

Be it remembered that the Bedford County Commissioners, acting as the County Legislative Body, met in a regular session in the Bedford County Courthouse in Shelbyville, Tennessee on Tuesday, June 8, 2021 at 7:00 PM. Chairman Chad Graham called the meeting to order. Prayer was led by Commissioner John Brown. Graham led the Pledge of Allegiance and Sheriff Austin Swing opened the meeting. County Clerk Donna Thomas called the roll.

BRENT SMITH
CHASITY GUNN
JANICE BROTHERS
ED CASTLEMAN
SYLVIA PINSON
MARK THOMAS

BRIAN FARRIS
JULIE SANDERS
JEFF SWEENEY
GREG VICK
LINDA YOCKEY
JASON SANDERS

TONY SMITH
DON GALLAGHER
PHILIP FARRAR
BILL ANDERSON
ANITA EPPERSON
JOHN BROWN

There were 18 commissioners present.

APPROVAL OF THE MAY 11, 2021 COMMISSION MINUTES – *Placed on the agenda by Rules and Legislative Committee.*

Motion to approve by Thomas. Second by Pinson. Passed by voice vote.

ELECTIONS & CONFIRMATIONS

1. Elect Notaries - *Placed on the agenda by Rules and Legislative Committee.*

Motion to approve by Thomas. Second by Vick. Passed by voice vote.

BEDFORD COUNTY CLERK
DONNA THOMAS COUNTY CLERK
100 PUBLIC SQ STE 104
SHELBYVILLE TN 37160
Telephone 931-684-1921
Fax 931-685-9590

Notaries to be elected June 08, 2021

| | |
|----------------------|---------------------|
| PATRICIA FINNEY | SHANNON MOSS |
| MARY BETH HARDEN | BRIANNA NEEDHAM |
| KELLY HARRIGAN | JANEE RAYNOR |
| DAWSON HASTY | SUSAN D REED |
| CASSIE DREW LAPOINTE | GINGER BOBO SHOFNER |
| AMY MASSEY | PATRICIA R THOMAS |

2. Appointments –Agriculture Board

Graham put forth David Parker to serve on the board. Motion to approve by Yockey. Second by Sweeney. Passed by voice vote.

PRESENTATIONS

None

RESOLUTIONS

Resolution 21-29: A Resolution Authorizing Submission of an Application for a Litter and Trash Collecting Grant from the Tennessee Department of Transportation and Authorizing the Acceptance of said Grant – *Placed on agenda by Commissioners Linda Yockey and Greg Vick*

Motion to approve by Epperson. Second by Brent Smith. Passed by voice vote.

May 27, 2021

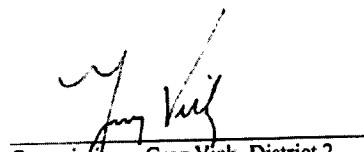
The Honorable Chad D. Graham
1 Public Square, Suite 101
Shelbyville, TN 37160

Dear Mayor Graham,

We request resolution 21-29, a resolution authorizing submission of an application for a litter and trash collecting grant from the Tennessee Department of Transportation and authorizing the acceptance of said grant, be place on the June 8, 2021 Bedford County Board of Commissioners agenda.

Sincerely,


Commissioner Linda Yockey, District 5


Commissioner Greg Vick, District 2

Resolution 21-29: Litter and Trash Collecting Grant



BEDFORD COUNTY BOARD OF COMMISSIONERS

Resolution 21-29

Resolution authorizing submission of an application for a Litter and Trash Collecting Grant from the Tennessee Department of Transportation and authorizing the acceptance of said grant.

WHEREAS, the Bedford County Highway Department intends to apply for the aforementioned grant, during the 2021 - 2022 fiscal year, from the Tennessee Department of Transportation; and WHEREAS, the contract for the grant will impose legal obligations upon the Bedford County Highway Department.

NOW, THEREFORE, BE IT RESOLVED:

- 1. That Mark Clanton is authorized to apply on behalf of the Bedford County Highway Department for a litter and trash collecting grant from the Tennessee Department of Transportation.
2. That should said application be approved by the Tennessee Department of Transportation, then Robert Daniel, Bedford County Finance Director, is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the litter and trash collecting grant by the Bedford County Highway Department.

