

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: August 14, 2007

SUBJECT: Resolution Authorizing the Surplus and Disposition of Personal Property by Private Sale

ATTACHMENTS: Request from the Town of Mills River
N.C.G.S. 160A-274 – Sale of Governmental Property
Proposed Resolution

SUMMARY OF REQUEST:

The Henderson County Sheriff has received a request from the Town of Mills River to purchase a 2005 Dodge Durango, VIN#1DHB38N25F578946, which is currently driven by the deputy assigned to the Town. This vehicle will be replaced by a new patrol car that will be paid for from the continued service contract between the Sheriff's Department and the Town.

The selling price to the Town of Mills River has been calculated to be \$9,420 which is the remaining net cost to the County after giving the Town credit for \$14,800 in vehicle cost reimbursement payments made over the last two fiscal years under its service contract with the Sheriff's Department.

The sale of personal property to another local governmental unit is authorized under N.C.G.S. 160A-274.

BOARD ACTION REQUESTED:

The Sheriff requests that the Board consider approving the attached resolution declaring the 2005 Dodge Durango surplus and authorizing the sale of this vehicle to the Town of Mills River at the stated price.

Suggested Motion:

I move that the Board of Commissioners approve the proposed resolution declaring the 2005 Dodge Durango as surplus and authorizing the sale of this vehicle to the Town of Mills River at the stated price.



Council Members
Roger Snyder, Mayor
Lois Pryor, Mayor Pro Tem
Wayne Carland
Ed Glenn
Shanon Gonce

THE TOWN OF MILLS RIVER
5046 Boylston Highway, Suite 3
Mills River, North Carolina 28759
Voice (828) 890-2901 • Fax (828) 890-2903

August 2, 2007

Sheriff Rick Davis
201 North Main Street
Hendersonville, NC 28792

Dear Sheriff Davis:

The Town of Mills River Council and Staff would like to commend you for your efforts to reduce the cost of patrol within the Sheriff's Department while maintaining the high level of service our citizens expect. We understand your modifications to fleet including the reduction of 4 X 4 Dodge Durangos will save tax dollars and improve your efficiency with fleet on a regular basis while maintaining some vehicles to be available during emergencies and inclement weather.

In keeping with your policy, the Town of Mills River would like to propose that the option listed in our contract with the Sheriff's Department to purchase the vehicle driven by our assigned deputy be exercised now instead of that the end of the contract. This would remove the Durango currently in use and require a replacement, presumably a Dodge Charger. We realize that this will entail a request to the County Commissioners to surplus this vehicle prior to sale and that we may also need to renegotiate or amend the contract with your department for supplemental police protection.

Please let us know at your earliest convenience if this proposal is of interest to you and what other information is required to begin the process of surplus the vehicle through the Henderson County Commissioners

Sincerely,

Jaime Adrignola, AICP
Town Manager

CC: Steve Wyatt, Henderson County Manager
Selena Coffey, Assistant Henderson County Manager

§ 160A-274. Sale, lease, exchange and joint use of governmental property.

(a) For the purposes of this section, "governmental unit" means a city, county, school administrative unit, sanitary district, fire district, the State, or any other public district, authority, department, agency, board, commission, or institution.

(b) Any governmental unit may, upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property.

(c) Action under this section shall be taken by the governing body of the governmental unit. Action hereunder by any State agency, except the Department of Transportation, shall be taken only after approval by the Department of Administration. Action with regard to State property under the control of the Department of Transportation shall be taken by the Department of Transportation or its duly authorized delegate. Provided, any county board of education or board of education for any city administrative unit may, upon such terms and conditions as it deems wise, lease to another governmental unit for one dollar (\$1.00) per year any real property owned or held by the board which has been determined by the board to be unnecessary or undesirable for public school purposes. (1969, c. 806; 1971, c. 698, s. 1; 1973, c. 507, s. 5; 1975, c. 455; c. 664, s. 9; c. 879, s. 46; 1977, c. 464, s. 34; 2001-328, s. 6.)

*This document (also available in PDF and RTF formats) is not an official document.
Please read the caveats on the main NC Statutes page for more information.*

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF HENDERSON COUNTY AUTHORIZING THE DISPOSITION OF SURPLUS PERSONAL
PROPERTY BY PRIVATE SALE TO ANOTHER LOCAL GOVERNMENTAL UNIT
AS AUTHORIZED BY N.C.G.S. 160A-274**

WHEREAS, the Sheriff of Henderson County has received a request from the Town of Mills River, North Carolina to purchase a 2005 Dodge Durango, VIN#1DHB38N25F578946, which is currently being driven by the deputy assigned to the Town; and

WHEREAS, the selling price to the Town of Mills River has been calculated to be \$9,420 which is the remaining County cost after credits of \$14,800 paid by the Town over the last two fiscal years under it's service contract with the Sheriff's Department; and

WHEREAS, the Town of Mills River will be paying for the purchase of a new patrol vehicle to replace the 2005 Dodge Durango through it's continued service contact with the Sheriff's Department; and

WHEREAS, the Henderson County Board of Commissioners desire to surplus and sell the vehicle to the Town of Mills River as allowed under N.C.G.S. 160A-274.

NOW, THEREFORE BE IT RESOLVED by the Henderson County Board of Commissioners as follows:

- (1) The 2005 Dodge Durango, VIN#1DHB38N25F578946, is declared surplus personal property.
- (2) The Sheriff and the Finance Director are hereby authorized to dispose of the aforementioned vehicle by private sale to the Town of Mills River at a price of \$9,420 as authorized by N.C.G.S. 160A-274.

This the 14th day of August 2007.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
William L. Moyer, Chairman

ATTEST:

Elizabeth W. Corn, Clerk to the Board

[OFFICIAL SEAL]