

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

The Van Buren County Commission met in a Regular Meeting Tuesday November 20, 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

Commission Chairman Joey Grissom called the Meeting to Order.

Roll Call

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

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

Approve Of Minutes from the October 18, 2018 Meeting

Mickey Robinson made a motion, second by Bill Mosley to approve the Minutes from the October 18, 2018 Meeting. All approved by voice vote. Motion passed.

Approval of Quarterly Reports

Mickey Robinson made a motion, second by Michael Woodlee to approve all Quarterly Reports. All approved by voice vote. Motion passed.

Bid Approval for Old Jail (Committee A)

Committee A

November 13th 2018

Roll Call:

Members present: David Chandler, Mickey Robinson, Robert Van Winkle, Henry Seamons, and Will Maxwell. Mayor Greg Wilson also in attendance

Bid Opening for Surplus Jail Building and Property

Bids were opened with two bidders submitting bids:

Ben Lomand ----- \$85,000.00

Charsie Evans ----- \$41,000.25

Mr. Van Winkle made motion to accept the bid from Ben Lomand for \$85,000. Seconded by Mr. Chandler: All Voted Yes.

Bid Opening for Real Estate Representation

Bids were opened for a Real Estate firm to represent the county in the sale of five lots received from delinquent taxes. Three bids were submitted see below

Century 21----- \$1,000 Flat fee for the sale of the five lots.

H & H Realty-----10% of the Sale Price

Crye Leike Brown Realty----- 1% of the sale price.

Mr. Robinson made motion to accept the bid from Brown Realty of 1% of the sale price. Seconded by Mr. Chandler: All Voted Yes

Budget Amendment to hold the Special Election for the Wheel Tax

The special called election will cost the tax payers \$18,745 to hold that is about \$0.15 of Property tax to hold this election

Mr. Chandler made the motion to table until more information is available from legal counsel. Seconded by Mr. Robinson All Voted yes.

Solid Waste Fee Waivers

Discussion was had about some property owners that would be required to pay double fees on property that has electric service that is not currently used as residence. The Committee felt that we should establish a vetting process to approve any and all waivers of the solid waste fees.

Mr. Seamons made a motion to ask the full commission to allow committee A to approve/disapprove any and all Solid Waste fee waivers brought forth before the Committee. Seconded by Mr. Robinson: All Voted Yes

Adjourn

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

October 24
2018

To Mr. Greg Wilson
County Mayor.

From Hugh L. Hale
Broker H&H Realty

Dear Mr. Wilson: my bid to sell the
Five Lots located on Green Fields Road
is 1090% of purchase price

Respectfully Submitted
Hugh L. Hale Broker
H&H Realty
Spencer Tenn 38585



Brown Realty Elite

305 E. Bockman Way

Sparta, TN 38583

Phone: 931-837-7653 Fax: 931-837-2795

10/24/18

The office of Crye-Leike Brown Realty Elite bids 1% (one percent) commission to sell county owned property from tax sale.

Thank you,

A handwritten signature in cursive script that reads "Melissa Harmon".

Melissa Harmon

931-256-5364



**BEN LOMAND RURAL
TELEPHONE COOPERATIVE, INC.
311 North Chancery Street
McMinnville, TN 37110**

November 2, 2018

Mayor's Office
Attn: Mayor Greg Wilson
Van Buren County
121 Taft Drive
Spencer, Tennessee 38585
VIA HAND DELIVERY

**RE: Old Van Buren County Jail located at 17 Veterans Square in Spencer,
Tennessee (the "Property")**

Dear Mayor Wilson:

This letter constitutes Ben Lomand Rural Telephone Cooperative, Inc.'s ("Ben Lomand") bid to purchase the Property from Van Buren County (the "County" or "Van Buren County") on the following terms and conditions:

1. **BUYER:** Ben Lomand, or its permitted assignee.
2. **SELLER:** Van Buren County.
3. **PROPERTY:** Map 030B, Parcel 065.00, and Map 030B, Parcel 070.00, located in Spencer, Tennessee, together with any and all improvements thereon.
4. **PURCHASE PRICE:** \$85,000.00.
5. **BID SELECTION; DILIGENCE PERIOD; CLOSING DATE:** If Van Buren County selects Ben Lomand's bid to purchase the Property, the parties shall agree on a reasonable "Diligence Period" during which Ben Lomand may conduct due diligence inspections on the Property, including a title commitment, environmental studies, building inspection and survey review. Ben Lomand suggests that the diligence period ("Diligence Period") be thirty (30) days, with closing to occur within fifteen (15) days later (the "Closing Date").
6. **RIGHT TO TERMINATE:** Ben Lomand may terminate its offer at any time during the Diligence Period, upon written notice to Van Buren County, based on its inspection of the Property.

