

TOWNSHIP RESOLUTION RC§505.10(D) – INTENT AUCTION OF TWP PROPERTY

SMITH TOWNSHIP, MAHONING COUNTY, OHIO

RESOLUTION NO. 2024-0507-02

TO: Authorize the sale of township property not needed for public use, is obsolete, or unfit for the purpose for which it was acquired by internet auction, pursuant to RC§505.10 (D)

Whereas the township may determine from time to time that it has personal property, including motor vehicles, road machinery, equipment, tools, or supplies not needed for public use, are obsolete, or unfit for the purpose for which they were acquired; and

Whereas RC§505.10 (D) authorizes the township to sale and dispose of such property by internet auction; therefore,

BE IT RESOLVED THAT the Board intends to sale and dispose of property permitted and as prescribed in RC§505.10 (D) – Disposition of real or personal property by internet auction, which shall have a bidding period of not less than ten (10) days including Saturdays, Sundays, and legal holidays; and

BE IT FURTHER RESOLVED, THAT the Board will contract with a third-party represent to conduct and internet auction on behalf of the board for all such township property chosen by the Board to be placed with the contract third-party representative internet auctioneer under the general terms and conditions of the intent auction as established by the Board and the contract third-party representative; and

BE IT FURTHER RESOLVED THAT the Board establishes the following general terms and conditions of sale:

- (1) The auction bidding for Township Property is opened for bidding by the General Public with no preferences given:
- (2) The minimum bidding period for Township Property shall be not less than ten (10) days, including Saturdays, Sundays, and legal holidays.
- (3) The Board shall make the internet auction property accessible for inspection by prospective buyers, by appointment or otherwise.

TOWNSHIP RESOLUTION RC§505.10(D) – INTENT AUCTION OF TWP PROPERTY

- (4) The Board has the right to establish a minimum reserve auction price for all Board Property.
- (5) The Board reserves the right to reject any and all bids for any reason deemed appropriate by the Board.
- (6) The third-party contact internet auctioneer shall establish provisions and procedures for conducting the auction, including but not limited to, advertising, promotion, qualifications of bidders, manner of submission and acceptance of bids, conditions, and provisions of forfeiture of bid award for cause, manner of payment, delivery, or pickup of Township Property.
- (7) The Board shall pay an auction fee or commission to the contract third-party internet auctioneer representative as mutually agreed upon and provided in the executed contract.
- (8) The contract shall be for a one (1) year period of time renewal by mutual agreement of the parties.
- (9) All Township Property is being sold **“AS IS”** without representation as to the condition, working order or fitness for use, and **without warranty expressed or implied.**
- (10) The Township Board of Trustees will execute a written contract agreement with all contracted third-party internet auction representatives of the Township, which shall include the above terms and conditions within the Contract, or as an addendum to the third-party internet auctioneer representatives standard form auction contract; and

BE IT FURTHER RESOLVED THAT the Board be and hereby is authorized to appoint and enter into a contract for internet auction services with the following internet auction service provider:

NAME: Edinburg Auction Sales, Inc
 ADDRESS: 4029 OH-14, Rootstown, OH 44272
 PHONE: (330) 325-2966
 EMAIL: _____

BE IT FURTHER RESOLVED, THAT after the adoption of this Resolution, the Board shall publish, in a newspaper of general circulation in the township, notice of its intent to sell unneeded, obsolete, or unfit-for-use township personal property by internet auction. The notice shall include a summary of the information provided

TOWNSHIP RESOLUTION RC§505.10(D) – INTENT AUCTION OF TWP PROPERTY

in this resolution and shall be published twice. A similar notice shall also be continuously posted throughout the calendar year in a conspicuous place in the board office. The Board may also cause notice to be inserted in trade papers or other publications by it or to be distributed by electronic means, including posting the notices on the Board’s internet website. If the Board posts the notice on its website, it may eliminate the second notice otherwise required to be published in a newspaper of general circulation within the township, provided the first notice published in such newspaper meets all of the following requirements:

- (1) It is published at least two (2) weeks before the internet auction begins.
- (2) It includes a statement that the notice is posted on the Board’s internet website.
- (3) It includes the internet address of the Board’s internet website.
- (4) It includes instructions describing how the notice may be accessed on the Board’s internet website; and

BE IT FURTHER RESOLVED THAT the Board of Trustees and Fiscal Officer are authorized to take any and all action necessary to affect the RC§505.10 (D) disposition and sell of eligible township property by contracted internet auction.

Moved by Mr. Barnett Seconded by Mr. Criss

ROLL CALL:

TRUSTEE BARNETT	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
TRUSTEE CRISS	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
TRUSTEE SHOWALTER	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Approved and adopted this day _____.

Audrey Fox
Audrey Fox Fiscal Officer

TOWNSHIP RESOLUTION RC§505.10(D) – INTENT AUCTION OF TWP PROPERTY

Certification

I, the undersigned Fiscal Officer, and Custodian of the Records of Smith Township hereby certify that the above resolution is a true and accurate copy of the foregoing Resolution as appears in the Transcript of Minutes of the Official Record of Proceedings of the Smith Township board of Trustees, Board of Township Trustees.

In Witness thereof, I have affixed my signature in acknowledgement thereof.

Date: 5-7-2024


Fiscal Officer / Clerk