

**Town of Thompson's Station  
Board of Mayor and Aldermen  
Special Session Meeting Agenda  
May 14, 2019 at 6:00 p.m.**

**Meeting Called To Order**

**Discussion Items:**

- 1. Meeting/Discussion Of Town Attorney Candidates:**
  - a. 6:00 p.m. – 6:15 p.m. Andrew Mills and Kirk Vandivort
  - b. 6:15 p.m. - 6:30 p.m. Stephen E. Grauberger, JD
  - c. 6:30 p.m. – 6:45 p.m. Daniel Necci

Documents:

[A MILLS AND VANDIVORT.PDF](#)  
[B GRAUBERGER.PDF](#)  
[C NECCI.PDF](#)

**The Board May Go Into Recess After Conducting Interviews And Possibly  
Reconvene To Discuss The Appointment Of A Town Attorney.**

**This Meeting Is Open To The Public And The Community Is Encouraged To Attend.**

**Adjourn**

*This meeting will be held at 6:00 p.m. at Thompson's Station Community Center  
1555 Thompson's Station Road West*

## Kenneth McLawhon

---

**From:** Andrew Mills  
**Sent:** Thursday, May 2, 2019 3:54 PM  
**To:** kmclawhon@thompsons-station.com  
**Cc:** Kirk Vandivort  
**Subject:** Follow-up - 5/2/2019 Conference Call  
**Attachments:** Statement of Qualifications- Thompson's Station- updated.pdf

Mr. McLawhon,

It was a pleasure speaking with you this afternoon, and I am certainly glad I called to confirm that the meeting tonight has been postponed. Again, congratulations on your new position. I am sure you are already very busy, less than forty-eight hours into the job.

Just to memorialize some of the points we discussed on the phone, our firm is a full service law firm that has extensive experience representing governmental entities (our firm first began representing municipal clients over twenty-four (24) years ago). Currently, the six (6) attorneys in our office work together to represent Dickson County, Fairview, Charlotte, Burns, White Bluff, and Vanleer. We also provide all litigation and transactional needs our clients have, in state and federal courts (when insurance defense is not providing the same). This is something we take pride in: being able to serve all of our client's needs. Thompson's Station is growing very quickly, and it will need experienced help to grow effectively.

I will add that our team approach to representation (I will be the lead attorney, and Mr. Vandivort will be the alternative) means that an attorney will be available assist Thompson's Station seven days a week. All the attorneys are local, born and raised. I currently live in West Nashville, and Mr. Vandivort lives in Burns, neither of which are very far from the Town.

We take the responsibility of representing a municipality very seriously, and we know that a good working relationship with the Board and, more importantly, the Administrator will be a necessary component to that representation.

I have attached our updated Statement of Qualifications for your convenience.

Please contact me should you have any questions. Thank you again for speaking with me, and I look forward to our next conversation.

Sincerely,  
Andrew E. Mills

**Andrew E. Mills**, Member  
**Reynolds, Potter, Ragan, & Vandivort, PLC**  
210 East College Street  
Dickson, TN 37055  
615-446-2221 (office)  
615-446-2232 (fax)  
[amills@rprvlaw.com](mailto:amills@rprvlaw.com)  
[www.rprvlaw.com](http://www.rprvlaw.com)

CONFIDENTIALITY NOTE: This e-mail and any attachments may be confidential and protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by replying to the

sender and deleting this copy and the reply from your system. Thank you for your cooperation.

CIRCULAR 230 DISCLOSURE: Pursuant to Treasury guidelines, any federal tax advice contained in this communication, or any attachment, does not constitute a formal tax opinion. Accordingly, any federal tax advice contained in this communication, or any attachment, is not intended or written to be used, and cannot be used, by you or any other recipient for the purpose of avoiding penalties that may be asserted by the Internal Revenue Service.



