

BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 05- 29

RESOLUTION ESTABLISHING A POLICY AND PROCEDURE FOR DISPOSITION OF
SURPLUS PROPERTY

WHEREAS, the Board of County Commissioners has determined the need to establish
guidelines for disposition of surplus property for Franklin County;

THEREFORE, BE IT RESOLVED
BY

THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY:

That pursuant to K.S.A. § 19-211(b) (Supp, 2004), a policy and procedure for disposition of
surplus property for Franklin County is hereby adopted by the Board of County Commissioners
as set forth in the "Policy for Disposition of Surplus Property" attached hereto and made a part
hereof by reference.

The policy and procedure adopted hereunder shall become affective upon passage of this
resolution.

This resolution shall be effective upon its adoption by the Board of County Commissioners.

Passed and approved this 23rd day of March, 2005.



Franklin County Board of Commissioners

Donald R. Stottlemire, Chairman

Shari Perry, County Clerk

POLICY FOR DISPOSITION OF SURPLUS PROPERTY

I. PURPOSE:

This policy establishes guidelines for the identification and disposition of surplus property, including personal and real property owned by Franklin County.

II. POLICY STATEMENT:

Real and personal property of Franklin County represents a considerable investment of public funds. Procedures and safeguards provided herein are designed to encourage efficient utilization of property, establish managerial control, and provide for the efficient disposition of property deemed as surplus in accordance with this policy or other applicable restrictions governing the disposition of such property.

III. DEFINITIONS:

Surplus Property	Real or personal property owned by Franklin County that is no longer needed due to changing service requirements, damage, or wear.
Personal Property	Movable items, including equipment, vehicles, machinery, furniture, fixtures, tools or other movable; physical goods are considered personal property.
Real Property	Real estate, including land, easements, buildings and related permanent, immovable assets affixed to land are considered real property.

IV. PROCEDURES

A. Personal Property

1. Each Department Head or designee will determine whether property assigned to their department is no longer of use; when this is determined, the County Administrator or designee will be notified. The County Administrator and the Department Head shall make a determination as to how the County property was acquired and whether a transfer or disposition is subject to any restrictions due to the original source of funding. Examples include, but are not limited to federal or state grant requirements or other statutory constraints.

2. The County Administrator will ensure that property declared surplus by departments is made available to other County departments before sale or disposal, in order to obtain the maximum economic utility from such property.
3. If surplus property is not desirable to other County departments, the County Administrator will determine the value of surplus in order to establish its status relative to this policy.
4. Once the value is established, personal property may be disposed of through the most efficient and economical method to maximize returns, including, but not limited to, auction, trade-in, negotiated sale, sealed bid, fixed price, negotiated bid, or any other method of sale deemed most beneficial to the County.
5. Disposition of personal property valued at \$500.00 or more shall be determined by the Board of County Commissioners.

For any other method of disposition, subsequent notification shall be provided to the Board of County Commissioners, including the method of disposition, description of property, time and date of sale, recipient of property and value received.

6. Disposition of personal property valued at less than \$500.00 shall be determined by the County Administrator in a manner deemed most beneficial to the County. Notification shall be provided to the Board of County Commissioners and shall include the method of disposition, description of property, time, date, recipient of property and value. Such notification shall be published on the County's website.

B. Real Property

1. Disposition of real property shall be coordinated by the County Administrator and County Counselor. The Administrator shall be responsible for obtaining the current appraised value of the real property and shall gather and retain information regarding the location and size of the property, zoning, and any restrictions, covenants, encumbrances, etc. that remain attached to the parcel.
2. All contracts, deeds, and related documents must be reviewed and approved by the County Counselor's Office prior to disposition of real property.
3. Real property may be disposed of through negotiated sale, sealed bid, fixed price, or any other method of disposition deemed in the best interest of the County.

4. Disposition of real property with an appraised value greater than \$5,000 shall be approved by the Board of County Commissioners through the established agenda process and shall authorize the Chairman or designee to sign all related documents.
5. Disposition of real property with an appraised value of \$5,000 or less shall be determined by the County Administrator in a manner deemed most beneficial to the County. Upon review by the County Counselor, the deed and related documents shall be provided to the Chairman of the Board of County Commissioners for signature.

Notification shall be provided to the Board of County Commissioners regarding the disposition of real property valued at less than \$5,000, including the method of disposition, description of property, recipient of property and the value received.

D. Donations

Donations of County-owned property shall require approval by the Board of County Commissioners through the established agenda process. The agenda item shall include a description of the property, recipient, date of transfer and estimated fair value.

E. Conflicts of Interest

County employees shall be permitted to participate as buyers in competitive sales of surplus property as any other member of the public. Consistent with ethical conduct, County employees shall not take advantage to gain personal benefit from such transactions.

F. Exceptions

Exceptions not defined within this policy shall be evaluated by the County Administrator on an individual basis.