

Board of Lucas County Commissioners



TITLE: SURPLUS POLICY

POLICY NUMBER: 42B

RESOLUTION NUMBER: 2025-486

SUPERSEDES POLICY: 42A

EFFECTIVE DATE: June 24, 2025

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A. PURPOSE

The purpose of the Surplus Property Policy and Procedure is to provide a clear and concise guideline for the disbursement/disposal of all Lucas County personal property that is not needed for public use, is obsolete or unfit for County use that is acquired. It is the intent of the County to maximize the use of all equipment and furniture. The surplus disbursement/disposal procedures which follow will ensure that County property has provided a value beyond its worth, and that its disbursement/disposal will be conducted in an equitable, efficient, and cost-effective manner.

B. POLICY

The policy shall apply to all County-owned personal property that is not needed for public use, is obsolete or unfit for County use that was acquired, including lost or abandoned personal property and forfeiture program assets, federal and State grant personal property when authorized by the grantor, and private personal property entrusted to County officials for disposition unless otherwise accepted.

It is the County's policy to receive the maximum amount of value from a piece of equipment or furniture. When it has been determined that no further value is to be realized by the County through utilization of a particular piece of equipment or furniture, said item shall be declared no longer needed for public use, obsolete or unfit for use that was acquired. Once declared as such, items will be disposed of as set forth in the following procedures.

C. DEFINITIONS

Personal Property: Movable items, including equipment, vehicles, machinery, furniture, fixtures, tools or other movable, physical goods are considered personal property.

Real Property: Real estate, including land, easements, buildings and related permanent, immovable assets affixed to land are considered real property. Real property can only be disposed by auction, sealed bids, or transferred to another public entity in accordance with State Law.

Surplus Personal Property: Personal property owned by the County and is no longer useful, including, but not limited to personal property which is obsolete, unusable, or for which any continuing or future need for such property does not justify the associated cost of its maintenance and/or storage.

Worthless/Unfit Property: *Surplus personal property* that has been identified by the department designees and confirmed and declared by the designee manger/supervisor to be unusable and of little or no salvage or other economic value.

D. PROCEDURES FOR DECLARING PROPERTY AS SURPLUS

When it is determined by the user department that an item has served its original purpose and no longer provides value to the department, the item shall be slated for determination of its eligibility for the surplus disbursement/disposal program.

When making a determination as to whether property shall be declared as surplus, the following factors should be considered:

- (1) The condition of the property;
- (2) The fair market value of the property;
- (3) The remaining useful life of the property;
- (4) The cost of repairing, maintaining and/or storing the property; and
- (5) Need of property due to staff reduction/transfer or mission change.

Property to be declared as surplus shall be inspected for the presence of toxic or contaminated material that would require special handling or disposal instructions. Examples of toxic or contaminated items include, but are not limited to, refrigerants, transformers, solvents, oils and paints and asbestos (ceiling tiles, roofing, etc.).

Ohio Revised Code 307.12 requires the Board of County Commissioners to pass via resolution approval of the sale of County 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, and when the fair market value of the property to be sold or donated under this division is, in the opinion of the board, in excess of five thousand dollars.

When an Agency or Department has County property that is no longer needed and is valued less than \$5,000, the items must be declared as surplus or obsolete and can be disposed of, sold via private sale (excluding employee) or placed up for auction through GovDeals.

When an Agency or Department has County property that is no longer needed and the Board of County Commissioner, or delegate, is of the opinion the property value is greater than \$5,000, the items must be approved and auctioned on GovDeals. A *County Property Surplus and Obsolete Declaration Form*, which can be found on the Support Services webpage under Documents and Resources, must be completed and emailed to Support Services at purchasing@co.lucas.oh.us. Below are the requirements to list items on GovDeals:

- A. Board adopts a resolution that the personal property is not needed for public use, is obsolete, or is unfit for the use for which it was acquired (passed yearly by Support Services).
- B. Board may do either of the following:
 - 1) Sell the property at public auction or by sealed bid to the highest bidder. Notice of the time, place, and manner of the sale shall be published at least ten days prior to the sale, using at least one of the following methods:
 - a) Notice of the time, place, and manner of the sale

1. In the print or digital edition of a newspaper of general circulation within the county.
 2. Posted in the offices of the Commissioners and Auditor
 3. On the website and social media account of the County.
- C. Automobiles valued at \$4500 or less, in addition to selling
- a) May donate to a nonprofit organization that are:
 1. Exempt from federal taxation-501(c)(3)
 2. For the purpose of meeting the transportation needs of participants in the Ohio works first program established under O.R.C. 5107 and participate in the prevention, retention, and contingency program established under O.R.C. 5108.

Upon receipt of the *County Property Surplus and Obsolete Declaration Request* Form, Support Services will contact the department to discuss the request. Support Services will seek approval from the Lucas County Administrator to declare items as surplus or obsolete twice a month.

