

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

The Van Buren County Commission met in a Regular Meeting March 21, 2017 at 6:00 p.m. at the Yvonna Sutton Fair Building. The following action was taken as recorded in Minute Book, "Q".

**Call to Order**

Chairman Joey Grissom called the meeting to Order.

**Roll Call**

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

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

**Deviate from the agenda**

Lesa Bouldin made a motion, second by Rip Van Winkle to deviate from the agenda in order to approve the Minutes from the February 21, 2017 Meeting and vote on an agreement between the "Frysingers, Maxine Banker and Van Buren County." All approved by voice vote. Motion passed.

**Approval of Minutes from the February 21, 2017**

Lesa Bouldin made a motion, second by David Chandler to approve the Minutes from the February 21, 2017 Meeting. All approved by voice vote. Motion passed.

**Proposed agreement between James and Sally Frysingers, Maxine Banker and the Van Buren County.**

**AGREEMENT**

This Agreement is effective as of the 16<sup>th</sup> day of March, 2017, by and between James Frysinger and Sally Frysinger (the "Frysinger"), and Maxine Banker as Trustee for the Maxine Banker Revocable Trust ("Banker"), and Van Buren County, Tennessee (the "County").

For good and valuable consideration, the parties agree as follows:

1. The Frysingers agree to convey to Banker an easement for the purpose of ingress and egress 25 feet in width as depicted on the attached Exhibit 1 from Stoney Point Mountain Road generally along the east boundary of the Frysingers' property and then veering in a southern direction generally along the orange line toward the Banker property approximately 1,800 feet. The easement where necessary to accommodate curves and allow for a reasonable logging truck to pass may be up to 40 feet and shall not encroach into the hay field more than 25 feet from the fence line and shall not cut the line trees.
2. Upon the easement being staked, banker shall pay to Frysingers the amount of \$1,500.00.
3. The Frysingers shall not erect any gate or obstruction blocking any portion of the easement.

4. Any marketable timber cut from the Frysinger property to accommodate the construction of the easement shall be accounted for and shall be remain the property of the Frysingers.
5. The County shall abandon any interest, if any, in the road formally known as Spokelay Road.
6. The County shall pay to Banker, upon delivery of the deed from Frysinger to Banker, the sum of \$.
7. Banker will have a surveyor and/or forester lay out the line of the easement with Frysingers' concurrence of path which shall not be unreasonably withheld.
8. Frysingers shall have the right to accompany the surveyor and/or forester as they mark the easement.
9. Upon the easement being staked and the Frysingers executing and delivering a deed to Banker, Banker shall execute documents dismissing the cause of action with prejudice against Frysingers and the County.
10. If this agreement is breached by any party and any party commences an action to enforce this agreement the prevailing party shall be award attorney fees in addition to any other relief to which they may otherwise be entitled.

**IN WITNESS WHERE OF**, the parties agree herein as of the date first above written.

**Maxine Banker Revocable Trust**

**County of Van Buren, Tennessee**

By: \_\_\_\_\_  
**Maxine Banker, Trustee**

By: \_\_\_\_\_  
**Greg Wilson, County Mayor**

\_\_\_\_\_  
**Maxine Banker**

\_\_\_\_\_  
**James Frysinger**

\_\_\_\_\_  
**Sally Frysinger**

County Attorney Howard Upchurch explained to the full Commission that there is a lawsuit involving a road way between the Frysingers and Maxine Banker. Mr. Upchurch stated, "Van Buren County was brought in under an amended petition. Not any parties have any claim against Van Buren County, the County has no responsibility or liability to either party." "The parties have reached a settlement and they are proposing that Van Buren County contribute \$1,500.00 to the settlement." County Attorney Howard Upchurch's recommendation to the full Commission, "is to pay absolutely nothing". Rip Van Winkle moved to beamingly oppose to any financial obligation on part of Van Buren County referring to this lawsuit in anyway and to take whatever means necessary to avoid that. Second by Mickey Robinson.

