

A resolution establishing a program for the donation to qualifying non-profit entities of personal property which is not needed for public use, obsolete, or unfit for the use for which it was acquired, and which has an estimated fair market value of \$2,500.00 or less. [Commissioners]

WHEREAS, section 307.12(B) of the Ohio Revised Code provides that Ohio counties may establish programs for the donation to any 501(c)(3) organization, as described in 26 U.S.C. Sections 501(a) and 501(c)(3), that is exempt from federal taxation and that is located in the State of Ohio, personal property of the county which is not needed for public use, obsolete, or unfit for the use for which it was acquired, and which as an estimated fair market value of \$2,500.00 or less; and

WHEREAS, said section requires that, before donating any property pursuant thereto, the board of county commissioners adopt a resolution expressing its intent to make unneeded, obsolete, or unfit-for-use county personal property available to those organizations and including guidelines and procedures the board considers necessary to implement a donation program; and

WHEREAS, Fairfield County has personal property that is not needed for public use, obsolete, or unfit for the use for which it was acquired; and

WHEREAS, such property is not appropriate to be disposed of by internet auction or other similar means but would be appropriate for donation to eligible non-profit organizations.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF FAIRFIELD, STATE OF OHIO:

Section 1. The Board hereby expresses its intent to make unneeded, obsolete, or unfit-for-use county personal property available to eligible non-profit organizations and hereby establishes a county personal property donation program (the "Program") to further this stated intent. "Eligible non-profit organizations" shall mean any organization described in 26 U.S.C. Sections 501(a) and 501(c)(3) that is exempt from federal taxation and that is located in the State of Ohio. The County shall conduct the Program under the supervision of the County Clerk.

A resolution establishing a program for the donation to qualifying non-profit entities of personal property which is not needed for public use, obsolete, or unfit for the use for which it was acquired, and which has an estimated fair market value of \$2,500.00 or less. [Commissioners]

Section 2. Only county personal property specifically designated, be resolution of the Board, for donation pursuant to the Program shall be made available for donation.

Section 3. Any organization desiring to obtain county personal property available through the Program shall submit a written notice to the Board, sent to the attention of the Commissioners' Clerk, that shall include the following; (a) evidence that the organization is located in the state and is exempt from federal taxation pursuant to 26 U.S.C. Sections 501(a) and 501(c)(3); (b) a description of the organization's primary purpose; (c) a description of the type or types of property the organization needs; (d) the name, address, and telephone number or a person designated by the organization's governing board to receive the donated property and serve as agent.

Section 4. The Commissioners' Clerk shall maintain a list of all non-profit organizations that notify the Board of their desire to obtain donated property under the Program and that the Commissioners' Clerk determines to be eligible, in accordance with the requirements set forth in this resolution, to receive donated property.

Section 5. The Commissioners' Clerk shall maintain a list of all county personal property the Board finds to be unneeded, obsolete, or unfit for use and to be available for donation under the Program. The list shall be posted continually in a conspicuous location in the offices of the County Auditor and the Board of County Commissioners, and the list shall also be posted continually on the county's website. An item of property on the list shall be donated to the eligible non-profit organization that first declares to the Commissioners' Clerk its desire to obtain the item.

Section 6. The Board hereby approves the following additional guidelines and procedures for the Program: (a) all donated property shall be made available "as is" and shall not be returned to the County; (b) any property that remains unclaimed on the property list for more than six (6) months

A resolution establishing a program for the donation to qualifying non-profit entities of personal property which is not needed for public use, obsolete, or unfit for the use for which it was acquired, and which has an estimated fair market value of \$2,500.00 or less. [Commissioners]

may be, at the Commissioners' Clerk's discretion, sold via private sale or internet auction or discarded; (c) all eligible non-profit organizations receiving property under the Program shall arrange for its authorized representative to pick up the donated property directly from the designated county location or shall pre-pay all expenses for shipping and delivery of the donated property; (d) county staff shall not be permitted to deliver personal property donated under the Program; (e) any organization determined to be an eligible non-profit organization that, subsequent to that determination, loses its eligibility for whatever reason shall immediately notify the Commissioners' Clerk in writing of it ceasing to be an eligible non-profit organization; and (f) the Commissioners' Clerk may periodically, but not more frequently than an annual basis, require eligible non-profit organizations to provide updated written notices as set for in Section 3 of this resolution, and failure to provide an updated notice shall be cause for removal from the Program's approved list of recipient organizations.

Section 7. The Clerk of this Board is hereby directed to cause publication, in a newspaper of general circulation in the County, of a notice of the Board's intent to donate unneeded, obsolete, or unfit-for-use county personal property to eligible non-profit organizations. The notice shall include a summary of the information provided in this resolution and shall be published twice or as provided in section 7.16 of the Ohio Revised Code. The second and any subsequent notice shall be published not less than ten nor more than twenty days after the previous notice. A similar notice also shall be posted in a conspicuous place in the offices of the County Auditor and the Board of County Commissioners, and the notice shall be posted continually on the county website.

Prepared by: Rachel Elsea

Resolution No. 2014-11.25.c

A resolution establishing a program for the donation to qualifying non-profit entities of personal property which is not needed for public use, obsolete, or unfit for the use for which it was acquired, and which has an estimated fair market value of \$2,500.00 or less.

(Fairfield County Commissioners)

Upon the motion of Commissioner David L. Levacy, seconded by Commissioner Steven A. Davis, this resolution has been Adopted:

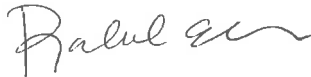
Voting:

Mike Kiger, President	Aye
David L. Levacy, Vice President	Aye
Steven A. Davis	Aye

Board of County Commissioners
Fairfield County, Ohio

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.



Rachel Elsea, Clerk
Board of County Commissioners
Fairfield County, Ohio