Approved at the regularly scheduled meeting held on the 8 day of June, 2021.

CERTIFICATION BELOW BY COUNTY

ATTEST:

Donna Thomas, Bedford County Clerk; Chad D. Graham, Bedford County Mayor

Resolution 21-30: A Resolutions Adopting the Recommendation of the 231 North Business Park Oversight Committee and Approving Revocation of All Recorded Restricted Covenants for the 231 North Business Park - Placed on agenda by Rules & Legislative Committee

Motion to approve by Vick. Second by Sweeney. Passed by voice vote.

Bedford County Board of Commissioners Resolution 21-30



BEDFORD COUNTY BOARD OF COMMISSIONERS

Resolution No. 21-30

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BEDFORD COUNTY, TENNESSEE, ADOPTING THE RECOMMENDATION OF THE 231 NORTH BUSINESS PARK OVERSIGHT COMMITTEE AND APPROVING REVOCATION OF ALL RECORDED RESTRICTED COVENANTS FOR THE 231 NORTH BUSINESS PARK"

WHEREAS, in 2015 the City of Shelbyville, Tennessee, in partnership with Bedford County, Tennessee, established the 231 North Business Park for the purposes of commercial and industrial recruitment on certain real property located on Frank Martin Road acquired by the City and County by Warranty Deed dated October 29, 2015, recorded in Deed Book 328, pages 638-642, Register's Office of Bedford County, Tennessee; and

WHEREAS, the City of Shelbyville and Bedford County, acting through the 231 North Business Park Oversight Committee, duly appointed by the legislative bodies of both parties, did desire to restrict, regulate and assert certain conditions on the use and development of, and construction of, improvements within the Business Park in addition to the City's Zoning Ordinance and Subdivision Regulations, and believed the joint venture and future owners of parcels in the Business Park would benefit from such restrictions, covenants, regulations, conditions, and easements; and

WHEREAS, an original "Declaration of Restrictions, Covenants, Regulations, Conditions and Easements for the 231 North Business Park" was adopted on February 18, 2016, by the 231 North Business Park Oversight Committee and recorded in the Bedford County Register of Deeds Office in Deed Book 335, pages 342-356; and

WHEREAS, the 231 North Business Park Oversight Committee did meet on January 7, 2020, and adopted an "Amended Declaration of Restrictions, Covenants, Regulations, Conditions and Easements for the 231 North Business Park" and approved the wholesale replacement of the original declaration instrument with the amended declaration instrument, which was duly recorded in the Bedford County Register of Deeds' Office; and

WHEREAS, the City of Shelbyville and Bedford County still own all property within the 231 N. Business Park and continue to regulate and operate said Business Park through its 231 North Business Park Oversight Committee; and

WHEREAS, through their joint efforts beginning in 2019, the City of Shelbyville and Bedford County have significantly invested in further increasing their commercial and industrial recruitment activities, including the hiring of an Economic Development Director in December, 2020, and the creation of two (2) non-profit corporations in March, 2021, the Shelbyville-Bedford County Partnership, Inc., a 501(c)(6) business league corporation and the Shelbyville-Bedford County Community Foundation, Inc., a 501(c)(3) charitable corporation, within which the Economic Development Director will spearhead such economic recruitment; and

WHEREAS, the new Economic Development Director has been meeting with and advising the 231 North Business Park Oversight Committee on its efforts to manage and market the Business Park; and

WHEREAS, the 231 North Business Park Oversight Committee has appointed the Economic Development Director as its agent for purposes of negotiating transactions for the sale or lease of land in the Business Park and for marketing the Business Park pursuant to the Committee's Bylaws; and

WHEREAS, the Economic Development Director advised the Oversight Committee that the Restrictive Covenants placed on the Business Park were unnecessary and impeded its marketability in his professional opinion and recommended that all Restrictive Covenants be removed from the property so that the City of Shelbyville Zoning Ordinance and Subdivision Regulations are the only local regulations for the use of the land within the Business Park; and

