

STATE OF GEORGIA

COUNTY OF HALL

**RESOLUTION REGARDING DISPOSITION OF COUNTY PERSONAL PROPERTY**

**WHEREAS**, the Official Code of Hall County, Georgia contains extensive provisions relating to County contracting and disposition of County property which can be found at Chapter 3.10; and

**WHEREAS**, Hall County Code Section 3.10.180 (C) provides that the Hall County Board of Commissioners can establish criteria for unserviceability of County personal property and can establish policies relating to disposition of unserviceable County personal property; and

**WHEREAS**, the Hall County Board of Commissioners is dedicated to careful analysis of County personal property to determine when personal property may become unserviceable; and

**WHEREAS**, the Hall County Board of Commissioners is dedicated to using careful analysis to determine the best method of disposing County personal property in order to obtain the best possible return for Hall County government in any such disposition; and

**WHEREAS**, the Hall County Board of Commissioners wishes to exercise its authority to create policies that will guide the County in making proper determinations of unserviceability of County personal property and subsequent disposition thereof; and

**WHEREAS**, the Hall County Board of Commissioners has determined that enactment of such policies will be in the best interests of the County and its citizens and will promote the overall welfare of County citizens and businesses.

**NOW THEREFORE**, the Hall County Board of Commissioners hereby approves the following policies and procedures relating to the disposition of County personal property in concert with the Official Code of Hall County, Georgia Section 3.10.180 (C).

### **Declaration of Unserviceability of County Personal Property**

1. For any item of personal property as to which the original unit purchase cost was less than \$50,000.00, the Board of Commissioners delegates to the County Administrator the discretion and authority to declare unserviceable each such item when, after an examination of the facts surrounding the serviceability of said item, in his or her opinion the item can no longer be used advantageously by the County and is thus unserviceable.
2. For any item of personal property as to which the original unit purchase cost was greater than \$50,000.00, the County Administrator shall prepare a report of the facts and issues relating to the serviceability of the item and place the report on the agenda of the Board of Commissioners to determine whether the item should be declared unserviceable.

### **Disposition of Items of County Personal Property Declared Unserviceable**

1. Items of County personal property which have been declared unserviceable shall in all cases be disposed of according to state law.
2. The County Administrator shall dispose of all items of unserviceable County personal property as to which the original unit purchase cost was less than \$50,000.00. In so doing, the County Administrator may sell the items by public sale, sealed bidding, spot bidding, or any other legal means he or she deems most advantageous to the County under the particular circumstances, taking into account the anticipated amount of return to the County on the item's disposal using various methods. The County Administrator may, in his or her discretion, develop and establish uniform procedures for disposal of such items of unserviceable County personal property.
3. As to any item of unserviceable County personal property with an original unit purchase cost of less than \$50,000.00, the County Administrator may dispose of said property by

donating it to another governmental entity or to a properly designated non-profit organization (as designated by the Internal Revenue Service regulations) under appropriate circumstances. In any such instance the County Administrator shall inform each of the members of the Board of Commissioners of said donation.

4. The Hall County Board of Commissioners shall approve of the disposal of all items of unserviceable County personal property as to which the original unit purchase cost was \$50,000.00 or more. In so doing, the Board shall approve the method of disposal which it deems to be the most advantageous to the County under the particular circumstances, including public sale, sealed bidding, spot bidding, or any other legal means, taking into account the anticipated amount of return to the County on the item's disposal using various methods.
5. If the County utilizes a sale to a private person to dispose of unserviceable County personal property, it shall sell the item for the highest net purchase price reasonably obtainable.
6. If the County utilizes a sale to another governmental entity to dispose of unserviceable County personal property, it shall sell the item for a reasonable purchase price which need not be as high as the purchase price obtainable from a private person or private entity.
7. All County policies and procedures inconsistent with these policies are hereby repealed.

**SO RESOLVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**HALL COUNTY BOARD OF  
COMMISSIONERS**

\_\_\_\_\_  
**Chairman, Richard Higgins**

ATTEST:

\_\_\_\_\_  
Jennifer Rivera, County Clerk

APPROVED AS TO FORM:

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Van Stephens, County Attorney