

RESOLUTION NO 9-2020

A RESOLUTION ADOPTING A POLICY ON THE
MANAGEMENT AND DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Board of Commissioners is responsible to the citizens of Central Montana for the overall management of property owned, kept, or managed by Fergus County officers and employees; and, as part of this responsibility, the Board has an obligation to insure that items of property which are no longer necessary for county operations are sold, donated, or disposed of in accordance with a sound management policy; and

WHEREAS, the Board has received input from the Department Heads of Fergus County about the management and disposal of surplus property and a written policy has resulted from this input; and

WHEREAS, the Board of Commissioners believes that the following policy regarding the management and disposal of surplus property is in the best interests of Fergus County:

SURPLUS PROPERTY POLICY

I. Scope: This policy governs the disposition of surplus property held by the various departments of Fergus County. Surplus property is defined as any vehicle, machine, equipment, fixture, or other tangible item which was acquired or purchased by Fergus County and which is no longer used or needed by a department for the conduct of their business. Surplus property includes computer or electronic equipment and includes expendable items.

II. Written List to be maintained: Each Department Head shall maintain a written listing of surplus property held by his or her department. This list shall be updated periodically. The listing may include a description of the item, the location of the item, the estimated value of the item, the disposition or disposal of such item, or other information deemed necessary by the Department Head or the Board of Commissioners. The spreadsheet form attached hereto shall be used, and may be modified from time to time as needed. A copy of the list will be provided to the Board

of Commissioners on an annual basis, at the time when proposed budgets are submitted.

III. Value Determination: If an item of surplus property is valued at greater than \$2,500, disposition of such property is governed by paragraph A and otherwise by paragraph B.

A. Greater than \$2,500: Disposition of surplus property valued at greater than \$2,500 must be in accordance with Title 7, Chapter 8, Part 22, Montana Code Annotated. These statutes essentially provide that such property must be valued and sold at public auction or traded in on new purchases. Questions or guidance for disposition of these items may be obtained by contacting the County Attorney's office.

B. \$2,500 or less: Disposition of surplus property valued at \$2,500 or less shall be disposed of in accordance with the provisions below:

(1) Gifted to Other Fergus County Departments: On a quarterly basis (January 1, April 1, July 1, and October 1) an e-mail shall be sent to each Department Head containing a listing of all of the surplus items of property held by each department. Any item on the listing may be transferred or gifted to another department that can use such item.

The chairperson of the Department Head meetings or such other person designated by the Board of Commissioners is responsible for gathering the written lists of each department and e-mailing the listing to all departments.

(2) Public or Private Sale: Department Heads have discretion, in accordance with this policy, to sell any item of surplus property at a public or private sale. However, before any such sale, the item must be offered to other departments pursuant to paragraph (1) above in at least one e-mail. The sale of any such item may not be to any officer or employee of Fergus County and shall be for the reasonable value of the item. Funds obtained from the sale shall be credited to the department's budget unless otherwise directed by the Board of Commissioners.

(3) Public Auction: Periodically Fergus County may hold a public auction or "garage" sale to dispose of items of surplus property. The Board of Commissioners may designate a person to arrange for such an auction or sale.

(4) Salvage or Junk items: It is recognized that some items of surplus property will have no value and cannot be used by other departments. Department Heads shall have the discretion to arrange for the disposal of such items by delivering them to a landfill or by delivering them to a recycling facility. Disposal of all items under this provision shall be in accordance with any applicable law or policy. From time to time the Board of

Commissioners may arrange for the disposal of valueless electronic equipment, such as obsolete computers or associated equipment.

(5) **Donation:** If an item has been offered to other departments pursuant to paragraph (1) above, and no other department can use such item, then the department head may donate the item to another governmental agency, or to a public service or charitable organization; either of which will be able to use such item.

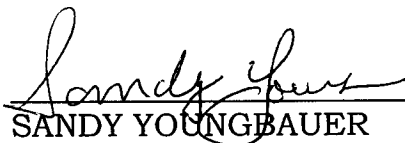
NOW THEREFORE BE IT RESOLVED, that the foregoing policy on the management and disposal of surplus property is hereby adopted, along with the spreadsheet attached hereto; and

BE IT FURTHER RESOLVED, that the Board's administrative assistant shall distribute a copy of this resolution to all Department Heads in Fergus County, and further that the Board's Administrative Assistant, along with the current chairperson of the monthly Department Head meetings, shall take steps to implement this policy.

PASSED AND APPROVED this 10 day of March, 2020.

BOARD OF COUNTY COMMISSIONERS
Fergus County, Montana




SANDY YOUNGBAUER


ROSS BUTCHER


CARL SEILSTAD

ATTEST:


RANA WICHMAN, Clerk & Recorder