

Approved: March 17, 2026

Resolution No. 26-393

1. **PURPOSE:** The purpose of this policy is to define and clarify proper procedure to be followed when conditions necessitate the sale of real or personal property by County officials.
2. **AUTHORITY:**
 - 2.1 By resolution of the Board of Commissioners, the County may enter into a contract or agreement for the purchase of lands, property, or equipment to be used for public purposes (MCL 46.11b(1)).
 - 2.2 The Board of Commissioners may authorize the sale or lease of real estate belonging to the County and prescribe the manner in which a conveyance of real estate is to be executed (MCL 46.11(c)).
 - 2.3 Authority to establish rules and regulations in reference to the management of the interest and business concerns of the county is vested with the Gratiot County Board of Commissioners (MCL 46.11(m)). Policies shall be subject to revision or termination by the Board at its discretion.
3. **APPLICATION:** This policy applies to all elected officials, departments, and agencies of Gratiot County government. Policy rules do not apply to properties subject to sale by the County Treasurer through property tax foreclosure, nor to properties held by the Gratiot County Land Bank Authority.
4. **RESPONSIBILITY:** The County Administrator is responsible for initiation of the sale of real or personal property that is titled to the County of Gratiot when such sale is proper and appropriate
5. **DEFINITIONS:**
 - 5.1 ***“Fixed assets”*** are resources acquired by the County for ongoing use in its operations providing economic benefits over multiple years.
 - 5.2 ***“Personal property”*** is any moveable or intangible item of value that is owned by the County of Gratiot and is not permanently attached to land or real estate.
 - 5.3 ***“Real property”*** refers to land and anything permanently attached to it, including buildings, structures, and natural resources, along with the legal rights associated with ownership.
 - 5.4 ***“Realtor”*** means a real estate agent who is a member of the National Association of Realtors.
 - 5.5 ***“Surplus property”*** is any real or personal property that is no longer needed by elected officials, department heads, or County agencies to fulfill their operational requirements.

6. POLICY:

6.1 Personal Property and/or Surplus Property

- 6.1.1 Sale of personal property and/or surplus property with a current individual value of less than \$500.00 may be disposed of upon recommendation of the department head and approval of the County Administrator. The County Administrator shall determine the method of disposal based upon fiscal responsibility and appropriateness.
- 6.1.2 Fixed assets with a current individual value greater than \$500.00 require the notification to and approval of the Board of Commissioners prior to disposal. Under the direction of the County Administrator, all fixed assets greater than \$500.00 in value shall be disposed of by trade-in, special auction, or by sale through a competitive process.
- 6.1.3 Sale of personal property and/or surplus property shall be through a competitive process. Gratiot County shall hold a public auction as deemed necessary whereby personal property and/or surplus property may be disposed of by acceptance of the highest bid offered.
 - a. Public notice shall be given of all auctions to be held for the purpose of selling or otherwise disposing of County-owned surplus personal property.
 - b. Except for sales to other units of government or to non-profit corporations, the County objective shall be to maximize net proceeds from the distribution.
 - c. No member of the Board of Commissioners shall purchase any surplus County-owned personal property.
 - d. Immediate relatives or business associates of County Commissioners may purchase property from the County only at public auction.
- 6.1.4 When it is not feasible to dispose of personal property and/or surplus property through public auction, the appropriate County department is authorized to sell and/or dispose of such property using an alternative process upon approval of the County Administrator.
- 6.1.5 Upon disposal of personal property and/or surplus property, the County Administrator shall notify the Finance Director of such disposals and submit documentation outlining the disposed items and the manner and method of disposal. The Finance Director shall make accounting entries and retain the appropriate records of such disposal.
- 6.1.6 All unsold surplus electronic equipment shall be disposed of in an environmentally-sound manner.
 - a. Recoverable assets and recycling fees shall be determined at the time of removal.
 - b. Certificates of data deletion, recycling/reuse and destruction documentation shall be provided by vendors providing surplus electronic recycling services to the County.

6.2 Real Property.

6.2.1 The County Administrator is authorized, upon prior approval of the Board of Commissioners, to sell and/or dispose of real estate through a competitive process. Before such process begins, the Administrator shall determine the fair market value of such real estate through consultation with a professional appraisal firm or the County's Equalization Department. Once a fair market value has been determined, either of the following procedures may be used to sell and/or dispose of real estate.

a. Use of a Realtor. When the Administrator, in consultation with Board of Commissioners, has determined that it is optimal to use a Realtor for sale of real estate, the Administrator will engage the services of a Realtor serving the geographical area where the property is located. The Administrator shall negotiate a rate for the sale and shall authorize the Realtor to market the property for a period not to exceed six (6) months.

1) If the Administrator believes it is in the best interest of the County to accept an offer, the offer will be presented to the Board of Commissioners for consideration

b. Sale of Real Estate through Competitive Sealed Bids. If the County Administrator determines it is appropriate to sell and/or dispose of real estate through competitive sealed bids, an invitation to bid shall be developed which shall include all contractual terms and conditions applicable to the sale.

1) *Public Notice:* Adequate public notice of the invitation to bid shall be provided not less than 14 calendar days prior to the date established to submit bids. Notice shall be provided through publication in a newspaper of general circulation, posting on the County web page, and any other means as determined by the County Administrator. The notice shall state the place, date, and time of such bid opening.

2) *Bid Opening:* Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation to bid. The amount of each proposal and such relevant information as deemed appropriate, together with the name and address of each bidder, shall be recorded. The record of sealed bids received shall be open to public inspection.

3) *Bid Acceptance:* Bids shall be unconditionally accepted without alteration and correction. Bids which do not comply with the criteria set forth in the invitation to bid may be disqualified at the discretion of the Administrator. Also, proposals that do not meet or exceed fair market value of the property being sold, as determined by a real estate appraiser, may be disqualified at the discretion of the Administrator.

4) *Correction or Withdrawal of Bids:* Correction or withdrawal of inadvertently erroneous bids before or after proposal opening may be permitted where appropriate. After proposal opening, no changes in bid prices or other provisions are allowed.

- 5) *Award:* Award shall be made to the responsible bidder whose bid is determined by the Board of Commissioners to be the most advantageous to the County.
- 6) *Reservation:* The County of Gratiot shall reserve the right to accept, reject, or negotiate and amend any bid submitted with the high proposer, or to accept or reject any bid received if doing so would be in the best interests of the County of Gratiot, and to waive any irregularities and/or informalities in the bid process.

6.2.2 Earnest Money. In the sale of real estate through either the use of a Realtor or the use of competitive sealed proposals, an earnest money deposit shall be required of this successful bidder. The amount of such earnest money deposit shall be determined by the Administrator in consultation with the Board of Commissioners.

7. **ADMINISTRATIVE PROCEDURES:** The County Administrator shall be responsible for the development, revision, and implementation of any associated administrative procedures not already stated in this policy.
8. **ADMINISTRATOR AND LEGAL COUNSEL REVIEW:** The County Administrator shall approve all new and amended policies as to substance. County Counsel shall approve all new and amended policies as to legal content. These approvals shall accompany draft policies and amended policies submitted to the Board of Commissioners for consideration.