

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

The Van Buren County Commission met in a Special Called Meeting on April 30, 2026 at 6:00 p.m. at the Van Buren County Administrative Facility & Justice Center. The following action was taken as recorded in Minute Book, "U".

Call to Order

Sheriff Michael Brock called the Meeting to Order.

Roll Call

Members present: Michael Chandler, Jordan Delong, Terry Hickey, Terry Hodges, Dusty Madewell, Kenny Smith, Tommy Frady, Michael Woodlee, and Cale Crain. Tabitha Denney was present via-phone.

Also present: County Attorney Howard Upchurch, County Mayor David Sullivan, County Clerk Lisa Rigsby, and Jay Williams with zoom and several citizens of Van Buren County.

Prayer

Dusty Madewell led us in prayer.

Pledge

Chairman Cale Crain led us in the Pledge of Allegiance.

Executive Session

Terry Hodges made a motion, seconded by Michael Chandler to call for an executive session with the Commissioners and the County Attorney.

Upon roll call: Michael Chandler, Jordan Delong, Tabitha Denney, Terry Hickey, Terry Hodges, Dusty Madewell, Kenny Smith, Tommy Frady, Michael Woodlee, and Cale Crain voted yes. No changes to any yes vote. Motion passed. **All Commissioners, County Mayor Sullivan, and Attorney Howard Upchurch left the meeting and entered the Court Room at 6:04 p.m.**

The Full Commission entered back into the Commission Room at 6:40 p.m.

Approve/Disapprove: Barry Austin Property. Map 030 Parcel 050.10 & 050.15.

Terry Hodges made a motion to take this to court and let the Judge figure it out and why this isn't in the minutes written up to his benefit and why it wasn't approved by the Full Commission, let the Judge sort it out. Michael Chandler seconded. **(Motion to litigate)**

Upon roll call: Michael Chandler, Tabitha Denney, Terry Hodges, Dusty Madewell, and Cale Crain voted yes. Jordan Delong, Terry Hickey, Kenny Smith, Tommy Frady, and Michael Woodlee voted no. **5-yes vote. 5-no vote. Motion failed.**

(Motion to accept \$24,126.00 offer)

Michael Woodlee made a motion to honor Barry's previous offer, Chairman Cale Crain ask for the record, what was the offer? Michael Woodlee amended his motion to honor Barry's previous offer of \$24,126.00 and Jordan Delong seconded, adding to the motion of providing Mr. Austin with a Deed of Correction and a Release of the lien.

Upon roll call: Michael Chandler, Tabitha Denney, Terry Hodges, Dusty Madewell, and Cale Crain voted no. Jordan Delong, Terry Hickey, Kenny Smith, Tommy Frady, and Michael Woodlee voted yes. No changes to any vote. **5-yes votes. 5-no votes. Motion failed.**

The County Attorney Howard Upchurch reminded Chairman Cale Crain that he needs to ask if anyone wanted to change their vote from the last motion that failed. No changes to any vote. Motion failed.

Chairman Cale Crain asked, "Is there any other motions?"

Commissioner Terry Hodges made a motion, to take the \$24,126.00, whatever the amount was for the 1 point something acres that the Slaughterhouse is sitting on and take the other land and deed it back to the County. Mr. Hodges stated, "We all know the deed isn't right." "There was nothing the Full commission did to make a deed out for them, we have to get to the bottom of this." Commission Kenny Smith stated, "It says in there if he keeps the property for 10 years we get nothing, you got to do your math on this." With no one speaking up....Michael Chandler seconded the motion.

Chairman Cale Crain asking if anyone had any questions or discussion? With a motion on the floor, the County Attorney Howard Upchurch provided clarification on the property assessments, noting that the 2.22 acre portion contains the primary improvements (slaughterhouse/warehouses), while the 7.58 acre portion is assessed with no improvements.

After much discussion on this matter, Terry Hodges amended his motion to the 2.2 acres that the mini warehouses are on, and then the one point something the slaughterhouse is on.

Commissioner Terry Hodges asked if he could approach the County Attorney because he could not hear him from where he was sitting.

