

Tri-Village Local Schools
Darke County
SPECIAL MEETING AGENDA MINUTES

Special Board of Education Meeting –

Saturday, June 2, 2018 5:00 p.m.
Board Office, New Madison, Ohio

CALL TO ORDER AND ROLL CALL – All present

New Madison – The Board will meet to consider an offer to purchase the real estate that is located at 408 E. Wayne Street, New Madison, OH. Action may be taken to accept an offer at this meeting.

NEW BUSINESS

A. **Frech** moved and **Farmer** seconded that he Board of Education adjourn to executive session pursuant to Ohio Revised Code 121.22 (G)(2) to consider the sale of personal property.

Time In: <u>5:01 p.m.</u>	Time Out: <u>5:21 p.m.</u>			
Mr. Bevins <u>3</u>	Mr. Coby <u>4</u>	Mrs. Farmer <u>2</u>	Mrs. Frech <u>1</u>	Mr. Schlechty <u>5</u>
President Bevins declared the motion		<u>5 Yeas, 0 Nays</u>		<u>18-186</u>

NEW BUSINESS

A. **Coby** moved and **Slechty** seconded that the Board of Education adopt the following resolution, authorizing the private sale of property owned by the Board and no longer needed for any school purpose.

WHEREAS, pursuant to resolution no, 18-127, duly adopted on February 26, 2018, the Board of Education of the Tri Village Local School District determined that certain property of the Board located at 408 E. Wayne St., New Madison, OH was no longer needed for any school purpose and should be sold at public auction; and

WHEREAS, such public auction was duly authorized, and notice thereof was given by publication in The Early Bird, a newspaper of general circulation in the school district in accordance with RC 3313.41, on March 21, 2018 and April 1, 2018, at least thirty days prior to such auction; and

WHEREAS, a public auction was held on May 2, 2018. At which time no bids were received for the property herein described (Exhibit A); and

WHEREAS, the Board decided to sell the property at a private sale pursuant to RC 3313.41(B) and contacted Leis Realty Co. to list this property for public sale; and

WHEREAS, the Board has received an offer to purchase in the amount of \$61,000.00 from Tony MacKenzie and Emily MacKenzie, and a counter offer of \$63,100.00. The Board has also received back up offers to purchase in the amount of \$63,000.00 from Nancy Ditmer and \$63,000 from Leann Wiford.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Tri Village Local School District, county of Darke, state of Ohio, that;

Section 1. The property shall be sold at a private sale in the manner provided by in RC 3313.41(B), subject to the terms and condition provided herein,

Section 2. The President and Treasurer are hereby authorized and directed to do all things necessary and consistent with this resolution to accomplish the private sale provided for herein and to deliver to the purchaser or Purchaser's nominee a deed, duly executed by the Treasurer and President of the Board.

Section 3. The sale of the property shall be upon the following terms and conditions, and such other terms and conditions consistent with this resolution and in the best interests of this Board and district as may be determined by Kimberly Chowning, Treasurer and Tim Bevins, President.

- a. The sale shall be by private sale to Tony MacKenzie and Emily MacKenzie in the amount of \$63,100.00
- b. The sale of the property will be pursuant to the terms and conditions provided for in the purchase contract prepared by Leis Realty, Co. a copy of which is attached hereto, marked exhibit B and made a part hereof by reference.
- c. The closing costs shall be paid at the closing out of the sales proceeds, including but not limited to the 6% commission fee to be paid to Leis Realty Co.
- d. All remaining proceeds from the sale shall be paid into the General fund, in accordance with RC 5705.10.

Section 4. It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with the law.

Mr. Bevins 5 Mr. Coby 1 Mrs. Farmer 4 Mrs. Frech 3 Mr. Schlechty 2
President Bevins declared the motion 5 Yeas, 0 Nays 18-187

ADJOURNMENT

A. **Frech** moved and **Farmer** seconded that the Special Board of Education meeting be adjourned.

Mr. Bevins 3 Mr. Coby 4 Mrs. Farmer 2 Mrs. Frech 1 Mr. Schlechty 5
President Bevins declared the motion 5 Yeas, 0 Nays
President Bevins declared the meeting adjourned at 5:29 p.m.

Mr. Tim Bevins, Board President

Mrs. Kimberly Chowning, Treasurer