

KENTUCKY DEPARTMENT OF EDUCATION STAFF NOTE

Topic: Bullitt County Board of Education Request for the Waiver of the Property Appraisal Requirements in 702 KAR 4:090 Section 1(3) and Section 2(1)-(2) to Permit the Disposal of Surplus Property

Date: June 2022

Action Requested: Review Action/Consent Action/Discussion

Held In: Full Board Curriculum, Instruction and Assessment Operations

SUMMARY OF ISSUE BEFORE THE BOARD:

Pursuant to KRS 156.160(2), the Bullitt County School District requests waiver of 702 KAR 4:090 Property Disposal Section 1(3) and Section 2(2)(c) which require a certified appraisal commissioned by the district to dispose of property by sale and easement. The district requests that appraisals conducted by Kentucky Transportation Cabinet (KYTC) be acceptable for the sale of the subject property and granting of a permanent easement needed to construct turn lane improvements to KY 44E at Bullitt East High School.

COMMISSIONER'S RECOMMENDATION:

The Commissioner recommends approval of the requested waiver to permit the district to facilitate the expeditious transfer of the subject property to KYTC. This will allow KYTC to construct a turn lane at Bullitt East High School and improve access and safety at the school.

APPLICABLE STATUTE OR REGULATION:

KRS 156.160(2) and 702 KAR 4:090

BACKGROUND:

Existing Policy:

For property disposal not involving public auction or accepting sealed bids, the regulation requires that the district set a minimum acceptable price (fair market value) determined by an appraisal from a certified general real property appraiser commissioned by the school district and obtained in connection with the disposal of the property. A similar requirement is applicable to disposition by permanent easement. These regulation requirements are based on various sections of the Kentucky Constitution applicable to common school funds.

Summary of Issue:

The sale consists of 1.372 acres and improvements with an appraised value of \$63,250 and a proposed sale price of \$63,250. The permanent easement consists of 4,602 square feet and improvements with an appraised value of \$7,300 and a corresponding offer to purchase. The district has agreed with the appraised amounts provided by KYTC. Accepting these appraisals will eliminate cost to the district. Due to current demand for appraisers, approving the waiver requests will allow KYTC to construct the proposed roadway improvements the fullest extent possible during the summer.

Budget Impact:

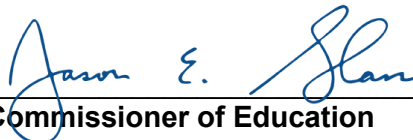
There is no impact to KDE's budget.

GROUPS CONSULTED AND BRIEF SUMMARY OF RESPONSES:

KDE consulted with Bullitt County regarding the proposed waiver and the subject property.

CONTACT PERSON(S):

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Commissioner of Education

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