

RESOLUTION NO. 20-2009

RESOLUTION DECLARING SURPLUS ITEM FOR DISPOSAL AND DECLARING AN EMERGENCY AND DISPENSING WITH THE SECOND READING

WHEREAS, the Ohio General Assembly amended Ohio Revised Code, Section 505.10 and enacted procedures for Townships to dispose of property including motor vehicles, road machinery, equipment and tools which are not needed, obsolete, or are unfit for public use; and,

WHEREAS, it has been determined the 20' x 40' temporary metal pole barn located at 8933 Cincinnati Dayton Road is unfit for the use for which the item was acquired, is not needed for public use, and/or is obsolete; and,

WHEREAS, when the value of said item, in the opinion of the Board of Township Trustees, is two thousand five hundred dollars (\$2,500.00) or less, the Board may sell the property by private sale without advertisement or public notification.

NOW THEREFORE, BE IT RESOLVED that the West Chester Township Board of Trustees does hereby:

SECTION 1. Determine that the said item in the opinion of the Board of Trustees, has a value of two thousand five hundred dollars (\$2,500.00) or less.

SECTION 2. Authorize the Township Administrator to negotiate private sale and accept reasonable offers; and,

SECTION 3. If no reasonable offers are submitted, authorize the Township Administrator to sell and transfer said item for \$1.00 to a political subdivision pursuant to Ohio Revised Code § 505.101.

SECTION 4. Require purchaser and/or transferee to provide proof of worker's compensation and liability insurance prior to purchase or acceptance.

SECTION 5. Require purchaser and/or transferee to accept responsibility for dismantle and removal of temporary metal pole barn by August 17, 2009; and provide reimbursement for any damages suffered to 8933 Cincinnati Dayton Road as a result of the relocation process.

SECTION 6. Declare that if the no offers for purchase or transfer are received, the Township personal property may be discarded or salvaged.

SECTION 7. Authorize the Township Administrator to execute documents and take such other actions as may be necessary to carry out this resolution.

This resolution shall be adopted as an emergency necessary for the immediate preservations of the public peace, health, safety, or welfare of the community and shall become effective at the earliest date permitted by law.

Adopted this 28th day of July, 2009

Catherine Stoker

Catherine Stoker, President

YES

Yes / No

George Lang, Vice President

ABSENT

Yes / No

Lee Wong

Lee Wong, Trustee

Yes

Yes / No

ATTEST:

Patricia Williams

Patricia Williams, Township Fiscal Officer

APPROVED AS TO FORM:

Donald L. Crain

Donald L. Crain, Law Director