

RESOLUTION NO. 13-27

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO, FOR THE PURPOSE OF EXPRESSING THE BOARD'S INTENT TO CONDUCT AN INTERNET AUCTION FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT COUNTY PERSONAL PROPERTY

The Board of County Commissioners of Erie County, Ohio, met this 14th day of January, 2013, in Regular Session with the following members present:

William J. Monaghan, Patrick J. Shenigo, and Thomas M. Ferrell, Jr.

Mr. Ferrell introduced the following resolution and moved its adoption:

WHEREAS, House Bill 226 of the 124th General Assembly, effective on January 26, 2002, authorizes a Board of County Commissioners to dispose of unneeded, obsolete or unfit personal property through the use of an Internet auction; and

WHEREAS, Section 307.12 (E) of the Ohio Revised Code, as amended by H.B. 226, requires a Board of County Commissioners to adopt, a resolution expressing its intent to sell personal property by Internet auction; **NOW THEREFORE**,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO:

THAT, this Board hereby expresses its intent to dispose of unneeded, obsolete or unfit personal property by Internet auction; and

THAT, the personal property disposed of through Internet auction may include, as specified in ORC 307.12 (E), motor vehicles acquired for the use of county officers and departments, road machinery, equipment, tools or supplies, any of which is either unneeded, obsolete, or unfit for the use for which it was acquired; and

THAT, the Internet auction will be conducted in the following manner under the following general terms and conditions: all items will be sold "as is" with Erie County making no guarantee as to the condition of said items; the purchaser will be responsible for the removal of said items from Erie County property; and, the purchaser will be required to make payment in full within five days following the close of the auction, before any property can be released; and

THAT, the number of days of bidding on the property involved, as specified in ORC 307.12 (E), will be at least ten days, including Saturdays, Sundays, and legal holidays; and

THAT, this Board has contracted with GovDeals, Inc., 5913 Carmichael Place, Montgomery, Alabama 36117, telephone number 800-613-0156, as its representative to conduct the Internet auction on the County's behalf; and

THAT, a copy of this resolution will be posted continually in a conspicuous place in the office of the County Auditor, the offices of the Board of County Commissioners, and on the Erie County Internet website; and

THAT, the Erie County Board of Commissioners reserves the right, at a later date, to establish the minimum prices that may be accepted for any property that is the subject of the Internet auction, the terms and conditions of any particular sale that may occur, including, but not limited to, requirements for pick up and/or delivery of the property, method of payment, and payment of sales tax in accordance with applicable laws; and

THAT, the information described in the paragraph above will be provided on the Internet at the time of the auction itself, or will be provided before that time, upon request, if the terms and conditions have been determined by the Board of County Commissioners or its representative; and

THAT, a copy of this resolution be sent to the office of the Erie County Auditor; and

THAT, this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Mr. Shenigo seconded the motion for the adoption of said resolution; and the roll being called upon its adoption, the vote resulted as followed:

Roll Call: Mr. Ferrell, Aye; Mr. Shenigo, Aye; Mr. Monaghan, Aye

Adopted: January 14, 2013

CERTIFICATE

I, Carolyn L. Hauenstein, Clerk of the Board of County Commissioners of Erie County, Ohio, hereby do certify that the above is a true and correct copy of resolution adopted by said Board under said date, and as same appears in Commissioners' Journal Volume #192.

Carolyn L. Hauenstein Clerk
Board of County Commissioners
of Erie County, Ohio

Approved by Interim County Administrator

Peter S. Daniel
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