REYNOLDS, POTTER, RAGAN & VANDIVORT, PLC

ATTORNEYS AT LAW | RPRVLAW.COM

STANLEY Q. REYNOLDS  
TIMOTHY V. POTTER  
BRIAN RAGAN  
KIRK VANDIVORT\*  
HILARY H. DUKE  
ANDREW E. MILLS

April 12, 2019

210 E. COLLEGE STREET  
DICKSON, TENNESSEE 37055  
TELEPHONE: 615.446.2221  
FACSIMILE: 615.446.2232

\*RULE 31 LISTED MEDIATOR

*OF COUNSEL:*  
LISA LITTLETON HOLLEY

Thompson's Station, Tennessee  
c/o Caryn Miller, Assistant Town Administrator  
P.O Box 100  
Thompson's Station, TN 37179  
Via email only to [cmiller@thompsons-station.com](mailto:cmiller@thompsons-station.com)

**RE: STATEMENT OF QUALIFICATIONS - UPDATED**

Dear Ms. Miller:

Please find below the updated Statement of Qualifications for the law firm of Reynolds, Potter, Ragan, & Vandivort, PLC per your email earlier today.

We are excited by the possibility to serve Thompson's Station. We have the experience and expertise requisite to serve as the City Attorney for Thompson's Station. Our firm currently represents six (6) different local governments.

**1. Firm name and contact information:**

Reynolds, Potter, Ragan, & Vandivort, PLC  
210 East College Street  
Dickson, Tennessee 37055  
615-446-2221  
615-446-2232 Facsimile  
[amills@rprvlaw.com](mailto:amills@rprvlaw.com)  
[kvandivort@rprvlaw.com](mailto:kvandivort@rprvlaw.com)  
[www.rprvlaw.com](http://www.rprvlaw.com)  
Est. 1980

**2. Personnel qualifications:**

Andrew E. Mills, Esq. (BPR# 031236) will be the primary attorney with Kirk Vandivort (BPR# 018942) serving as the secondary attorney, and they will be assisted from time-to-time as needed by other lawyers in our firm. Our goal is always to provide competent legal advice and services. One of the main reasons for having a full-service firm is to ensure there is always someone available for your representation, for any and all of your legal needs. Simply put, there will be no time when our firm will not be able to assist you with legal services. We will be in attendance at all necessary meetings.

Mr. Mills is a resident of Davidson County, Tennessee, residing specifically in the Hillwood neighborhood. He grew up on West End Avenue, where he attended Montgomery Bell Academy, graduating in 2004. In 2009, he graduated *magna cum laude* from Belmont University with a degree in Business Administration, and, in 2012, he graduated from the University of Memphis School of Law. Mr. Mills has represented the Town of White Bluff for over seven (7) years as the primary city attorney, and he is the assistant city attorney for the City of Fairview, the Town of Burns, and he is one of the attorneys representing Dickson County in our office.

Mr. Mills is a skilled writer and litigator who has practiced in courts all across middle Tennessee, including Federal Court. He has litigated for his government and private clients in nearly all areas of the law, including condemnation, eminent domain, zoning issues, city ordinance enforcement, easement issues, contract disputes, property transactions, boundary line disputes, employment issues, probate issues, criminal issues, personal and property injury issues, and administrative law issues. Additionally, Mr. Mills is one of the closing attorneys at Banker's Title & Escrow, LLC, where he engages regularly with property transactions and zoning issues. Mr. Mills prides himself on engaging issues quickly and using a team approach with the other six (6)

attorneys in the office to find solutions to complex problems. He is but one part of the firm's twenty-four (24) year experience representing governmental clients.

Personally, Mr. Mills has been married to Patricia Mills since 2013. She is an attorney with the Administrative Office of the Courts in Nashville, Tennessee. In addition to his law practice, Mr. Mills enjoys football, cooking, and his family. Mr. Mills and his wife recently celebrated the first birthday of their first child, Audrey.

Mr. Vandivort is a resident of Burns, Tennessee and a veteran of the United States Marine Corps, having served in Operation Desert Storm / Persian Gulf War. He received a bachelor's degree from the University of Tennessee, at Knoxville. He received his law degree from the Nashville School of Law in 1997. Mr. Vandivort has represented the City of Charlotte since 2004, and he serves as one of the attorneys in the office representing Dickson County.

