Regulation FGB-R(1): Site Acquisition Procedures

Status: ADOPTED

Original Adopted Date: 10/22/2020 **| Last Revised Date:** 11/19/2020 **| Last Reviewed Date:** 11/19/2020

Site Acquisition Procedures

The following procedures will be followed in connection with the acquisition of real estate for school purposes:

1. The ~~Bibb County Board of Education~~Board of Public Education for Bibb County ("Board") will adopt a resolution in executive session, as allowed in O.C.G.A. § 50-14-3, identifying the real property as necessary for school purposes. The resolution will authorize the Superintendent or designee to negotiate with the property owner(s), secure appraisals, and utilize legal services to enable the Board to make an informed and bona fide offer to acquire the property.

2. The owners will be notified by letter of the intent of the Bibb County School District ("District") ~~that the District is considering~~ to consider the acquisition of the property.

3. If the real property has a value estimated to be no more than $200,000.00, the District will secure ~~only~~ at least one independent appraisal. If the real property has an estimated value that exceeds $200,000.00, the District will secure two independent appraisals.

4. The ~~Executive Director of Capital Programs~~Assistant Superintendent or Operations or designee will be responsible for obtaining the required appraisal(s).

5. Once the written appraisal(s) has been obtained, the Superintendent or designee will make a written report to the Board during executive session, which will include the following:

   a. The fair market value of the property as determined by the appraisal(s);

   b. The asking price for the real property;

   c. The report will also include a recommendation to purchase the real property by ~~a private negotiated sale~~means as directed by the Board based on the appraisal(s);

   d. If the property is to be offered by a private negotiated sale, the report will identify the name of the seller and the anticipated terms and conditions of the sale; and

   e. The Board will make a decision regarding the purchase based on the recommendation.

   No vote in executive session to acquire property shall be binding on the District until a subsequent vote is taken in an open meeting where the identity of the property and the terms of the acquisition are disclosed before the vote.

6. The Board will be represented by legal counsel during the negotiation of a contract for the purchase of the property.

7. The Board will prepare a purchase and sale agreement approved by the Board's legal counsel to purchase the property.

8. If a mutually satisfactory contract of sale can be negotiated, the Board ~~will consider and~~ vote on the contract in an open meeting.

9. Every reasonable effort will be made to negotiate a fair contract with the owner. If the property owner is unwilling to accept the Board's last offer, the Superintendent may propose to the Board that it consider acquiring the property by eminent domain. Upon resolution, ~~T~~the Board ~~will~~may authorize the Superintendent to proceed with the condemnation of property for school purposes only, when in its judgment, the property is necessary for public

school or educational purposes, and the Board is satisfied that every reasonable effort to acquire real property by negotiation has been made. The Board will follow all state laws and regulations in acquiring real property by eminent domain.