WHEREAS, the 231 North Business Park Oversight Committee met on April 27, 2021, and, pursuant to the Economic Development Director's recommendation, voted for the removal of all Restrictive Covenants for the Business Park; and

WHEREAS, the Board of Commissioners of Bedford County, Tennessee, believes it is in the best interest of its citizens to accept and adopt the recommendation of the 231 North Business Park Oversight Committee and to remove, rescind, and/or terminate all Restrictive Covenants for the 231 North Business Park, which will leave its Zoning Ordinance and Subdivision Regulations as the local land use regulation.

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BEDFORD COUNTY, TENNESSEE, meeting in regular session on the 8th day of June, 2021, a quorum being present and a majority voting in the affirmative, as follows:

- Section 1. That the County accepts and adopts the April 27, 2021, recommendation of the 231 North Business Oversight Committee as to Restrictive Covenants;

Resolution 21-30: Restrictions for 231 North Business Park

Bedford County Board of Commissioners
Resolution 21-30

- Section 2.** That the County hereby removes, rescinds, and/or terminates the "Declaration of Restrictions, Covenants, Regulations, Conditions and Easements for the 231 North Business Park" originally adopted in 2016, the "Amended Declaration of Restrictions, Covenants, Regulations, Conditions and Easements for the 231 North Business Park" adopted in 2020, and any other Restrictive Covenant declaratory instruments that may have been adopted and/or recorded for the 231 North Business Park.
- Section 3.** That Mayor Chad D. Graham is hereby directed to execute any and all documents required in order to effectuate the removal, rescission, and/or termination of said Restrictive Covenants of the 231 North Business Park.
- Section 4.** That this Resolution shall become effective upon its passage, the public welfare requiring it.

PASSED AND ADOPTED at the regular monthly meeting of the Mayor and the Board of Commissioners of Bedford County, Tennessee, on June 8, 2021.

BEDFORD COUNTY, TENNESSEE

APPROVED:

BY: Chad D. Graham
CHAD D. GRAHAM
Bedford County Mayor

ATTEST:

BY: Donna Thomas
DONNA THOMAS
Bedford County Clerk

Resolution 21-31: Series 2021 A Refunding Bond – Placed on agenda by Finance Committee

Motion to approve by Brothers. Second by Gallagher. John Werner of Cumberland Securities Co. Inc. said that the re-funding will save approximately \$2 million over the life of the loan. Passed by roll call vote.

18 Ayes 0 Noes

A copy of the resolution is on file in the Clerk's office.

ADDITIONAL ITEMS BY STANDING COMMITTEES

Rules and Legislative Committee

None

Law Enforcement Committee

None

Courthouse and Property Committee

- **Surplus: Workhouse – 2007 Dodge Charger for scrap**

Motion to approve by Anderson. Second by Thomas. Passed by voice vote.

BEDFORD COUNTY, TENNESSEE
PERSONAL PROPERTY ACQUISITION/DISPOSITION RECORD

LOCATION Work House TAG# None

ACCOUNT CODE _____

ITEM DESCRIPTION 2007 Dodge Charger, white, parts car.

VENDOR _____

MAKE/MODEL Dodge Charger VIN 2B3LA43H6711878168

PURCHASE PRICE \$ _____ OR APPRAISED VALUE \$ MAIN body only + Frap

ACQUISITION

DATE RECEIVED _____ PURCHASE ORDER # _____

RECEIVED BY _____ CONDITION CODE _____

TRANSFERRED FROM _____ STATUS CODE _____

STATUS CODE (U-IN USE; R-HELD IN RESERVE; S-IN STORAGE)

DONATED BY _____

DISPOSITION

_____TRANSFER_____STOLEN/LOST_____SURPLUS SCRAP

OTHER _____

TRANSFERRED TO _____

I certify the above described equipment has been transferred, stolen/lost, declared surplus, ~~seized~~, or disposed of by other means as indicated above. If the item was declared surplus, it is available for use by other County Offices or can be sold in the prescribed manner as surplus. If stolen, a stolen property report has been filed with the Police/Sheriff Department.