This will be Mr. Vandivort's twenty-first year to practice law. He began his practice at McGee, Lyons, & Ballinger, PLC as well as the Public Defender's Office for the 23<sup>rd</sup> Judicial District. He is a skilled litigator and has tried numerous cases to jury trial in many different Tennessee counties. He practices in both state and federal court. The firm of Reynolds, Potter, Ragan, & Vandivort, PLC, which Mr. Vandivort helped create, is located in Dickson and has a total of seven lawyers. It is a very well rounded firm and prides itself on being regional in its scope.

Personally, Mr. Vandivort has been married to Roxan Vandivort of Dickson since 1995. Mrs. Vandivort is a sixth grade science teacher in Dickson County. They have three daughters – ages 19, 17, and 15. In addition to his law practice, Mr. Vandivort likes to play golf, watch his children play school sports, and the occasional motorcycle ride. Mr. Vandivort is an active

member of the First Presbyterian Church of Dickson, and he is in his eleventh year of service on the Dickson County School Board, where he is currently the Chairman.

**3. & 4. Specialized legal services and competence / Capacity and capability:**

Of particular importance to Thompson's Station will be our firm's competence, capacity, and capability to handle municipal and county law and other issues relative to representing a municipal entity. Our firm is very experienced in that area.

Our firm has represented the **Town of Vanleer** in Northwest Dickson County since approximately 1993. The firm has represented the **Town of White Bluff** since 1995. The firm has represented the **City of Charlotte**, which is the county seat of Dickson County, since 2004. The firm has represented the **Town of Burns** in Dickson County since 2007. The firm has represented the **City of Fairview** since 2017. The firm also represents **Dickson County**, Tennessee and has done so since 2006.

Our firm takes a team approach to our representation of governmental entities, and we utilize the experience of all the attorneys at our firm, as this form of representation has been an integral part of our firm for over twenty-four (24) years, and it greatly helps us be as efficient as possible for our clients. We have always, in our twenty-four (24) years of work for governmental entities, been able to respond to our client's needs on short notice and in a timely manner, and, as previously stated, there will always be an experienced municipal attorney available to handle the Town's needs should Mr. Mills and/or Mr. Vandivort be unavailable (which will be exceedingly rare).

Please find the below contact information for references:

- a. Linda Hayes, Mayor of the Town of White Bluff; 615-797-3131.

- b. Scott Collins, City Administrator of the City of Fairview; 615-387-6084.
- c. Bill Davis, Mayor of the City of Charlotte; 615-789-4184.
- d. Landon Mathis, Mayor of the City of Burns; 615-446-2851.
- e. Bob Rial, Mayor of Dickson County; 615-789-7000.

**5. Approach to communicating with the Town:**

Our firm takes a rapid response approach to communication. Simply, we will be available to respond to any and all issues and questions within hours, if not minutes, seven days a week. In terms of the manner in which we communicate with our client, we develop a strategy based upon the client's needs, wishes, and need for expediency, generally centering around a point person (e.g. Thompson's Station's Town Administration or other designee). Based upon the particular issue or project, we will generally provide status updates and reports on an "as requested basis" and at regular meetings. Thompson's Station is unique and will have unique needs, and the development of a communication plan will be a crucial component to our firm's representation of the Town.

**6. Understanding of services to be provided:**

Given our twenty-four (24) years' worth of experience in representing municipalities, we are fully aware of a municipality's general needs, however every municipality is different and requires legal assistance in varying areas. Generally, municipalities need legal assistance with: resolution and ordinance legality and drafting; legal consultation, opinions, and assistance regarding property, zoning, subdivision, variance, and zoning appeals issues; licensing, employment, policy, and taxation issues; code enforcement, permit disputes, and annexation/condemnation litigation; historic preservation implementation and enforcement; contract, license, easement, and lease drafting; real and personal property sales and acquisitions;



employment policies and handbook creation; state laws and requirements (e.g. Open Records Act, Sunshine Laws, etc.); title opinions and title research; general civil litigation not covered by the Town's insurance carrier; assistance and support to insurance defense; meeting attendance at all levels and enforcement of Robert's Rule of Order; and state and administration law disputes, negotiations, and litigation.