E. ONCE PROPERTY IS DECLARED SURPLUS

(1) The Agency or Department and the Support Services Purchasing Assistant 2 shall determine the most appropriate method for the disposal of property that has been designated as no longer needed, obsolete or unfit for County use that it was acquired.

(2) Whenever possible, identifying stickers, labels, etc., should be removed from the property, provided that removing these items does not damage the property.

(3) Computers and any other type of electronic information storing devices should be erased of all files and other information before such property is declared as surplus property.

F. DISPOSAL OF SURPLUS PROPERTY

When an Agency or Department has County property that is no longer needed and is valued less than \$5,000, the items may be declared as surplus or obsolete by the Lucas County Administrator and can be disposed of, sold via private sale (excluding employees) or placed up for auction through GovDeals.

Reuse Option

The County encourages maximum reuse of materials whenever possible. Departments are encouraged to investigate whether someone else in their department or agency has a use for an item, for County usage not personal usage, before declaring it surplus.

If the decision has been made that an item will be surplus, the using department is encouraged to advertise, through e-mail, the availability of an item for County use. The item may be transferred to another department at the discretion of the head of the former user's department

With the exception of vehicles, the Support Services Purchasing Assistant 2 does not need to be notified about surplus property being reused/moved to another department in the County. If a vehicle is being

transferred, this must be done through Support Services. A separate process must be completed for vehicles.

Auction Option

One way to ensure receiving fair market price is to sell County property that is no longer needed, is obsolete or unfit for County use as it was acquired at a public auction conducted by the County's contract auctioneer.

Disposal of applicable County-owned surplus personal property, including lost or abandoned personal property with an estimated Fair Market Value (FMV) of **\$5,000.00** or more, shall be accomplished through public auction as the preferred method of sale whenever practical. Public auctions shall be accomplished using GovDeals.

If the Elected Official/Department head wants an item with a fair market value of under \$5,000.00 to be put up for auction, they shall work with the Support Services Purchasing Assistant 2.

Recycle or Salvage Options

If the administrative resources used to sell surplus property exceed the anticipated revenue, Departments should consider recycling as a disposal option.

Surplus containing metal may be disposed of with a scrap metal recycler.

Computers and computer related devices may be disposed of through the County E-Waste program. The Agency or Department must complete and send the County Property Surplus and Obsolete Declaration Request Form to purchasing@co.lucas.oh.us for approval to dispose of surplus items through the E-Waste Program. Upon approval or department request, Purchasing will provide contact information for an electronic recycler(s). In all cases, whether sold or recycled, hard drives, memories, and operating systems must be erased from all computers and servers and destroyed (to be a certified E-Waste operator this is a required service). In addition to computers and servers, erasing includes but is not limited to, facsimile machines, scanners, copiers, and mobile hand held devices. In addition, the serial number of all surplus computers, whether sold or recycled, must be recorded and tracked. Departments may contact Lucas County Information Services Department for additional information regarding erasing and tracking.

Surplus Mobile Handheld Devices, including cell phones, shall be disposed of through the County E-Waste program or recycling with the County cell phone provider. Upon request, Purchasing will provide contact information for an electronic recycler(s). All data and phone numbers, in each Mobile Handheld Device, must be erased prior to recycling. County Mobile Handheld Devices, including cell phones, shall not be sold to the public auction.

Refuse Option

Only *surplus personal property* classified as *worthless property* shall be destroyed or discarded.

If the administrative resources needed to sell surplus exceed the anticipated revenue amount, and recycling is not an option, surplus items may be disposed of as refuse as a last resort alternative.

The Agency or Department must contact the Support Services Purchasing Assistant 2 for approval to dispose of surplus items through refuse.

G. GovDeals

- (1) The County shall use GovDeals.com to dispose of County Personal Property for auction.
- (2) A GovDeals account shall be created and maintained by the Purchasing Department in the name of Lucas County.
- (3) If a department decides to put a surplus item up for auction, Support Services will handle through GovDeals. *Please ensure that the item description is accurate. If an incorrect description is supplied, a refund must be given to the bidder and the item must be re-auctioned.*

The County Property Surplus and Obsolete Declaration Request Form includes the fund/department/account number of where the bid proceeds will be deposited to. The Support Services Purchasing Assistant 2 will not activate the auction if this information is not provided.

- (4) Once approval has been given, the Agency or Department shall be responsible for uploading the surplus items onto the GovDeals website.
- (5) Items to be included in the Auction description:

Finality of Sale

All sales are final.

Condition of Item

Items are offered "AS IS" with no warranty.

Shipping Procedures

Lucas County does not ship. The buyer is responsible for picking up all purchased merchandise from the department.

Payment Procedures

Only electronic payments (credit card, electronic check or wire transfer) shall be accepted as payment through GovDeals. Payment is due within five (5) business days of notice of award. Buyer must bring bill of sale and government issued valid ID. If buyer is sending someone other than themselves, Authorization Release Form must be received by Support Services before the pick-up.

Item Pick-up

All items must be picked-up by buyer within ten (10) business days. Buyer must arrange and pay for all pickup costs, including, packing, removal and transportation. All property not picked up within ten (10) business days reverts to Lucas County, with no financial compensation made to buyer.

