have the Fire Departments. EMS has to have Ambulances to do their jobs." "We are at the point we have to decide what we don't want. I just want everyone to know where we're at as a County."

Sheriff Eddie Carter address the public, "The Sheriff's Department has been brought up about 4 different times through this discussion. As William Maxwell just stated, we have to maintain our employees." "Since I became Sheriff we have had and I almost bet on it, I have brought forward the most educated group of employees in the Sheriff's Department this County has ever had." "We have master degrees and associates degrees with people like that working for us. You guys don't know that, people are leaving because they can drive 13 miles from here and make \$5.00 to \$6.00 more an hour." "We cannot compete with that." "Managing hamburgers makes more than my Deputies and Correctional Officers make. I know that for a fact, those numbers we received today." "So the bare bone things that Mr. Maxwell was talking about, we are losing our County employees, people that have grew up here to surrounding Counties because we can't afford to pay them." "You guys need to think about that." The Sheriffs' Department gets thrown under the bus a lot of times." I am one of the largest employers and yes we have some big numbers. "They are suffering." "We could wrestle with a hamburger or we could wrestle with a drunk inmate in the Jail and you can make more in wrestling a hamburger."

Chairman Joey Grissom says it not just the Sheriff's Department that is under paid, EMS is extremely under paid. "They can start out in Warren County making \$10,000.00 to \$12,000.00 more a year than we can pay here starting out." "It's sad to say, we just don't have the money. If we paid everyone what their worth then I would be afraid of what our taxes would look like." William Maxwell stated, "Our County employees have had no more than two percent cost of living raise in a total of eight years."

County Attorney Howard Upchurch addressed the public with the following statement:

"I would like to say a few things. I will try to be quick. With the exception of about 4 years I have had the sincere privilege as serving as the County Attorney for Van Buren County for the past 28 years." "I started September 1, 1990 with Houston Hale as the County Executive, that's how long I've been here. So what I have to say I speak from experience and I speak from the heart also." "I was born and raised in Bledsoe County that's where my Law Office is located but from day one I started practicing law I was here in Van Buren County for the Van Buren County Court. I was very fortunate in 1990 to be retained as County Attorney." "Most of the meetings that we have here, this has been true since 1999, when you cut out the County Officials that come to the meetings, you could take these 8 to 10 chairs right here and take away half of them and you still wouldn't have enough Citizens that would come to our usual County Commission Meetings to see what's going on with your County Government. You all are lucky here in this County." "Bledsoe County Commission meets every 3 months. Sequatchie County Commission is doing the same thing now. The statue only requires Quarterly Meetings. The County Commission use to be named Quarterly Court because it only met every 3 months. This Commission meets every month. They meet at a day, time, place specified and a Resolution that was passed several years ago, they do that religiously." "They do 2 other things that I have not seen in any other Counties. They divide up into 2 Committees and you've heard their reports. These Committees are Committee A and Committee B. They also meet every month and they meet to thoroughly hash out and discuss the issues and try to capitalize those to bring them to the Full Board for the Boards consideration at the County Commission meetings. All of those meetings are public." "Notices are given of all those meetings and so you all are very fortunate here in the County to have a County Commission that works that hard, that meets that often and addressed the County's needs." "I want to remind you of this, the County is uniquely situated, we are a small County and land area, we have a large percentage of state owned property and State owned property is not taxed." "We've got a large percentage, larger than most County's, land Company owned properties and this is big Companies that own properties. The first thing those Companies do is, when they come into the County like this, they file for greenbelt relief. Greenbelt relief reduces the amount of taxes that they have to pay." "So who is funding the County's operation?" "A small group of landowners, you people that are sitting here. You carry the burden of the County's operation and fund everything that the County tries to do. It's really unfair because of the amount of State and land Company owned property but that's the realities of Van Buren County. That's what the Commission has to deal with, the Sheriff and School System day in and day out."