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

## **Committee A Report**

Committee A

February 27, 2017

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

Also attending: Mayor Greg Wilson, Lisa Luck, UCDD; Tiawanna Bricker, Jarod Campbell, and Representative of the Veterans Cemetery Committee

Lisa Luck went over the APR which summarizes solid waste. Counties must reduce 25% of total waste through recycling. The information in the APR updates our 5 & 10 year solid waste plan which enables us with the information to apply for grants. **Will Maxwell made the motion and Robert Van Winkle second to approve the APR for submittal. All voted yes by regular voting sign.**

Donna Fair representing the Department of Veterans Affairs is looking for support to allow for the construction of a regional Veterans cemetery for the Upper Cumberland. Approximately 520 are receiving services from the Veterans Administration. They are requesting from each county a \$10 per vet donation (Van Buren \$5000.00) from each of the 14 counties. 5 have already committed Smith, Clay, Putnam, Fentress, & Pickett a total of \$106,000. Need to obtain 100 acres for a cemetery and are in the process of obtaining state funding, (not presently in the budget).

Reviewed budget request from department heads and all departments major purchase request. These are not complete request but are being attached to these minutes for review. Note all offices will have additional expenditures in data processing due to the charges of moving into the new building.

Mayor Wilson would like to increase Senior Citizens director to \$22,000. Amount of deputy clerks and move employee from Courthouse Jailhouse to Solid Waste.

Tiawanna Bricker presented the committee with information on the purchase of a new ambulance. After much discussion **Will Maxwell made the motion and Mickey Robinson second to take to the full commission the request to approve purchase of a new ambulance to be paid for ½ in fiscal year 2016-2017 and ½ in 2017-18, total cost not to exceed \$180,000.00. All members voted yes upon roll call.**

Committee requested Jarrod Campbell, administrator for the Sheriff's Dept. provide the committee with a complete list of vehicles (make, year, mileage, condition) at the next meeting along with leave balances for current employees.

With no other action to be taken a meeting was scheduled for **March 16<sup>th</sup> at 5:00pm** and the meeting was adjourned upon a motion and second.

## **Committee A**

March 20, 2017

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

Also present: Mayor Greg Wilson, VB Co Clerk Lisa Rigsby, Sheriff Eddie Carter & Jared Campbell

Committee reviewed request submitted by officials. Officials have increases in deputy/part time help lines. Elected officials by mandate salaries have all increased. Retirement and Workman's comp have increased. Chancery Court asked for increase in Legal notices. Tax Assessor additional part time personnel, Decrease in County Buildings, increase in Senior Citizens director, and others were reviewed. County Clerk will be purchasing an additional computer and accessories for the new office and will be paid out of the technological earmark money.

In order to address grants recently received the budget committee took the following action to bring to the full commission for approval:

**Increase 56500-599 and revenue 46390 Other Health and Welfare Grants by \$5000 to reflect the Healthier TN Grant award. Mickey Robinson made the motion and William Maxwell second. All voted yes by regular voting sign.**

**Increase 54000-599 and revenue 46290 Other Public Safety Grants to reflect the award of the Governors Highway Safety Grant in the amount of \$5000. Henry Seamons made the motion and Robert Van Winkle second. All voted yes by regular voting sign.**

**Increase 51300-599 and revenue 46490 Other Public Works Grants by \$2500 to reflect the award of the grant to be used to landscape the new park. Will Maxwell made the motion and Mickey Robinson second. All voted yes by regular voting sign.**

After discussing the price of repairs for the HVAC at the library, **Mickey Robinson made the motion and Will Maxwell second to direct the county mayor solicit bids for a new unit for this building.** All voted yes by regular sign upon roll call.

The Sheriff brought information before the committee to use in the preparation of their budget and also asked them to remember to approve in the beginning of the new fiscal year the list of items to be sold to inmates by the sheriff's department. He also reported the 1995 Crown Vic was available for use by the Property Assessors office as needed.

The committee will meet again on Tuesday March 28<sup>th</sup> at 5:00pm and have requested the 3 column format with actual figures through the first of the month for the work sessions. With no other business to discuss Mickey Robinson made the motion and Will Maxwell second to adjourn.

**Committee A Chairman Lesa Bouldin brought forward action that needs to be taken by the full Commission from the Committee A February 27 and March 20, 2017 Meeting.**

### **New Ambulance**

Tiawanna Bricker had went before Committee A with information on the purchase of a new ambulance. After much discussion on this matter, Mickey Robinson made a motion, second by Rip Van Winkle to approve the purchase of a new ambulance to be paid for ½ in fiscal year 2016-2017 and ½ in 2017-2018, total cost not to exceed \$180,000.00.