7. CLOSING CONDITIONS: Conditions precedent to closing this transaction shall include:

- A. Title: Ben Lomand, at its expense, shall obtain a title report (the "Title Report"), accompanied by copies of all recorded documents relating to easements, rights-of-way, and all other matters of record affecting the Property, within ten (10) days of the bid acceptance date.
- B. Environmental Report/Phase I: Ben Lomand shall, at its expense, obtain a Phase I environmental site assessment as soon as possible after the bid acceptance date.
- C. Survey and other Reports. Van Buren County shall provide Ben Lomand, within five (5) days of the bid acceptance date, with all of the following items in its possession: surveys, title policies; environmental reports, geotechnical and other engineering studies; architectural plans or renderings in respect to the Property; and any other studies in respect to the Property. We understand that Van Buren County has ordered a new or updated survey. Please provide that to us as soon as possible.

8. CLOSING COSTS; PRORATIONS: Ben Lomand shall pay the costs of a title insurance policy, deed recording fees, conveyance taxes, all costs in connection with the physical inspection and other investigations made in connection with its due diligence review, and one-half of closing escrow charges. Van Buren County shall pay the costs of the new or updated survey and one-half of closing escrow charges. Ben Lomand and Van Buren County shall pay their respective attorneys' fees. All real property ad valorem taxes (if any) shall be prorated as of the Closing Date.

9. ASSIGNMENT: Ben Lomand shall have the right to assign its rights under any bid award or resulting contract to any entity controlled by, or under common control of Ben Lomand.

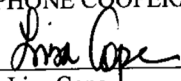
10. RIGHT TO ENTER: Van Buren County agrees to provide access to the Property to Ben Lomand, its agents, inspectors and engineers, for due diligence inspection purposes. Ben Lomand shall be allowed to perform environmental and geotechnical testing of the Property. Ben Lomand shall indemnify Seller against all claims related to Ben Lomand's inspection of the Property.

Let us know if you have any questions or need any additional information concerning this bid. Also, this bid has already been approved by the Executive Committee of Ben Lomand's Board of Directors.

Mayor Greg Wilson
November 2, 2018
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Sincerely,

BEN LOMAND RURAL
TELEPHONE COOPERATIVE, INC.

By:  _____
Lisa Cope

Title: General Manger/CEO

Charise Evans

I would like to make a
bid on the Old Van Buren
County Jail - 17 Veterans Drive

Spencer, Tn. 38585

My bid is

\$41,000.²⁵

Thank you,

Charise Evans
2645 Baker Mtn. Rd.
Spencer, Tn. 38585

SEALED BIDS RECEIVED FOR THE OLD VAN BUREN COUNTY JAIL LOCATED AT 17 VETERANS DRIVE
SPENCER, TN 38585.

Lina Cope DATE 11/21/2018

WITNESS *Stephanie Kelly* DATE 11/21/18

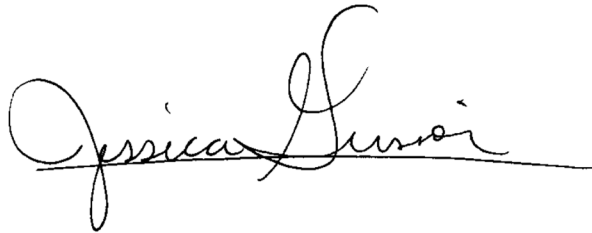
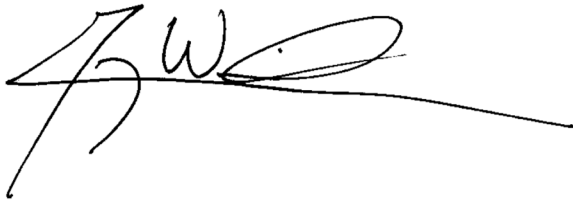
WITNESS *J.W.* DATE 11-2-18

NOTARY PUBLIC *Heather Woodlee* EXPIRES 2-28-2021

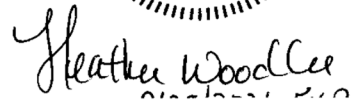


RECEIVED
NOV 02 2018

Bids from Licensed Real Estate Broker to sale County owned property from tax sale opened on 10/26/2018 at 9:12 a.m.