Commission Terry Hodges amended his motion to the slaughterhouse and storage units come out to 2.9 acres roughly and know that none of this wasn't voted on and for his sake and the County, and the total amount of the money was what? Chairman Cale Crain answered, \$24,126.00.

Again Terry Hodges changed his motion that we give Mr. Austin a legal deed to the 2.9 acres and ask half of that which would be half of that price, since he's paid taxes on that and that makes it \$12,000.00. Michael Woodlee stated, "He's paid over \$14,000.00 in taxes." Terry Hodges stated, "That would be \$12,523.00 and that would be a clear legal deed passed and voted on by the Full Commission."

Chairman Cale Crain asked, "Do I have a second?" Michael Chandler seconded the motion.

Chairman Cale Crain asked, "Are there any questions about the motion on the floor?"

Commissioner Jordan Delong, stated, "What about right here?" Commissioner Jordan Delong started reading the minutes of the August 15, 2020 meeting:

Barry Austin and Jeremy Howard are in the process of putting in a USDA slaughter house in the Van Buren County Industrial Park. The full commission voted to let them use 1.5 acres for the Construction of the building and parking in the last County Commission Meeting. However there is another 7.5 acre parcel that connects to the 1.5 acre parcel that they have requested to be added in also. Our County Attorney would add this to our contract with them. Brian Simmons made a motion, second by Michael Woodlee for the 7.5 acre parcel to be added to the contract.

Upon roll call: David Chandler, Joey Grissom, Terry Hickey, William Maxwell, Bill Mosley, Mickey Robinson, Henry Seamons, Brian Simmons, Robert Van Winkle and Michael Woodlee voted yes. No changes to any yes vote. Motion passed. Jordan Delong stated, "So this is talking about the whole 7.5 acres."

Terry Hodges, stated "We have argued about this the last six months because there were no minutes stating that it come back to the full commission." "We've had commissioners admit that."

Michael Woodlee replied, "But he ended up with a deed and he paid property taxes, he built a business, he paid those property taxes for five years." "We're setting a horrible example for future businesses in Van Buren County." "We have to find a resolution." Terry Hodges, stated, "I'm trying to work on one right here." Michael Woodlee stated, "But it doesn't have to cut his throat or ours." Commissioner Kenny Smith, replied, "It also states that when ten years passed, the property is his."

Chairman Cale Crain asked any questions on the motion on the floor? Michael Chandler seconded the motion. **(Motion for split acreage (\$12,523.00))**

Upon roll call: Michael Chandler, Tabitha Denney, Terry Hickey, Terry Hodges, Dusty Madewell and Cale Crain voted yes. Jordan Delong, Kenny Smith, Tommy Frady, and Michael Woodlee voted no. 6-yes votes. 4-no votes. Chairman Cale Crain asked if anyone wanted to change their vote and Commissioner Terry Hickey changed his to no. Which makes 5-yes votes. 5-no votes. Motion failed.

Michael Woodlee made a motion, seconded by Jordan Delong to accept Mr. Austin's offer of \$24,126.00 and get him a clear deed and be done with it now.**(Motion on original offer, \$24,126.00)**

Upon roll call: Michael Chandler, Tabitha Denney, Terry Hodges, Dusty Madewell, and Cale Crain voted no. Jordan Delong, Terry Hickey, Kenny Smith, Tommy Frady, and Michael Woodlee voted yes. No changes to any vote. 5- No votes. 5- yes votes. Motion failed.

Adjournment

Terry Hickey made a motion, seconded by Michael Chandler to adjourn. Upon roll call: Michael Chandler, Tabitha Denney, Terry Hickey, Terry Hodges, Dusty Madewell, and Cale Crain voted yes. Jordan Delong, Kenny Smith, Tommy Frady, and Michael Woodlee voted no. 6-yes votes. 4-no votes. Motion passed. Meeting adjourned at 7:21 p.m. leaving the legal status of the property and the associated lien unresolved.

Chairman Cale Crain

County Clerk Lisa Rigsby