

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: November 20, 2013

SUBJECT: Resolution Declaring Personal Property as Surplus and Authorizing the Disposition of Personal Property by Private Sale to a Local Governmental Unit

PRESENTER: Major Frank Stout, Sheriff's Department

ATTACHMENTS: Resolution
N.C.G.S. 160A-274
Request from Town of Black Mountain, NC
List of Proposed Surplus Property

SUMMARY OF REQUEST:

Henderson County has received a request from the Town of Black Mountain in North Carolina to purchase nine (9) Golden Eagle radar units that are no longer in use by the Henderson County Sheriff's Department. The Sheriff's Public Information Officer, Major Frank Stout, negotiated a price of \$500 per radar unit for a total of \$4,500 for the nine (9) radar units with the Chief of Police at the Black Mountain Police Department.

Attached for the Board's consideration and approval is a resolution declaring the radar units as surplus and authorizing the private sale to another local governmental unit as allowed under N.C.G.S. 160A-274 (attached).

BOARD ACTION REQUESTED:

Staff requests that the Board consider approving the attached resolution declaring the attached list of Radar Units as surplus and authorizes the private sale to another local governmental unit as allowed under N.C.G.S. 160A-274.

Suggested Motion:

I move that the Board approve the attached resolution declaring the list of Radar Units presented as surplus and authorizes the private sale to another local governmental unit as allowed under N.C.G.S. 160A-274.

**RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS
AND AUTHORIZING THE DISPOSITION OF PERSONAL PROPERTY
BY PRIVATE SALE TO A LOCAL GOVERNMENT UNIT**

WHEREAS, Henderson County owns the Radar Units itemized on the attached Exhibit B, hereinafter referred to as "surplus property", that is either obsolete or no longer needed for any governmental use by the County; and

WHEREAS, the Henderson County Board of Commissioners is desirous of declaring the Radar Units as surplus and selling via private sale to another local governmental unit as authorized by NCGS 160A-274; and

WHEREAS, it is the intent of the County to sell said surplus Radar Units

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

1. The Radar Units itemized on the attached Exhibit B is hereby declared to be surplus property.
2. The Purchasing Agent is hereby authorized to dispose by private sale to another local governmental unit, the surplus property described above in the amount of \$4,500.00.
3. All surplus property will be sold "as is", all sales final. Henderson County makes no express or implied warranties of merchantability of any surplus property, or part thereof, or its fitness for any particular purpose regardless of any oral statements that may be made concerning the surplus property or any part thereof.

THIS the 20th day of November, 2013.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
Charles Messer, Chairman

ATTEST:

Teresa L. Wilson, Clerk to the Board

[OFFICIAL SEAL]

§ 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.)



Black Mountain Police Department

106 Montreat Road • Black Mountain, North Carolina 28711 • Phone (828) 419-3300

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11/6/2013

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Steve Padgett
Black Mountain Police Department
106 Montreat Road
Black Mountain, NC 28711

Major Frank Stout
Henderson County Sheriff's Department

Dear Sir,

We are respectfully requesting to purchase nine (9) Golden Eagle radars units at \$500.00 each from your agency. Currently we have Pro 1000 radar units which will not be supported by North Carolina in the near future. These units will be used to reduce speed of the motoring public.

Thank you for your consideration.

Steve Padgett
Chief of Police

Black Mountain Police Department

Exhibit B

List of Radar Units:

<u>Radar</u>	<u>Serial</u>	<u>Asset#</u>
Golden Eagle	XE19225	14473
Golden Eagle	XE19003	14522
Golden Eagle	XE18387	14240
Golden Eagle	XE20659	14635
Golden Eagle	XE23938	15584
Golden Eagle	XE21708	14978
Golden Eagle	XE21692	14972
Golden Eagle	XE23929	15582
Golden Eagle	XE21689	14971