

RESOLUTION NO. 22-543

In the matter of authorizing the sale of county owned personal property not needed for public use, obsolete, or unfit for the use for which it was acquired by internet auction.) County Commissioners' Office,
Wood County, Ohio,
April 21, 2022.

WHEREAS, pursuant to Ohio Revised Code 307.12(E), the Wood County Board of Commissioners may sell personal property, including motor vehicles acquired for the use of county officers and departments, and road machinery, equipment, tools or supplies, that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, by internet auction; and

WHEREAS, the Board must adopt a resolution expressing its intent to sell personal property by internet auction and describing how the internet auction will be conducted, including specifying the number of days for bidding on the property; and

WHEREAS, after adoption of the resolution, the Board must publish twice, in a newspaper of general circulation in the county, notice of its intent to sell property by internet auction and the notice shall include a summary of the information provided in the resolution; and

WHEREAS, the Board must post a similar notice continuously in the county auditor's office, board of commissioners' office and on the county's website; and therefore be it

RESOLVED, the Wood County Board of Commissioners, hereby expresses its intent to dispose of personal property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired by internet auction; and be it further

RESOLVED, the Board shall use GovDeals, an internet auction service provider doing business at 100 Capitol Commerce Blvd., Suite 110, Montgomery, Alabama 36117 to conduct the internet auction on the county's behalf; and be it further

RESOLVED, the Board hereby adopts the internet auctions procedures described in the attached Exhibit A – “Wood County Internet Auction Procedures”, which shall be incorporated into and made part of this resolution by reference; and be it further

RESOLVED, the Board hereby authorizes that a summary of this resolution be published in the Wood County Sentinel Tribune on April 26, 2022 and May 10, 2022, and posted continuously in the County Auditor's Office, Board of Commissioners' Office and on the County's website; and be it further

RESOLVED, that the Board will begin offering internet auctions of county property using the GovDeals internet auction system effective May 11, 2022; and be it further

RESOLVED, that this resolution shall supersede and replace the former internet auction procedures set forth in Resolution No. 13-309, and shall remain in full force and effect unless otherwise provided for by the said Board of County Commissioners.

Commissioner Lahote moved and Commissioner Bowlus seconded the foregoing resolution, and the roll being called on its adoption, the vote resulted as follows:

DR. THEODORE H. BOWLUS yes CRAIG LAHOTE yes DORIS I. HERRINGSHAW, Ed.D yes

Attest: Sandy A. Long
Clerk of said Board

dms

cc: Auditor
Commissioners, Rachel Richmond
GovDeals, Shannon Bailey

Exhibit A – Wood County Internet Auction Procedures

Wood County may dispose of unneeded, obsolete or unfit personal property by internet auction. The internet auctions shall be conducted by GovDeals, an internet auction service provider. Individuals may access the internet auctions at <http://www.govdeals.com/woodcountyohio> and via a link on Wood County's website at <https://www.co.wood.oh.us>.

GovDeals will provide technical assistance to users at GovDeals Help Desk, 800-613-0156, Ext. 2 from 8:00 a.m. to 7:00 p.m. ET, except on announced holidays.

Procedure for Placing Items on Internet Auction

If county personal property is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and the property has no value, the property may be discarded or salvaged and is not required to be placed on the auction. For items that have value, the items may be placed on the internet auction. Departments wanting to place items on the internet auction must:

1. Provide a completed “Generic Inspection Form”, “Heavy Equipment Inspection Form”, “Heavy Truck Inspection Form”, and/or a “Vehicle Inspection Form”, and a digital photograph (jpg. or jpeg.) of the item(s) to the Commissioner’s Office.
2. Maintain the items in the originating office until the item is sold.
3. Complete and forward the appropriate asset form to the County Auditor if the original purchase price of the item was greater than \$10,000.00.
4. Obtain prior approval from the Information Technology Department before placing computer equipment on the internet auction. The Information Technology Department will facilitate the erasure process of all equipment as outlined in the Software Erasure Procedures for Computer Disposal Policy adopted by the Wood County Data Processing Board.

Auction Posting/Bidding Procedure

Prior to making auction items available to the public, the items will be made available to other county departments for a period of five (5) days as follows:

1. Items will be listed under the “Classified Section” on the internet auction site.
2. The interested department will be responsible for contacting the selling department and negotiating the selling price with the specified contact person listed for the item(s). The department is not required to sell or donate the item under the “Classified Section” procedure.
3. If a department sells or donates an item to another department, the department selling/donating the item must contact the Commissioners’ Office to remove the item from the “Classified Section.”
4. Any items remaining after the five (5) day classified posting period, will be made available

to the public for bidding under the “Surplus Section” for a minimum of ten (10) days, including Saturdays, Sundays and legal holidays as specified in the Ohio Revised Code 307.12(E).

5. After the auction time period ends, the highest bidder will prevail. A bidder cannot retract a bid.

Re-Posting Items

Items will be posted on the auction for two (2) consecutive postings (minimum of 10 days for each posting). If the items do not sell after the two consecutive postings, the department may:

1. Presume the items have no value and discard or salvage the property;
2. Repost the items for additional periods of time; or
3. Sell or donate the items by any other statutorily approved process described in R.C. 307.12.

Payment/Pick-up Procedure

The successful bidder will have five (5) business days to provide full payment for the item(s) and ten (10) business days to schedule an appointment with the assigned contact person to pick up the purchased item(s) as described below:

1. All payments must be made online through the successful bidder’s GovDeals bidder account.
2. Upon payment, the successful bidder will receive a copy of the receipt for presentation to the contact person listed on the e-mail award notice prior to release of item.
3. The successful bidder shall be responsible for loading and removal of any and all purchased items from the location listed in the e-mail award notice. Wood County will not provide shipping for any items sold on the auction.
4. If the successful bidder fails to make payment or pick up an item, the County will determine whether (a) the item should be awarded to the next highest bidder, (b) the item should be placed back on the auction site, or (c) the item should be disposed. The County will not issue refunds to a successful bidder who pays for an item, but fails to timely retrieve the item.

If a successful bidder fails to make payment and/or pick up a purchased item, the County may remove the bidder’s internet auction site registration and exclude the individual from future bidding.

County May Cancel or Terminate Auction

The Wood County Board of Commissioners reserves the right to cancel bids or terminate the auction prior to its completion at the Board’s sole discretion. Some reasons why an auction may

be canceled or terminated early include: (1) the item is needed for public use; (2) the sale of the item will be contrary to the health, welfare, or safety of Wood County, Ohio or the general public; or (3) the identity of the bidder cannot be verified.

Property Sold As-Is; No Warranties

All county property sold by internet auction shall be on an “as is” basis. The Board expressly disclaims any and all warranties of any kind, whether expressed or implied, including, but not limited to the implied warranties of merchantability, fitness for a particular purpose and non-infringement. The bidder purchases the property at his/her sole risk.

In no event shall the Wood County Board of Commissioners or its officers, employees or agents be liable to a bidder or any other person or entity for any claim, damage, or loss whatsoever, including without limitation, direct, special consequential, indirect or incidental damages arising out of the sale of the property or the use of the property, however caused, whether for breach of contract, negligence, or under any other legal theory, whether foreseeable or not.