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

### **Health and Welfare, Public Safety, and Public works Grants**

There are three Grants that Van Buren County has received, in order to reflect this the following action needs to be taken:

**Increase 56500-599 and revenue 46390 Other Health and Welfare Grants by \$5,000.00 to reflect the Healthier TN Grant award.**

**Increase 54000-599 and revenue 46290 Other Public Safety Grants to reflect the award of the Governors Highway Safety Grant in the amount of \$5,000.00.**

**Increase 51300-599 and revenue 46490 Other Public Works Grants by \$2,500.00 to reflect the award of the grant to be used to landscape the new park.**

Lesa Bouldin made a motion, second by Rip Van Winkle to approve those revenue codes that are listed, also increase the expenditures on the codes listed to reflect the Grant monies.

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

### **Committee B Report**

## **Van Buren County Commission, Committee “B”**

**February 27, 2017**

Committee “B”, of the Van Buren County Commission met in regular session on Monday, February 27, 2017, 7:30 pm, in the office of the County Mayor.

Chairman Rip Van Winkle called the meeting to order.

Upon roll call members David Chandler, Hugh Hillis, Brian Simmons, Joey Grissom, and Rip Van Winkle were present. Van Buren County Mayor Greg Wilson was also in attendance.

The committee discussed a private road, which the County Mayor had been asked about the county taking over. The road was not considered up to proper specifications and the county mayor will

inform the inquiring party of the standard that must be met before the county will consider doing so.

County Mayor Greg Wilson presented a plan to the committee to change 4 of the assigned offices in the new administration building that is under construction. A motion was made by Hugh Hillis, seconded by David Chandler, to recommend to the full body of the Van Buren County Commission, that offices in the new administration building be re-assigned with UCHRA in #159, Avalon/Child Advocacy in #107, Senior Companion Program in #133, and VBC Veterans Service Officer in #202. All Commissioners present approved the motion by regular voting sign.

County Mayor Greg Wilson informed the committee that USS would arrive on Wednesday, March 1, to assess the structural problems on the fair exhibit building.

There being no more business, a motion was made by David Chandler, and seconded by Joey Grissom, to adjourn. All members present voted in favor of the motion.

## **Van Buren County Commission, Committee “B”**

**March 20, 2017**

Committee “B”, of the Van Buren County Commission met in regular session on Monday, March 20, 2017, 7:30 pm, in the County Administration Building.

Chairman Rip Van Winkle called the meeting to order.

Upon roll call members David Chandler, Brian Simmons, Joey Grissom, and Rip Van Winkle were present. Van Buren County Mayor Greg Wilson was also in attendance.

Mayor Wilson discussed the idea of purchasing a general use county vehicle to be used intermittently by different county employees and departments that could save the county up to \$7,000 annually on workers’ compensation insurance and mileage re-imburements. The committee suggested that Mayor Wilson explore the cost of a 3-4 year old used vehicle with 75,000 miles or less to get an estimated cost to present to the budget committee for the 2017-2018 budget.

Mayor Wilson shared the estimate by United Structural Systems of \$62,980 for repair of the drifting walls on the Van Buren County Fair Building. At meeting time we were still waiting for feedback from the insurance company as to what portion if any of repair costs might be covered by insurance. The committee took no action awaiting feedback from the insurance company and opinion of the county attorney as to whether the work would have to be bid or is covered under professional services.

Mayor Wilson informed the committee of citizens interested in purchasing an unused portion of the property on which Accument Global is located. The committee asked Mayor Wilson to inquire whether as a current tenant, that Accument Global can purchase the property without an open bid process, and if the company has any interest in doing so.

The committee was made aware of a desire from 3 citizens to re-locate the historic McCoy School on Bone Cave Mountain to the Van Buren County Fairgrounds as an exhibit and fair attraction. The committee asked Mayor Wilson to advise said citizens to collaborate jointly with the Van Buren County Historical Society and the Van Buren County Fair Association to attempt formulation of a plan that is amenable to both parties, and upon agreement to set up a charitable fund that all parties, including the county, can get behind to raise money for the cost of the project.

