

**RESOLUTION
OF
THE OURAY COUNTY BOARD OF COUNTY COMMISSIONERS**

Re: Amendment of Disposal of Surplus Property Policy

Whereas, the Board of County Commissioners of Ouray County, Colorado, determined that consistent procedures should be followed by all Ouray County elected officials, department heads, and staff for the disposal of surplus property; and

Whereas, the Board adopted Resolution 2002-032 on August 5, 2002 establishing the Ouray County Disposal of Surplus Property Policy ("Policy"); and

Whereas, a modification to Section 5 of the Policy was deemed necessary for clarification purposes.

Now, Therefore, Be It Resolved by the Board of County Commissioners of Ouray County, Colorado that the Ouray County Disposal of Surplus Property Policy is hereby amended (Attachment A).

Adopted this ____ day of June, 2007.

BOARD OF COUNTY COMMISSIONERS
OF OURAY COUNTY, COLORADO

Attest:

Don Batchelder, Chair

Heidi M. Albritton, Vice Chair

Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

K. Keith Meinert, Member

**OURAY COUNTY
DISPOSAL OF SURPLUS PROPERTY
POLICY**

1. **Definition:** "Public property" as defined in this policy means any property or equity interests in real or personal property held or owned by the County.

2. **Surplus Property Criteria:** At least one of the following criteria must be met for property to be considered surplus:
 - A. The County has or soon will have no practical, efficient or appropriate use for the property.
 - B. The purpose served by the property can be accomplished by use of a better, less costly or more efficient alternative.
 - C. The property is damaged, worn out or otherwise inoperable and the cost of repairing the same is unwise or impractical.
 - D. The property has been utilized for a period of time equal to its useful life.

3. **Disposal of Property:**
 - A. If a department head, elected official or other authorized county representative has County personal property under their control that they deem surplus, they shall notify the County Administrator. The County Administrator shall in turn notify interested department heads or elected officials or other county representatives and give them an opportunity to acquire the same. The County Administrator shall maintain a list of such property. In addition, the County Administrator may exchange or trade in such supplies or equipment (as is deemed in the best interest of Ouray County) as part or full payment for the purchase of new supplies or equipment.
 - B. If any County department desires to acquire and use the proposed surplus personal property, the County Administrator shall see to the proper and legal transfer of the property to the requesting department head or elected official or other authorized representative.

Inventory forms must be completed and signed by the appropriate departments, and the County Administrator in order to complete the transfer. These forms will be delivered to the Finance/Budget Officer upon completion for capital inventory purposes.

At least annually, the County Administrator shall submit to the Board of County Commissioners a list of personal property that is deemed surplus under the provisions of Section 2, Surplus Property Criteria, and for which no requests for use were received from county departments. The Board of County Commissioners shall by resolution declare said personal property as surplus.

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When so directed by the Board of County Commissioners, the County Administrator or designated representative shall proceed to sell the same through a noticed public auction, or through a request for sealed bids advertised in the legal paper of record at least one time fourteen days prior to the bid opening

- C.** Surplus personal property, which is unsaleable because of obsolescence, wear and tear, or other reasons, may be dismantled, if necessary, and sold as scrap, or properly discarded.
- D.** If the proposed surplus property is real property, the Board of County Commissioners shall declare the same surplus citing the specific criteria under Section 2, Surplus Property Criteria.

Upon declaration by Resolution of the Board of County Commissioners that said real property is surplus, the County may proceed to sell the same through a request for sealed bids advertised in the legal paper of record at least one time fourteen days prior to the bid opening.

Real property deemed to be surplus shall not be sold for less than its fair market value established to the satisfaction of the Board. However, if it is determined by the Board of County Commissioners that it is in the best interest of the County to sell such real property for less than the fair market value, the Board of County Commissioners shall pass a resolution stating the reasons for disposition at less than fair market value.

The Board of County Commissioners may consider offers of either cash or trade or a combination including both cash and trade. If the Board of County Commissioners considers a trade or combination bid to be the best offer made, the Board of County Commissioners shall state the reasons for considering the bid as the best value to the County.

- E.** County Employees cannot be recipients of discarded surplus property unless approved by the Board of County Commissioners.

4. Lease of Public Property:

The Board of County Commissioners may authorize the lease or sublease of any property, including real property, under such terms and conditions, as they may deem desirable, fair and appropriate, either by use of negotiations or bidding considering intended land use and equivalent property tax value, and the best interest of the County.

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5. Donation of Surplus Public Property:

The Board of County Commissioners may donate surplus real or personal property as a contribution to an entity, organization, project or program that provides a broad public benefit or accomplishes a broad public purpose. The Board of County Commissioners must declare through resolution the nature of the public purpose or benefit prior to donation.

6. Revenue Received:

Revenue received from said sales reverts to the general fund except:

- a. Revenue from the sale of Road and Bridge department equipment, which shall be credited to the appropriate road and bridge fund, and
- b. Revenue from the sale of assets purchased from special funds, which shall be credited to that particular fund.

7. Inventory Control: Upon disposal of county property by any method, sale, trade, transfer or donation, a Property Inventory Form must be completed and signed by elected official or department head, and the County Administrator.