

TUSCARAWAS COUNTY COMMISSIONERS

Chris Abbuhl – Greg Ress – Kristin Zemis

COMMISSIONER'S JOURNAL 87
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RESOLUTION (30-2024) INTENT - CONDUCT INTERNET AUCTION - SALE OF UNNEEDED, OBSOLETE OR UNFIT COUNTY PERSONAL PROPERTY IN CALENDAR YEAR 2024

The Board of County Commissioners of Tuscarawas County, Ohio, hereinafter referred to as "Board", met in regular session on the 8th day of January, 2024, at the office of the Board located at 125 East High Avenue, New Philadelphia, Ohio 44663, with the following members present:

Chris Abbuhl

Kristin Zemis

Greg Ress

Commissioner Ress, moved the adoption of the following Resolution and Commissioner Abbuhl seconded the motion.

WHEREAS, House Bill 226 of the 124th General Assembly, which became effective on January 6th, 2002, provides that a board of county commissioners may sell county personal property, including motor vehicles acquired for the use of county offices and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, by internet auction; and

WHEREAS, R.C. § 307.12(E), as amended by House Bill 226, requires a board of county commissioners to adopt, during each calendar year, a resolution expressing its intent to sell county personal property by internet auction; therefore be it

RESOLVED, that the Board hereby expresses its intent to sell, by internet auction during calendar year 2022, county personal property which is not needed for public use, is obsolete, or is unfit for the use for which it was acquired; and be it further

RESOLVED, that the internet auction will be conducted in accordance with the terms and conditions described in the document called "Online Sales - Terms and Conditions", a true copy of which is attached hereto and is incorporated herein by reference as if fully re-written herein; and be it further

RESOLVED, that, in addition to the terms and conditions as stated in the aforesaid document called "Online Sales - Terms and Conditions", the internet auction will also be conducted in the following manner and/or under the following additions terms and conditions:

the auction shall be conducted on a continuous basis through accessing the Tuscarawas County web site located at www.co.tuscarawas.oh.us; and be it further

RESOLVED, that the number of days of bidding on the property involved, as specified in R.C. § 307.12(E), will be 15 days, including Saturdays, Sundays, and legal holidays; and be it further

RESOLVED, that in order to enable the Board to use software provided by GovDeals, Inc. to facilitate the offering of county personal property for sale by internet auction, the Board does hereby approve and enter into a written contract called GovDeals Sellers Agreement (hereinafter "Agreement") with GovDeals, Inc., a Delaware corporation having its principal place of business at 100 Capitol Commerce Boulevard, Suite 110, Montgomery, Alabama 36117, telephone number 866-377-1494, to conduct the internet auction on the county's behalf, and a true copy of the said Agreement is attached hereto and is incorporated herein by reference as if fully re-written herein; and be it further

RESOLVED; that the Board will publish in the Bargain Hunter, a newspaper of general circulation in the county, a summary of the information contained in this resolution and that this summary will be published in that newspaper on the following dates: January 18, 2022 and February 1, 2022, the second date being at least 10 days after but not more than 20 days after the first publication of the notice; and be it further

RESOLVED, that a notice similar to the one published in the newspaper will be posted continually throughout the remainder of the calendar year 2022 in a conspicuous place in the offices of the county auditor and the offices of the Board and on the Tuscarawas County web site at <http://www.co.tuscarawas.oh.us/>; and be it further

RESOLVED, that the Board reserves unto the Board or its representative the right, at a later date, to do any or all of the following: (a) to establish the minimum prices that may be accepted for any specific items of county personal property that is the subject of the internet auction; (b) to establish other or additional terms and conditions concerning any particular internet sale that may occur, including but not limited to terms and conditions concerning requirements for pick up and/or delivery of the property, method of payment, and payment of sales tax in accordance with applicable laws; and/or (c) to reject any and all bids and/or to withdraw from sale any of the items listed; and be it further

RESOLVED, that the information described in the paragraph above will be provided on the internet at the time of the auction itself and, in addition, may be provided before that time, upon request, after the terms and conditions have been determined by the Board or its representative; and be it further

RESOLVED, that the Clerk of the Board is hereby directed to deliver a certified copy of this resolution to the County Auditor of Tuscarawas County, Ohio so that the County Auditor can act on the Certificate of Availability of Funds that is to be attached to the Agreement pursuant to R.C. § 5705.41(D)(1); and be it further

RESOLVED, that the Clerk of the Board is hereby ordered to take the steps necessary to implement this Resolution including, making arrangements for publication in the newspaper of a summary of the information contained in this resolution and for posting the required notices in the offices of the County Auditor and Commissioners and on the Tuscarawas County website.

ROLL CALL VOTE:

Chris Abbuhl, yes
Kristin Zemis, yes
Greg Ress, yes

I hereby certify the above and foregoing to be a true and correct account of the proceedings as had by and before the Board on the day and year first written above. 
Rhonda Jordan, Clerk