Lucas County will not release property to buyer until payment has been received in full.

Pre-Sale Inspection

Whenever feasible, Lucas County personnel will permit potential buyers to arrange for pre-sale inspection.

Award

Lucas County reserves the right to reject any bid which in its opinion does not represent a fair price and further to reject any bidder which is considers unable to meet the terms of sale.

H. Item Pick Up

When the Buyer comes to pick up the assets won, a Bill of Sale must be signed (Support Services Purchasing Assistant 2 will email each department a Bill of Sale along with the GovDeals Seller's Certificate).

Each Buyer must produce a government issued photo ID to pick up items. Departments shall make a copy of this photo ID and attach it to the Bill of Sale for County records (Buyer may request a copy of both for their records).

If a Third Party is removing the asset for the Buyer, the Buyer must submit or email an Authorization of Release Form (available in the GovDeals system) to the department prior to scheduling a removal date. Exceptions must not be allowed under any circumstances.

The Buyer is required to provide a phone number and email address of the third-party shipper who will be removing the property. Departments must contact the third party and verify the information on the Seller's Certificate. Since the third-party shipper is acting as a Buyer's Agent for asset removal, they are required to sign the Bill of Sale and provide their photo ID for County records before they take possession of the asset.

I. DEPOSIT OF SALE PROCEEDS

Proceeds from the sale of County-owned property and equipment shall be deposited to the County General Fund or other fund designated by the owning Department (per Step 3 under Section G).

The Treasurer's office and Support Services will be notified weekly by the County's Processing Service (Huntington Bank) of any funds that come to the County from GovDeals Auctions. The Support Services will process the pay in and notify the agency or department when complete (per Step 3 under Section G).

J. NOTIFICATION TO SUPPORT SERVICES OF ITEM NOT BEING PICKED UP

The Agency or Department must contact Support Services to notify if an item has not been picked up by twenty (20) business days after the item has been sold.

K. SURPLUS PROPERTY DISPOSITION DOCUMENTATION

Items that were purchased with \$5,000 or more (i.e., capitalized asset) and/or items purchased using State or Federal grants are to be inventoried on an annual basis. Thus, if an item falls in this category, please notify the Auditor's office of the disposal (no matter which category of disposal used). The Auditor's office will notify departments of the proper documentation that must be provided.

L. DOCUMENTATION

Actions taken to dispose of surplus property must be fully documented to indicate why, who, what, when, where and how the transaction was conducted. This documentation, along with the Bill of Sale and photocopy ID of Buyer should be kept on file for five (5) years.

M. DONATION OF SURPLUS PROPERTY TO OHIO NON-PROFIT ORGANIZATIONS

To donate surplus property to a non-profit organization, the non-profit organization is required to provide evidence that it is located in Ohio, is exempt from federal income tax (O.R.C. 307.12) and must be a 501(a) or 501(c)(3) organization.

All evidence listed above must be submitted with the *Property Surplus and Obsolete Declaration Request Form* to Support Services for approval. Support Services will notify the department when approved for donation to an Ohio non-profit organization.

Members of the board of county commissioners shall consult with the Ohio ethics commission and comply with the provisions of Chapters 102. And 2921. Of the Revised Code, with respect to any sale or donation under division (A) or (B) of this section to a nonprofit organization of which a county commissioner, any member of the county commissioner's family, or any business associate of the county commissioner is a trustee, officer, board member, or employee.

N. DONATIONS OF SURPLUS PROPERTY TO OTHER JURISDICTIONS

The Board may, regardless of the value of the property, sell or donate county personal property to the federal government, the state, or any political subdivision of the state, or a county land bank without advertisement or public notification.

O. COUNTY ENGINEER DISPOSAL OF SCRAP CONSTRUCTION MATERIAL (O.R.C 307.12)

A county engineer, in the engineer's discretion, may dispose of scrap construction materials on such terms as the engineer determines reasonable, including disposal without recovery of costs, if the total value of the materials does not exceed twenty-five thousand dollars. The engineer shall maintain records of all dispositions made under this division, including identification of the origin of the materials, the final disposition, and copies of all receipts resulting from the dispositions.

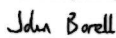
- I. "Scrap construction materials" means construction materials that result from a road or bridge improvement, remain after the improvement is completed, and are not reusable. Construction material that is metal and that results from a road or bridge improvement and remains after the

improvement is completed is scrap construction material only if it cannot be used in any other road or bridge improvement or other project in its current state.

P. CONFLICTS OF INTEREST

County employees shall be permitted to participate as buyers in competitive sales of surplus property as any other member of the public. Consistent with ethical conduct, County employees shall not take advantage to gain personal benefit from such transactions. County employees can only have access to the surplus items through payment with an auction as a private citizen, access to items to be discarded is not allowed.

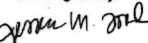
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Lucas County Prosecutor's Office

DATE:

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Lucas County Administrator

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