

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: May 12, 2014

SUBJECT: Disposition of Personal Property by Private Sale

PRESENTER: J. Carey McLelland, Finance Director

ATTACHMENTS: 1) N.C.G.S. 160A-267
2) Publisher's Affidavit

SUMMARY OF REQUEST:

The Board of Commissioners adopted a resolution on April 7, 2014 authorizing the disposition of three (3) sewage pumps no longer used by Cane Creek Sewer & Water District via private sale to Mountain Home Health and Rehabilitation in Hendersonville, NC for a negotiated total price of \$12,000. A legal notice summarizing the adopted resolution was published in the Hendersonville Tribune on April 10, 2014 to satisfy the requirements of N.C.G.S 160A-267. After publication, there was no contact from any other parties expressing interest in purchasing these sewage pumps which were declared as surplus by the Board. Payment for the sewage pumps was received in full from Mountain Home Health and Rehabilitation on April 29, 2014.

Attached is the publisher's affidavit from the Hendersonville Tribune to demonstrate Henderson County's compliance with N.C.G.S. 160A-267.

BOARD ACTION REQUESTED:

No Board action requested. Information only.

§ 160A-267. Private sale.

When the council proposes to dispose of property by private sale, it shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property by private sale at a negotiated price. The resolution or order shall identify the property to be sold and may, but need not, specify a minimum price. A notice summarizing the contents of the resolution or order shall be published once after its adoption, and no sale shall be consummated thereunder until 10 days after its publication. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 24.)

The Hendersonville Tribune

Affidavit of Publication

HENDERSON COUNTY, NORTH CAROLINA

Before the undersigned, a Notary public of Henderson County, North Carolina, duly commissioned, qualified and authorized by law to administer oaths, personally appeared

Angela Georgi of

The Hendersonville Tribune, a newspaper published, issued and entered as second-class mail in the City of Hendersonville, in said County and State; that he/she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is displayed hereto, was published in **The Hendersonville Tribune**, on the following date or dates:

4/10 2014

Said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and is a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

The 11 day of April 2014
Angela Georgi

Sworn and subscribed before me,
this 11 day of April 2014
[Signature]

Notary Public, My commission expires
August 18, 2017

LEGAL NOTICE

The Henderson County Board of Commissioners at their regularly scheduled meeting on April 7, 2014 adopted a resolution declaring three (3) sewage pumps owned by the Cane Creek Water and Sewer District as surplus and authorized the Purchasing Agent to dispose by private sale to Mountain Home Health and Rehabilitation in the amount of \$12,000. All surplus property is sold "as is", all sales final. This public notice is required pursuant to N.C.G.S. 160A-267.
Randall Cox
Purchasing Agent
April 10, 2014
(HL1147) 4/10