

**WILLIAMS COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION NO. 2019-06-18**

**TITLE:     A RESOLUTION DIRECTING SALE OF TRAILER**

**WHEREAS**, North Dakota Century Code § 11-09.1-05 authorizes Williams County and its citizens, if included in a home rule charter and implemented through ordinances, (1) to acquire, hold, operate, and dispose of property within or without the County limits; (2) to control its finances and fiscal affairs, and appropriate money for its purposes; and (3) to provide for the adoption of ordinances and resolutions to carry out its governmental and proprietary powers, except as provided by law;

**WHEREAS**, Williams County adopted the Williams County Home Rule Charter ("the Charter") pursuant to N.D.C.C. Chapter 11-09.1 on May 2, 2006, which was recorded in the Office of the Williams County Recorder on August 30, 2006, as Document No. 638482;

**WHEREAS**, Charter, Article 1, gives the Williams County Board of County Commissioners ("the Board") the power to enact ordinances and resolutions to carry out the express and implied powers granted by the Charter;

**WHEREAS**, Charter, Article 2, gives the Board the power, subject to implementation by ordinance or resolution, to (1) acquire, hold, operate, and dispose of property within or without the County limits; (2) control its finances and fiscal affairs and appropriate money for its purposes; and (3) provide for the adoption of ordinances and resolutions to carry out its governmental and proprietary powers, except as provided by the Charter;

**WHEREAS**, the Board owns a 2012 Clayton Glen Brook Villa Trailer, VIN # MDC373839IN, including the attached steps and any appliances, window treatments, furnishings therein ("Trailer") which is currently located at 607 Main Street in Ray, North Dakota;

**WHEREAS**, the Board advertised the Trailer for sale through the bidding process set forth in N.D.C.C. Chapter 11-27 and, at its meeting on June 4, 2019, rejected all bids due to the low amount of any qualified bid in relation to the market value of the Trailer;

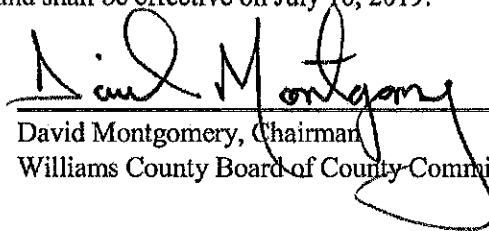
**WHEREAS**, the Board, through its powers set forth in the Charter, now desires to sell the Trailer through a private sale, subject to approval by the Board, or, if no private sale can be made acceptable to the Board, through an exclusive listing agreement with a real estate agent, subject to approval by the Board;

**WHEREAS**, at the Board's regularly scheduled meeting held on June 18, 2019, Commissioner Steve Kemp moved to adopt this Resolution authorizing sale of the Trailer through a private sale, subject to approval by the Board, or, if no private sale can be made acceptable to the Board, through an exclusive listing agreement with a real estate agent, subject to approval by the Board, and Commissioner Barry Ramberg seconded the motion, and the motion having been submitted to a roll call vote of the elected County Commissioners:

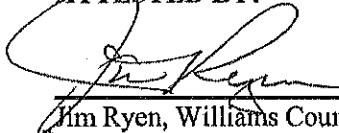
David Montgomery, Chairman	Yes <u>  X  </u>	No <u>      </u>
Steve Kemp, Vice Chairman	Yes <u>  X  </u>	No <u>      </u>
Barry Ramberg, Commissioner	Yes <u>  X  </u>	No <u>      </u>
Cory Hanson, Commissioner	Yes <u>  X  </u>	No <u>      </u>
Beau Anderson, Commissioner	Yes <u>  X  </u>	No <u>      </u>

**NOW, THEREFORE, BE IT RESOLVED** by majority vote of the Williams County Board of County Commissioners as follows:

1. That Williams County owns a 2012 Clayton Glen Brook Villa Trailer, VIN # MDC373839IN, including the steps and appliances, window treatments, furnishings, if any, therein ("Trailer") which is currently located at 607 Main Street in Ray, North Dakota;
2. That the Williams County Board of County Commissioners ("the Board") desires to sell the Trailer and obtain fair market value for the Trailer;
3. That the Board, through the Williams County Home Rule Charter powers as stated herein, hereby authorizes and orders the sale of the Trailer through a private sale, subject to approval by the Board, or, if no private sale can be made acceptable to the Board, through an exclusive listing agreement with a real estate agent licensed and doing business in Williams County, State of North Dakota, subject to approval by the Board;
4. That, in the event the Trailer is sold through an exclusive listing agreement with a real estate agent, the maximum sales commission for the sale of the Trailer shall be six percent (6%) of the gross selling price;
5. That the Williams County Communications Office and the Williams County State's Attorney's Office shall coordinate together as follows:
  - a. Arrange and negotiate the sale of the Trailer through a private sale, including setting terms and conditions, subject to the Board's right to accept or reject any such sale or offer to purchase and/or any term and condition thereof; OR
  - b. If no private sale can be made acceptable to the Board, arrange and obtain an exclusive listing agreement with a real estate agent licensed and doing business in Williams County, State of North Dakota, for the sale of the Trailer, including listing the Trailer for sale, executing any instruments required to list the Trailer, and negotiating terms and conditions, subject to a maximum sales commission of six percent (6%) of the gross selling price and subject to the Board's right to accept or reject any such offer, and/or any term and condition thereof.
6. This Resolution is hereby adopted and shall be effective on July 16, 2019.

  
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David Montgomery, Chairman  
Williams County Board of County Commissioners

**ATTESTED BY:**

  
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Jim Ryen, Williams County Deputy Auditor

First Reading: June 18, 2019  
Publication: June 23, 2019  
Second Reading: July 16, 2019