Chad D. Graham
SIGNATURE DEPT HEAD

5/5/2021
DATE

• Pitney Bowes Contract – Circuit Court Clerk

| | | |
|---|--------|--|
| 1 | ME1A | Under Equipment - C Series |
| 1 | UPP1 | C Series Integrated Scale |
| 1 | PM1 | C Series Precision Air Bands |
| 1 | PT1 | Shipping Boxes |
| 1 | PT1A | Shipping Bales 1 User |
| 1 | PT1N | Single User Access |
| 1 | PT1T | Web Browser Migration |
| 1 | PT1Z | Shipping C Series Shipping Integration |
| 1 | SLB1 | C200 SHARD |
| 1 | STDSLA | Standard S.A. Equipment Service Agreement for Shipping C Series - Version 4) |
| 1 | ZP04 | Manual Weight Entry |
| 1 | ZP07 | 1000 66 LPM Speed |
| 1 | ZP0Z05 | Shipping C200 Base System Hardware |
| 1 | ZP05 | UPS's Boxes with Manual Label |
| 1 | ZP07 | E Card Services for Island 119. 80K |
| 1 | ZP0H | Shipping Weighing Orders for UPS's |

Your Payment Plan summary

| | | |
|-------------------------|-------------------------|----------------------|
| Initial Term: 60 months | Initial Payment Amount: | Initial Quantity of: |
| Number of Months: | Monthly Amount: | (\$ 67.27) |
| 60 | (\$ 67.27) | (\$ 201.81) |

Check our website for available rates, rates of interest, terms and conditions and for other information.

- (1) Tax Exempt Certificate Attached
- (1) Tax Exempt Certificate Not Required
- (1) Purchase Power[®] Transaction fees included
- (2) Purchase Power[®] Transaction fees extra

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Your Signature Below _____
 By signing below, you agree to be bound by your State Utility's Cooperative's contract, which is available at www.ksu.com and is incorporated by reference. The terms and conditions of this contract will govern this transaction and be binding on us after we have completed our credit and documentation approval process and have signed below.

NAME: JAMESONC ABERNETHY, JESSE, JESSE
 Last Name: _____
 First Name: _____
 Title: _____
 City: _____
 State: _____
 Postal Address: _____

Print Name: _____

Print Name: _____

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• Tire Disposal Fee Schedule

Motion to approve by Epperson. Second by Jason Sanders. Robert Daniel said the County is currently losing \$25K - \$30K per year on the commercial side. Graham said the fee should cover the loss. Passed by voice vote.

• **Tire Disposal Fee Schedule (continued)**

Tire Disposal Fee Structure

Due to the rising cost for the County of tire disposal for residents and commercial vendors at the County's tire depot we are proposing the following fees to recover the cost for the County to provide this service mandated by the State of Tennessee.

All tires that are brought by residents or commercial establishments will pay a flat \$2.00 fee per tire for disposal. We will accept cash payments for residents at the time of disposal and will bill out monthly to all commercial vendors the total cost for tires that was disposed of for each month disposals. Invoices will be sent to commercial vendors by the 10th of the following month to be paid on the 30th of each month invoiced.

Any unpaid invoices by any commercial vendor that is 60 days outstanding will not be allowed to dispose of tires until balance is paid current.

Mark A. Clanton
Bedford County Solid Waste Director

• **231 Business Park – Land Option**

Gallagher made a motion to acknowledge the land option and discuss it at the Courthouse and Property Committee on June 15. Second by Vick. Motion passed by voice vote.

