



Bullitt County Public Schools

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Shepherdsville, Kentucky 40165

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TO: Dr. Jesse Bacon *JB*
FROM: Dr. Tom Brillhart
DATE: May 17, 2022
RE: Board Agenda Item
Waiver Requests

I am requesting the Boards' approval for the following:

Sale of Surplus Property for KYTC Right of Way:

A waiver from the Kentucky Board of Education to 702 KAR 4:090 Section 1, Disposition of Real Property (3) which requires receipt of fair market value "which shall be determined by an appraisal from a certified general real property appraiser commissioned by the school district."

Disposition by Permanent Easement:

A waiver from the Kentucky Board of Education to 702 KAR 4:090 Section 2, Disposition of Easement (2)(c) which requires "receipt of fair market value as determined by an appraisal from a certified general real property appraiser commissioned by the school district."

These waivers will be voted on by Kentucky Board of Education on June 8, 2022.

Contact me should you have additional questions.

Approved by the
Bullitt County
Board of Education
Date **MAY 23 2022**

A RESOLUTION of the Bullitt County Board of Education

**Waiver of appraisal requirement from the Kentucky Board of Education under 702 KAR 4:090
Section 1 Disposition of Real Property (3)**

WHEREAS, the Bullitt County Board of Education (BCBE) is seeking a waiver from the Kentucky Board of Education (KBE) pursuant to KRS 156.160(2); and

WHEREAS, the Kentucky Transportation Cabinet (KYTC) is seeking to acquire certain road frontage real property owned by the Board of Education of Bullitt County and/or the Bullitt County School Finance District Corporation (collectively BCBE) and serving as the campus of Bullitt East High School, located on Ky Highway 44, for the purpose of expanding Highway 44 to alleviate traffic congestion for Bullitt East High School and the Mt. Washington, Bullitt County community; and

WHEREAS, in order to determine the fair market value for disposition of real property, 702 KAR 4:090 Section 1.3 requires the BCBE to provide the KBE “an appraisal from a certified general real property appraiser commissioned by the school district and obtained in connection with the disposal of the property”; and

WHEREAS, implementation of the appraisal requirement will cause unnecessary hardship and expense to BCBE. An appraisal (though not from a certified general real property appraiser) has already been completed by the KYTC by experienced staff as part of the regular and standard course of business within the KYTC right-of-way department. Because the proposed road improvements benefit Bullitt County residents beyond Bullitt East High School, it is excessive to require the BCBE to pay for an additional appraisal. The school district is in agreement with the indicated appraised value having had several properties adjacent to or near Bullitt East High School recently appraised by a certified general real property appraiser for unrelated purposes; and

WHEREAS, the KYTC appraisal is an alternative approach which achieves the same result required by the administrative regulation because an additional appraisal will most likely not yield a variable appraisal amount; and

WHEREAS, if the appraisal requirement is waived, road construction can commence as early as this summer and will lessen the disruptions for the upcoming school year. Securing a certified appraisal will delay the project start date and disrupt Bullitt East High School; the BCBE has been advised a certified appraiser cannot begin the project until the end of June 2022.

NOW, THEREFORE: Be it resolved by the Bullitt County Board of Education:

On a Motion by Linda Belcher, seconded by Lisa Hodges,
the Board hereby **RESOLVES** as follows:

By majority vote, the Board hereby seeks a waiver of the appraisal requirement under 702 KAR 4:090 Section 1.3 and this Resolution is being submitted to the Kentucky Department of Education as notice of this action.

Adopted by the Board this 23rd day of MAY, 2022.

Attested by Seborah Atkinson, Chair of the Board.

A RESOLUTION of the Bullitt County Board of Education

**Waiver of appraisal requirement from the Kentucky Board of Education under 702 KAR 4:090
Section 2 Disposition by Easement (2(c))**

WHEREAS, the Bullitt County Board of Education (BCBE) is seeking a waiver from the Kentucky Board of Education (KBE) pursuant to KRS 156.160(2); and

WHEREAS, the Kentucky Transportation Cabinet (KYTC) is seeking to acquire certain road frontage real property owned by the Board of Education of Bullitt County and/or the Bullitt County School Finance District Corporation (collectively BCBE) and serving as the campus of Bullitt East High School, located on Ky Highway 44, for the purpose of expanding Highway 44 to alleviate traffic congestion for Bullitt East High School and the Mt. Washington, Bullitt County community; and

WHEREAS, in order to determine the fair market value for disposition by easement, 702 KAR 4:090 Section 2.2(c) requires proposed easement agreements to include "an appraisal from a certified general real property appraiser commissioned by the school district"; and

WHEREAS, implementation of the appraisal requirement will cause unnecessary hardship and expense to BCBE. An appraisal (though not from a certified general real property appraiser) has already been completed by the KYTC by experienced staff as part of the regular and standard course of business within the KYTC right-of-way department. Because the proposed road improvements benefit Bullitt County residents beyond Bullitt East High School, it is excessive to require the BCBE to pay for an additional appraisal. The school district is in agreement with the indicated appraised value having had several properties adjacent to or near Bullitt East High School recently appraised by a certified general real property appraiser for unrelated purposes; and

WHEREAS, the KYTC appraisal is an alternative approach which achieves the same result required by the administrative regulation because an additional appraisal will most likely not yield a variable appraisal amount; and

WHEREAS, if the appraisal requirement is waived, road construction can commence as early as this summer and will lessen the disruptions for the upcoming school year. Securing a certified appraisal will delay the project start date and disrupt Bullitt East High School; the BCBE has been advised a certified appraiser cannot begin the project until the end of June 2022.

NOW, THEREFORE: Be it resolved by the Bullitt County Board of Education:

On a Motion by Linda Belcher, seconded by Lisa Hodges,
the Board hereby **RESOLVES** as follows:

By majority vote, the Board hereby seeks a waiver of the appraisal requirement under 702 KAR 4:090 Section 2.2(c) and this Resolution is being submitted to the Kentucky Department of Education as notice of this action.

Adopted by the Board this 23rd day of MAY, 2022.

Attested by , Chair of the Board.