- Century 21
Richard W. Smith \$1000.⁰⁰ flat fee
- Hugh Hale H+H
Real Estate 10%
10%
- Cye-Leike Brown Realty Elite 10%



From: Alicia

To: 19319462388

10/24/2018 13:58

#242 P.001/001



October 24, 2018
Re: Rocky River Rd

Mr. Greg Wilson:

I would coordinate all the offers, showings and listing online in the MLS on the five, one acre tracts, on Rocky River Rd for a fee of 1,000.00. (One-thousand dollars). The county (VanBuren) will be responsible for the printed material, closing cost and therefore can choose the title company they wish to use.

Thanks in advance for your time, I hope to hear from you soon.

Best Wishes,

A handwritten signature in cursive script that reads "Richard W. Smith".

Richard W. Smith
Century 21 Professional Group
Realtor/Associate Broker/Auctioneer
16875 Rankin Ave Dunlap, TN 37327
423-309-6521 (cell)
richardwsmith@bledsoe.net



Greg B. Wilson Van Buren County Mayor
P.O. Box 217
Spencer, TN 38585

Van Buren County is seeking bids from a license Real Estate Broker to sale county owned property from tax sale. All proposals are due to the Van Buren County Mayor's office, 121 Taft Drive Spencer, TN 38585 by 4:00 p.m. on October 24th, 2018. If you have any questions please contact the mayor's office at 931-946-2314. All bids must be sealed with company name, copy of brokerage license, and contact information. Van Buren County reserves the right to reject any or all bids.

Committee A Deputy Chairman Henry Seamons went over the Minutes from the October 4, 2018 Committee A Meeting and brought forward action needs to be taken by the Full Commission.

Bid Opening for Surplus Jail Building and Property

The County Commission decided to sale the Old Jail and Property. There were two bids received, Ben Lomand at \$85,000.00 and Charsie Evans at \$41,000.25. Henry Seamons made a motion, second by Robert Van Winkle to accept the \$85,000.00 bid from Ben Lomand Connect.

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

Bid Approval for Real Estate Firm – 5 Lots off of Greenfield Road (Committee A)

Committee A had met to review the bids for a Real Estate firm to represent the County in the sale of 5 lots that the County had received from the delinquent taxes. The bids were as following: Century 21 @ \$1,000.00 flat fee, H & H Realty @ 10% of the sale price, Crye Leike Brown Realty @ 1% of the sale price. Henry Seamons made a motion, second by Bill Mosley to accept Crye Leike Brown Realty. All approved by voice vote. Motion passed.

Upper Cumberland waste to Energy Company Update (Chuck Burgess)

Mayor Greg Wilson introduced Chuck Burgess, a local Consulting Engineer that spoke on the behalf of the Upper Cumberland waste to Energy Company to update the Full Commission about the new waste fuel project that is coming to Van Buren County. He stated the date for starting the project is Spring 2019 with 18 months to finish the project. They are looking at 70 jobs to be offered and everything will be hand sorted. It will start out at 400 tons a day with an increase to a 1,000 tons a day. The starting out pay per hour is \$13.00. Many residence were present to ask questions about the project.

Old Business

None

New Business

Budget Transfer in the County Clerk's Office

Last Fiscal Year, the County Clerk's Maintenance fee for BIS Computer System was mailed out and BIS had never received it, the check never cleared. A late notice was received, so the check was cancelled and the bill needs to be resent in the amount of \$5,500.00. David Chandler made a motion, second by Michael Woodlee to transfer the \$5,500.00 from 39000 and place into Clerk's Data Processing line item 101-52500-317 in the amount of \$5,500.00 to pay this.

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

Solid Waste Fee Waivers

Committee A had discussed the matter of some property owners that would be required to pay double fees on property that has electric service that is not currently used as residence. The Committee felt that they should establish a vetting process to approve any and all waivers of the Solid Waste Fees. Henry Seamons made a motion, second by David Chandler that Committee A establish a process to approve or disapprove of any and all waivers of the Solid Waste fees.

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

For the Record: Commissioner Bill Mosley wanted to address Sheriff Eddie Carter on the reasoning of why the Sheriff's Department is not housing TDOC inmates to offset the cost of the new Jail. The Commission is requesting the presence of Sheriff Carter at the next County Commission Meeting to discuss this matter.

Adjournment

Mickey Robinson made a motion, second by Bill Mosley to adjourn. All agreed by voice vote. Motion passed. Meeting adjourned at 6:52 p.m.