A discussion was had by the committee, concerning the lack of active participation by several board members of the Van Buren County Fair Association. A motion was made by Rip Van Winkle, seconded by David Chandler, to advertise in the local paper asking citizens interested in active participation in the Van Buren County Fair to contact the County Mayor's office and volunteer, giving the County Commission a pool of interested candidates to replace inactive members. All commissioners present voted in favor of the motion.

There being no more business, a motion was made by Brian Simmons, and seconded by David Chandler, to adjourn. All members present voted in favor of the motion.

**Committee B Chairman Rip Van Winkle brought forward action that needs to be taken by the Full Commission from the Committee B February 27, 2017 and March 20, 2017 Meeting.**

#### **Office rooms in the New Administration Building**

Mayor Greg Wilson presented to Committee B a plan to reassign four offices in the New Administration Building. (UCHRA in #159, Avalon/Child Advocacy in #107, Senior Companion Program in #133, and Van Buren County Veterans Service Officer in #202). After much discussion on this matter, Lesa Bouldin made a motion, Second by Rip Van Winkle to defer this until the April Meeting so that Committee A will have a chance to look over the map. All approved by voice vote. Motion passed.

#### **Fair Board**

Rip Van Winkle stated to the full Commission, "We have had a severe lack of Participation on the Van Buren County Fair Board." Committee B would like to propose to the full Commission for this to be advertised in the paper asking any citizens that are interested in active participation in the Van Buren County Fair to contact the County Mayor's Office. This would give the County Commission a pool of interested people to replace all inactive members. After much discussion, Rip Van Winkle made a motion, second by Brian Simmons to authorize the County Mayor to spend the money to run an ad in the paper.

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

#### **Approve Freda Christensen for Equalization Board**

Rip Van Winkle made a motion, second by Brian Simmons to approve Freda Christensen to the Equalization Board. All approved by voice vote. Motion passed.

#### **Old Business**

None.

**New Business**

Mayor Greg Wilson read the letter of resignation from our County Commissioner Rip Van Winkle to the full Commission.

**The Honorable Greg Wilson  
Van Buren County Mayor  
445 College Street  
Spencer, TN 38585**

Mayor Wilson,

It is with deep regret that I tender my resignation from the positions of 3<sup>rd</sup> district Van Buren County Commissioner, Van Buren County University of Tennessee Agricultural Extension Committee, and the Van Buren County Planning Commission effective March 31, 2017.

I ask that you and my fellow Commissioners take the immediate legal steps required to fill these vacancies so that the business of the County moves on unhindered, and the Citizens of the 3<sup>rd</sup> district be equally represented on the Commission.

It has been my great honor and privilege to serve Van Buren County and her Citizens in this capacity. I wish you, and my fellow Commissioners continued success, progress and prosperity on behalf of this great County. You are an honorable, hardworking, and visionary group that I have been proud to call my peers.

I have accepted a management position with Metalwork, Inc. in Summerville, South Carolina beginning April 10, 2017. We will not sell our farm as we plan to return in the future. I look forward to once again becoming an involved Citizen at that time. No matter where life takes us, Van Buren County will always be home.

**Respectfully,  
Rip Van Winkle  
493 Van Winkle Road  
Spencer, TN 38585**

Members of the County Commission expressed their deep feeling of emotion to County Commissioner Rip Van Winkle. Mr. Van Winkle will truly be missed. His deep passion and concern for Van Buren County is just one of his outstanding qualities. I know the 3<sup>rd</sup> district will truly miss him and so will Van Buren County. We wish him lots of blessings in his next endeavor in life for him and his family. Lesa Bouldin regretfully made a motion, second by Mickey Robinson to accept Rip Van Winkle's letter of resignation. All approved by voice vote. Rip Van Winkle abstained. Motion passed.

**County Commission Meeting**

County Attorney Howard Upchurch explained to the full Commission the rules of replacing a County Commissioner. The position can be filled 30 days from the date of the Resignation, this position will be ran in the local paper. Lesa Bouldin made a motion, second by Mickey Robinson to reschedule the April County Commission meeting for April 25, 2017 at 6:00 p.m. All approved by voice vote. Motion passed.



**Adjournment**

Rip Van Winkle made a motion, second by Mickey Robinson to adjourn. All approved by voice vote.  
Meeting adjourned at 6:52 p.m.