OPTION

THAT FOR AND IN CONSIDERATION of One Dollar (\$1.00) cash in hand paid, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **LANCE H. CARLTON** (hereinafter referred to as "Seller") does hereby grant, transfer and convey unto **THE 231 NORTH BUSINESS PARK OVERSIGHT COMMITTEE** (hereinafter referred to as "Buyer") an exclusive right and option to purchase the real estate described hereinafter under the terms and conditions contained herein:

1. The real estate consists of approximately thirty-three (33) acres, more or less, a personal residence and other improvements located thereon, being 2905 Highway 231, North, Shelbyville, Tennessee, more specifically described in Deed Book 143, page 689, Register's Office of Bedford County, Tennessee.
2. The term of this Option shall expire on August 19, 2021, at 12:00 midnight. Buyer may extend this Option for an additional ninety (90) days by giving Seller written notice within the term of the Option of its desire to extend and by tendering the sum of One Hundred Thousand and no/100 Dollars (\$100,000.00) with said notice which sum shall be nonrefundable.
3. The purchase price shall be Two Million One Hundred Thousand Dollars (\$2,100,000.00) payable in cash at closing reduced by any extension payment described in the preceding paragraph.
4. Seller will, upon the request of Buyer, allow the purchase price to be paid in five (5) equal payments of twenty per cent (20%) each, with the first payment being made at closing, and the other four (4) in equal annual installments beginning one (1) year from date of closing and continuing annually until paid in full. The unpaid balance will bear interest at the rate of four per cent (4%) per annum, payable together with the annual principal payments. This Note shall be secured by a first mortgage Deed of Trust on the property and may be prepaid at any time without penalty. If this financing option is requested by Buyer, the purchase price shall be adjusted to Two Million Three Hundred Thousand and no/100 Dollars (\$2,300,000.00).
5. Buyer may exercise this Option any time during its term by providing Seller written notice of Buyer's intention to exercise the Option.
6. Closing shall occur no later than thirty (30) days after Buyer's notification of its intent to exercise this Option.
7. At closing, Seller shall execute and deliver a general Warranty Deed to the property free and clear of all liens and encumbrances except for the current year taxes which shall be prorated.
8. Seller grants Buyer the right to enter the premises during the Option period, or any extension thereof, for the purpose of surveying, testing, etc. Buyer shall hold Seller harmless from any liability resulting from such surveying, testing, etc. and will restore the property to its original condition after any testing. Buyer shall give Seller twenty-four (24)-hour' notice before entering the property unless said notice is

• 231 Business Park – Land Option (continued)

waived. Any such notice shall be given to Seller or Seller's representative either by email or phone as follows:

Janice H. Carlton
Cell: 931-580-4318
Email: carltnj@realtracs.com

Claudia (Dobee) Mallard
Cell: 931-580-2739
Email: dobeemallard@gmail.com

WITNESS my signature this 21st day of May, 2021.


JANICE H. CARLTON

STATE OF TENNESSEE,
COUNTY OF BEDFORD.

Personally appeared before the undersigned Notary Public in and for said State and County, the within named, JANICE H. CARLTON, the bargainer, with whom I am personally acquainted, and who acknowledged that she executed the foregoing instrument for the purposes therein contained.

Witness my hand and official seal at office in Shelbyville, Tennessee, this 21st day of May, 2021.


NOTARY PUBLIC

My commission expires: 1-02-2024

\\Our Docs\Shelbyville-Bedford Co. Commans Business Park (201) 10-10-21 signed m-r\mbn\ap



ANNOUNCEMENTS

- Committee meetings will be held at the Dover St complex until further notice.
- The Raus ice cream supper will be held Saturday, June 12 at 5:00.
- There will be a special-called Commission meeting at 7:00 on June 29 to vote on the 2021/2022 budget and year-end amendments. There will be a budget work session on June 22 at 4:15 at Dover St.
- The Community Clinic will have a ribbon-cutting/open house on June 11 at 11:00.
- Uncle Nearest will have a ribbon-cutting on June 19 at 9:00.
- Dairy on the Square will be held on the square on June 19 from 8:00-12:00.

ADJOURN

There being no further business before the Board, a motion was made to adjourn and Chairman Graham declared the meeting adjourned at 7:30 p.m.


Chairman Chad Graham
Bedford County Board of Commissioners

I certify that the minutes were completed on the 11th of June and delivered to the Bedford County Mayor's Office.


Donna Thomas
Bedford County Clerk

I certify that I received these minutes on the 11 day of June, 2021.


Chad Graham
Bedford County Mayor

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