If our firm is selected to be the City Attorney for Thompson's Station, the legal needs will need to be determined and outlined, but our firm is fully capable of handling any and all issues that will need to be addressed by the Town.

**7. Work schedule:**

Our work schedule is flexible to meet the Town's needs. An attorney, generally Mr. Mills or Mr. Vandivort, will be present or available to attend all meetings and work sessions. Work projects, when initially requested by the Town, will be completed by a deadline as set by the Town and our firm, working in concert based upon the level of exigency required. Given our firm's experience and ability to accommodate, we will be able to provide the work needed in a timely manner.

**8. Conflicts of interest:**

Given our firm's location and current set of clients, we do not foresee any conflicts of interest with Thompson's Station. The firm represents individuals in Williamson County, but none of those clients have used our firm for any action against Thompson's Station. If a conflict did arise, we would be charged with finding a suitable attorney to handle that specific issue which gave rise to the conflict.

**9. Cost for providing services:**

Our firm bills by the hour, and we would agree to charge a reduced rate of \$200.00 per hour for all services provided to the Town. Our firm will conservatively bill for all of its attorney time in increments of tenths of an hour, and we will submit a bill each month to the designated official.

Please let us know if you need any further information. We also certainly welcome the opportunity to meet you and will be available for an interview at your request.

Sincerely,

**REYNOLDS, POTTER, RAGAN & VANDIVORT, PLC**



---

ANDREW E. MILLS

BPR #031236



---

KIRK VANDIVORT

BPR #018942

# STEPHEN E. GRAUBERGER, JD

2159 Ravenscourt Drive, Thompsons Station, TN 37179  
(615) 573-6284 Steve@FranklinBusinessLaw.com

## PROFESSIONAL SUMMARY

Enthusiastic driven business Attorney with 14 years of visible success in the areas of Copyright, Employment, Contracts & Corporate law. Outstanding communication, client services, and relationship building skills has elevated this attorney to a collaborative partner, advocate, and advisor. Use of innovative solutions and strategies succeeded in improving performance and revenue while reducing costs. Tenacious ability to manage issues in ever-changing environment while never losing sight of priorities or deadlines. Tech savvy.

## SKILLS

- Energetic Manager & Motivator
- Expert contracts, corporate laws, copyright
- Team player, mentor & listener
- Expert negotiator of company & client interests
- Employment Law & HR expert
- Focused Experienced Attorney
- Exceptional communicator
- Expert customer relation skills
- Driven multi-tasker with vision
- Expertly prioritizes projects; meets deadlines

## WORK HISTORY

**FRANKLIN BUSINESS LAW, PLLC, Franklin, TN**  
*Owner, Managing Attorney*

**2014 – 2018**

- Train and supervise associate attorneys and staff, providing mentorship and guidance on litigation, settlement, and trial strategy
- Drive business development to meet company goals
- Advise clients regarding contracts, negotiations, and dispute resolution
- Plan and strategize with clients regarding intellectual property protection, licensing, and enforcement
- Functionally serve as outside general counsel for numerous business clients regarding all legal functions including litigation, risk mitigation, human resources, employment law issues, and corporate governance
- Advise corporate clients on policies and best business practices to reduce corporate risk and liability
- Plan and strategize with corporate clients to meet business needs and goals
- Conducted due diligence, contract preparation, and closings regarding mergers and acquisitions
- First chair trial attorney for business clients in contract disputes, copyright infringement litigation, trademark infringement litigation, employment discrimination litigation, wrongful discharge litigation, and government administrative hearings and trials
- Represent numerous clients in mediations and arbitrations
- Work with start-up businesses to protect IP, establish corporate structure, policies, and contracts, and advise regarding governmental requirements and restrictions

