



FLOYD COUNTY BOARD OF EDUCATION  
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Sherry Robinson- Chair - District 5  
William Newsome, Jr., Vice-Chair - District 3  
Linda C. Gearheart, Member - District 1  
Dr. Chandra Varia, Member- District 2  
Rhonda Meade, Member - District 4

**Date:** November 25, 2019

**Agenda Item (Action Item):** Consider/Approve advertising for sealed bids for surplus property at McDowell Elementary.

**Applicable State or Regulations:** 702 KAR 4:090

**Budget/Financial Issues:** Advertising Cost should not exceed \$1,500.00.

**Background and Rationale:**

March 6, 2017

- Property Appraised by Redd, Brown & Williams.

July 24, 2017

- Board declared property surplus (Order #19245).

October 16, 2017

- KDE approved disposal of property and to advertise for sealed bids.

November 29/December 6, 2017

- Board advertised in the Floyd County Chronicle.

December 18, 2017

- Sealed bids were opened and read aloud to the public.

January 22, 2018

- The board rejected the bids (Order #19303).

February 1, 2018

- Correspondence sent to KDE for the rejected bid(s) and guidance on how to proceed.

April 23, 2018

- Correspondence sent to KDE requesting Floyd County Fiscal Court to take possession of the property pending their approval.
- To my knowledge we received no direction back from KDE about this request.

**Recommended Action:** My recommendation is to re-advertise for sealed bids, for the 2<sup>nd</sup> time, and forward to KDE upon board accepting or rejecting bids and request further guidance.

**Contact Person(s):** Gregory Adams/874-9569

Principal

  
Director

  
Superintendent

702 KAR 4:090 Property disposal

RELATES TO KRS 156.031, 156.160

STATUTORY AUTHORITY KRS 156.160

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.031 requires that administrative regulations relating to statutes amended by the 1990 Kentucky Education Reform Act be reviewed, amended if necessary and resubmitted to the Legislative Research Commission prior to December 30, 1990, and KRS 156.160 requires the State Board for Elementary and Secondary Education to promulgate administrative regulations dealing with the disposal of real and personal property owned by local boards of education. This administrative regulation is necessary to provide for property disposal, leases and easements in accordance with an approved educational program.

Section 1. School property proposed for disposal shall be surplus to the need for the educational program of the district as determined by the effective facility plan. Request for approval shall be submitted in writing to the chief state school officer. Disposal may be implemented upon approval.

Section 2. Prior to the execution of the proposed lease agreement for, or easement upon, public school property shall be submitted to the local board of education for its consideration and written recommendation forwarded to the chief state school officer for his review, approval and assurance that disposal will not affect the integrity or usefulness of property crucial to the educational needs of the district. (SBE 22.070, 1 Ky R 1049, eff. 6-11-75; Am. 6 Ky R 329, eff. 12-2-81; 17 Ky R 2029, eff. 2-7-91.)