Now to address the issue first of all on the Wheel Tax. “This is the 3rd time since I have served as County Attorney in 1990 that a wheel tax has been discussed, purpose and adopted by the County Legislative Commission.” “Two times it’s gone to referendum vote, this time before it was considered by the County Commission, if you were here that night we discuss the methods in which the public could contest it or request an referendum vote and an election on whether the wheel tax could be implemented, there wasn’t anything hidden about it, it was discussed that night, it was discussed a number of voters (10%) of the registered voters who voted in the last Governor’s Election can file a petition and request a referendum vote.” “That was discussed before the County Commission took their 1st vote, so this wasn’t anything that was done in secret.” “With all due respect to the two ladies that spoke tonight and I do appreciate the individuals who try to dig into the law and find out what the law is. The issue is not as simple as they stated.” “When you intrepid statues, intrepid law, normally you have to look to a group of statues or to other statues that may appear to be unrelated.” “Determine what burden or what obligation that those statues place upon the Government, Citizens, or an entity and that’s the situation we have here it means you consider things as a group and that’s what you do with these Statues.” “There are two relative statues that govern notices on a Regular meeting, that’s what were here for tonight and that’s what we were here for the two nights that the Wheel Tax Resolution was considered, a Regular Meeting.” “Those two statues for those of you that are academically inclined, the first is TCA-44-103, one of these young ladies that spoke referenced TCA 8-44-105 which voids or makes invalid action taken is violation of the Open Meetings Act. Here’s what it says, “TCA 8-44-103-105 applies to say notice of public meeting shall be given, should be adequate public notice of such Meeting, that’s what the Statues require.” “What these ladies discussed is where they were taking about various things that have to be in the notice. Those are set forward in other Statues and that’s why I started this out, look at your other statues, other statues do in fact require additional notice.” “TCA 5-5-105 deals with Special meetings. It requires 48 hours 15 days’ notice, requires notice to specify, what action is to be taken and the purpose of consideration of the matter. That’s what special meetings require TCA 5-5-105.” “Another Statue for example TCA 5-5-111 it requires different notice to the public, if the County Commission if filling a vacate County position, for example some years ago, Eddie Carter will remember this, Sheriff Carter was appointed Sheriff of our County when our former Sheriff Beasley passed away unexpectedly.” “We had to have a different notice, different notice to the public, different notice published in order to take that action. That’s what the Statue required.” “Here’s what the Statue requires for a Regular Meeting, TCA 5-5-104, it provides as follows; Regular meetings shall be held, time, place, day set by Resolution.” “I started out my comments with the fact that we have a Resolution that specifies the time, place, day of our meetings. We give notice that reflects that were having a meeting and any matter brought before the meeting or before the County Commission in a Regular meeting will be considered. This is significant, that is significant of the TCA 5-5-104, that is significant under TCA 8-44-103.” “In the 28 years, less the 4, that I have served as the County Attorney I have never seen this Commission as it’s currently assembled with their predecessor meet in violation of the Sunshine Law or the Open Meeting

Act.” “If there’s been any Board that I’ve ever been affiliated with that tries to comply with the Open Meetings Act, It’s this Board.” “That’s why they meet every month, that’s why they have Committee Meetings twice a month.” “It offends me as their Attorney to hear them criticized over their efforts to try to educate the public and try to have the public to participate in a govern function.” “I’ve preached, talked about my past and history, I’ve offered a way to try to help the folks that have the roadway issue, hope the County Commission will vote on that and give me the authority to try to address that. I don’t want to take any more of your time, its late, I’ve got a 30 minute drive back to Pikeville. I will hang around here after this meeting and talk to anybody and answer any questions, share with you any of the law I have. My card has my cell phone number on it, I don’t care if people call me on it day or night, text me, I will response to it especially if it’s a County issue because County issues are Public issues, Public issues are important to me when I have the privilege of representing a County like Van Buren County.”

William Maxwell made a motion, second by Brian Simmons to allow the County Attorney Howard Upchurch to research and see if there is a case in order to assist with fixing the private convert.

Upon roll Call: Michael Woodlee, David Chandler, Joey Grissom, Bill Mosley, William Maxwell, Mickey Robinson, Henry Seamons, Brian Simmons and Robert Van Winkle voted yes. No changes to any yes vote. Motion passed.

Adjournment

William Maxwell made a motion, second by Brian Simmons to adjourn. All agreed by voice vote. Motion passed. Meeting adjourned at 7:29 p.m.