**GRAUBERGER, GREEN & ASSOCIATES, PLLC, Mt. Juliet, TN**  
*Owner, Managing Attorney*

**2007 – 2014**

- Lead counsel for multiple music publishers in complex copyright infringement lawsuits against *Napster, Inc., RealNetworks, Inc., Microsoft Corporation, Yahoo! Inc., and MediaNet Digital Inc.*
- Leveraged copyright expertise regarding new technologies, electronic media protection, and evolving areas of copyright law resulting in favorable settlements for clients
- Drafted and negotiated contracts, settlement agreements, multi-vendor agreements, non-disclosure agreements, indemnification/hold-harmless agreements, software licenses and internet user agreements
- Represented corporate clients in litigation involving real estate, premises/product liability, commercial negligence, contract/licensing disputes, copyright/trademark disputes, and owner disputes
- Managed and mentored office staff and associate attorneys
- Responsible for business development
- Counseled clients regarding risk mitigation and business policies/procedures

**CITY OF MT. JULIET, Mt. Juliet, TN**

**2008 – 2009**

***Municipal Court Judge***

- Presided as part-time Municipal Court Judge conducting court trials and proceedings regarding traffic and municipal code violations
- Directed attorneys, litigants, and court personnel regarding conduct, issues, and proceedings
- Knowledgeable of all relevant laws, court procedures, precedents and government regulations
- Demonstrated track record of fairness in hearings

**JOHN LOWE & ASSOCIATES, Goodlettsville, TN**

**2005 – 2007**

***Senior Associate Attorney***

- Specialized in business formation/governance/litigation and corporate collections
- Managed all facets of litigation
- Mentored and advised junior attorneys on legal matters, court procedures, and client relations
- Offered partnership in recognition of contributions to the firm

**HOLLINS & ASSOCIATES, PLLC, Nashville, TN**

**2003 — 2005**

***Associate Attorney***

- Drafted sales agreements and all closing documents for commercial real estate transactions
- Drafted documents relating to corporate formation and governance
- Assisted in drafting commercial/retail leases for private to Fortune 500 corporations
- Established litigation services for firm's transactional clientele

**BALMUR/CORUS ENTERTAINMENT, Nashville, TN / Toronto, Ontario**

**1999 — 2002**

***Director of Finance and Business Affairs***

- Directed legal functions, licensing, administration, budgeting, and accounting for U.S. division of international music entertainment company
- Drafted, negotiated, and administered all domestic and international licensing, sub-publishing, and employment contracts
- Restructured financial turn-around for the division by instituting operational/expenditure controls including personnel reductions through reallocation of roles/responsibilities
  - **Result:** Reduced division expenditures by 25% resulting in a 1-year turnaround from a \$750,000 loss of revenue to break-even
- Established fiscally-responsible corporate culture by implementing cost control and approval measures

**EDUCATION**

**Nashville School of Law – Nashville, TN**

**2004**

*Doctor of Jurisprudence*

**Middle Tennessee State University – Murfreesboro, TN**

**1990**

*Bachelor of Science, Recording Industry Management,*

*Minor – Mass Communications/Music*

**BAR ADMISSIONS**

- Admitted to Practice in Tennessee State Courts, U.S. District Court for Middle District of Tennessee, U.S. Bankruptcy Court for Middle District of Tennessee, U.S. District Court for the Eastern District of Tennessee, Sixth Circuit Court of Appeals
- Past *pro hac vice* admissions in U.S. District Courts for the Central District of California, Southern District of New York, Eastern District of Wisconsin, and Utah

**Daniel A. Necci**  
**1738 Old Thompson Station Road**  
**Thompson's Station, TN 37027**  
**o: (855) 210-2050**  
**c:(262) 844-0581**  
**dnecci@hninjury.com**

March 13, 2019

**Via electronic mail**

Thompson's Station Board of Mayor and Aldermen  
P.O. Box 100  
Thompsons Station, TN 37179

Dear Board of Mayor and Aldermen:

Please consider this letter and the accompanying resume an expression of my truly sincere interest in serving the people of my community as Town Attorney for Thompson's Station, Tennessee.

