



RESOLUTION 2019 - 32

A RESOLUTION ESTABLISHING A PROCESS FOR ACQUISITION, TRANSFER, AND MANAGEMENT OF COUNTY REAL PROPERTY AND BUILDINGS

WHEREAS, the Board of County Commissioners (BOCC) may sell real property as authorized by 7-8-2521 MCA; and

WHEREAS, a resolution is required related to the process of the selling of real property in 7-8-2521 MCA; and

WHEREAS, procedures for the disposal of real property are required so that the property is used or disposed of in the best interests of the county and the public benefit and welfare; and

WHEREAS, the contents required for a resolution are stated in 7-8-2521 MCA; and

WHEREAS, the BOCC finds that it is in the best interest of Lewis and Clark County to establish a resolution to adopt a resolution providing for sale and disposition of county real property; and

WHEREAS, the BOCC has given consideration to multiple-use management as defined in 7-8-2503 MCA;

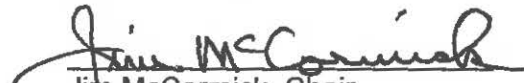
NOW, THEREFORE BE IT RESOLVED by the Lewis and Clark County Board of County Commissioners that it does hereby adopt the following process for the acquisition, transfer, and management of property and buildings.

- (a) Sales locations will include the City-County building located at 316 N. Park, Helena, MT; through use of internet websites; or any other location as approved by the BOCC. Sales opportunities may be advertised through a competitive process to allow for interested parties to express interest;
- (b) All sale locations will be accessible to the public;
- (c) Public auction shall be as required for county tax-deed land per 7-8-2301 MCA and other sales as required under State law;
- (d) The sale may be conducted by any person or business entity which is approved by the BOCC;
- (e) The procedure of issuing permits, leases, or licenses shall be in compliance with all local ordinances and state and federal requirements;
 - (i) Terms, conditions, and processes for issuance of permits, leases, and licenses will be negotiated on a case by case basis;
 - (ii) Any lease shall be in the form of written document reviewed by the County Attorneys Office and authorized only by the BOCC;
 - (iii) No lease shall be approved for an amount less than the amount that would have been collected if taxes on the real property had been levied. Appraisals will be conducted as required per 7-8-2513 MCA;
 - (iv) A lessee may be authorized to place improvements on the property through approval of the BOCC;
- (f) Sales shall be noticed as required by 7-1-2121 MCA;
- (g) Property retained by the county will be administered and maintained through the allocation and approval of funding through the regular county budget processes;

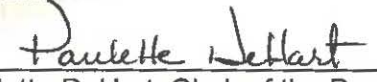
- (h) Exchanges or donations of real property will be in compliance with 7-8-2522 MCA.

Dated this 23rd day of April, 2019.

LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Jim McCormick, Chair

ATTEST


Paulette DeHart, Clerk of the Board