

**AN ORDINANCE
TO PROVIDE FOR THE BOARD OF COMMISSIONERS
TO DECLARE COUNTY PROPERTY AS SURPLUS PROPERTY
PRIOR TO ITS BEING SOLD; TO PROHIBIT COUNTY EMPLOYEES
FROM BIDDING UPON OR ACQUIRING COUNTY SURPLUS PROPERTY;
TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCE;
TO PROVIDE FOR AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES**

BE IT ORDAINED by the Board of Commissioners of Crawford County, Georgia and it is hereby ordained by authority of the same as follows:

- (a) *Purpose.* This ordinance establishes standards and guidelines for the disposition of county property other than real property, and is designed to ensure that disposition of county property is handled in a consistent and efficient manner.
- (b) *Declaration of property as surplus prior to sale.* No property owned by the County shall be sold as surplus property until the Board of Commissioners has voted with majority declaring such property as surplus and no longer necessary for County purposes and authorizing the sale thereof in accord with the terms of this Ordinance same to be reduced to the minutes of such meeting.
- (c) *General disposition requirements.* County property shall not be sold or exchanged for less than its fair market value. Sale of excess County property shall be made in the following manner:
 - (1) *Property valued less than \$500.00.* If the estimated sales value of the property offered for sale is less than \$500.00, the County Manager may negotiate a sale in the open market after such informal inquiry as he or she considers necessary to ensure a fair return to the County. The sale shall be documented by an appropriate bill of sale.
 - (2) *Property valued from \$500.00 to \$2,500.00.* For sale of property with an estimated value of from \$500.00 to \$2,500.00, the County Manager shall solicit informal bids orally, by telephone, or in writing from a minimum of three prospective purchasers giving due regard to local businesses, and a tabulation on all such bids received shall be retained as part of the permanent record. The sale shall be documented by an appropriate bill of sale.
 - (3) *Property valued in excess of \$2,500.00.* A sale of property with an estimated value of \$2,500.00 or more and the award of such contract shall be made only after advertising for formal bids. Such advertising shall be at least fifteen days prior to the award of a sale contract and shall be by advertisement in a newspaper or circular letters to all prospective purchasers. Bids shall be opened publicly at the time and place specified in the advertisement. A tabulation of all bids received shall be prepared

and filed with the contract as a part of the permanent record. The award shall be made to the highest bidder as to price, and the sale shall be documented by an appropriate bill of sale.

- (d) *Alternate disposition procedures.* As an alternative to the requirements of subsection (c) of this Ordinance, County property may be sold at the value authorized, at County public auction, to the public at its fair market value. The County Manager shall make every effort to sell excess property as outlined in subsection (c) of this Section; but if the property has no scrap or salvage value and a purchaser cannot be found, a statement shall be prepared by the County Manager listing the prospective bidders solicited and all other efforts made to sell the property. This statement shall be referred to the Board of Commissioners for their authority to destroy, abandon, or otherwise dispose of such property.
- (e) *Certain bidders prohibited from bidding.* Notwithstanding any other provision of this Ordinance, no elected official, appointed official, full-time County employee, part-time County employee, or the immediate family of any of such persons, shall be authorized to bid or purchase County surplus property under the terms of this Ordinance. For purposes of this Ordinance, their term "immediate family" shall include husband, wife, children, mother, father, brother, or sister, whether or not living in the same household. The Board of Commissioners may from time to time grant exceptions to this section by unanimous vote.
- (f) *State law authority.* Nothing herein shall prohibit the Board of Commissioners from authorizing the sale, conveyance or transfer of real or personal property owned by the County in a manner authorized or required by applicable State law, but in no event shall any person referred to in subsection (e) of this Ordinance be authorized to purchase such County property even where such property is disposed of under applicable State law.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the adoption thereof by the governing body of Crawford County.

SO ORDAINED, this 20 day of Apr, 2010.

**Board of Commissioners
of Crawford County, Georgia**

By: _____

Chairman

Attest: _____

County Manager