I believe my past practice provides me with unique experiences that will translate well to the position of Town Attorney. As District Attorney of Walworth County, Wisconsin, I was required to implement policy and foster harmonious relations between often competing organizations within the criminal justice system. I was also responsible for office policy and the management and budget of a county office of a total of 18 employees.

As an attorney with Seymour, Kremer, Koch, Lochowicz and Duquette, LLP, I was required to attend meetings and handle the work of our multiple municipal clients including litigation, ordinance drafting, prosecution and providing research and recommendations to municipal officials. Finally, as Special Assistant to the Corporation Counsel of Walworth County, I handled property and zoning matters among other duties.

I currently own and operate Horlacher Necci – Injury Lawyers, a personal injury firm practicing in both Southeastern Wisconsin and Middle Tennessee. Horlacher Necci is not actively seeking municipal clients in either of our two states, but I would consider it a great privilege to put my experience to work for the people of the community in which I and my family live.

I hope you will be willing to discuss this opportunity with me in greater detail. Please feel free to contact me at any time.

Very truly yours,

Daniel A. Necci

# Daniel A. Necci

---

1738 Old Thompson Station Road, Thompson's Station, TN 37179 | O: (855) 210-2050 | C: (262) 844-0581 | danecci@hniinjury.com

## Objective

- To seek an appointment to the position of Town Attorney for Thompson's Station, Tennessee.

## Education

### **B.A. | 2002 | UNIVERSITY OF WISCONSIN-EAU CLAIRE**

- Major: Psychology
- Minor: Business Administration

### **J.D. | 2005 | MARQUETTE UNIVERSITY LAW SCHOOL**

- Licensed to practice law in Wisconsin, Tennessee and Alabama

## Experience

### **PARTNER | HORLACHER • NECCI – INJURY LAWYERS| 2017 - PRESENT**

- Own and operate a multi-state, personal injury law firm with offices serving both Southeastern Wisconsin and Middle Tennessee.

### **ASSOCIATE ATTORNEY | CHARLES G. PITMAN, ATTORNEYS AT LAW | 2016 - 2017**

- Managed a large personal injury caseload and became a top earner in a personal injury office.
- Acquired awards for my clients of over \$4 million dollars in 2017.
- Consulted on cases in litigation primarily those where a jury trial appeared necessary.
- Consulted on office management principles and practices.

### **DISTRICT ATTORNEY | WALWORTH COUNTY (WI) | 2012 - 2016**

- Managed and budgeted for an office of four A.D.A.'s, two victim/witness service providers, one paralegal and twelve staff.
- Successfully tried complex felony cases including sexual assault, attempted homicide, sexual assault of a child, and delivery of heroin.
- Successfully represented the state in hundreds of motion hearings including evidentiary motions and post-conviction motions.
- Sat on the executive board for the Walworth County Children's Advocacy Center, the Sensitive Crimes Response Team and participated in hundreds of multi-disciplinary teams.
- Participated in the composition of the Walworth County Sexual Assault Team Protocol and trained law enforcement on the same.
- Worked closely with the Walworth County Drug Enforcement Unit and the U.S.D.E.A. attachment resulting in 40% increase in opiate trafficking convictions in only three years.

### **SOLO PRACTITIONER | LAW OFFICE OF DANIEL A. NECCI, LLC | 2010 – 2012**

- Operated a law office in Elkhorn, Wisconsin serving clients in criminal, civil and family matters throughout the courts of Southeastern Wisconsin and in the Court of Appeals. Prepared pleadings, filed and argued motions, and took and defended depositions as necessary.

### **ASSOCIATE ATTORNEY | SEYMOUR, KREMER, KOCH, LOCHOWICZ AND DUQUETTE, LLP | 2007 – 2010**

- Served as an associate with a general practice firm in Elkhorn, Wisconsin practicing among other things: contract, personal injury, municipal, real estate, business and criminal defense in the circuit courts and Wisconsin Court of Appeals. Prepared pleadings, filed and argued motions, and took and defended depositions as necessary.
- Served as Special Assistant to the Corporation Counsel of Walworth County handling CHIPS, JIPS, guardianships, protective placements, chapter 51 commitments and zoning matters.