

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: September 17, 2014

SUBJECT: Resolution Prescribing Procedures for Property Disposal

PRESENTER: J. Carey McLelland, Finance Director

ATTACHMENTS: 1) Resolution
2) NCGS 160A-266(c)

SUMMARY OF REQUEST:

Attached for the Board's consideration is a resolution authorizing the Purchasing Agent to dispose of any surplus personal property owned by the County of Henderson, whenever the Purchasing Agent and the Finance Director jointly determine, in their discretion, that: (a) the item or group of items has a fair market value of less than thirty thousand dollars (\$30,000), (b) the property is no longer necessary for the conduct of public business; and, (c) sound property management principles and financial considerations indicate that the interests of Henderson County would be best served by disposing of the property.

This resolution applies only to Fixed Assets considered to be Personal Property and specifically excludes any Real Property owned by the County that remains subject to legal bid procedures regardless of value.

BOARD ACTION REQUESTED:

Staff requests that the Board consider approving the attached resolution authorizing the Purchasing Agent and Finance Director to dispose of any surplus personal property owned by Henderson County with a fair market value of less than thirty thousand dollars (\$30,000) pursuant to N.C.G.S 160A-266(c).

Suggested Motion:

I move that the Board approve the attached resolution authorizing the Purchasing Agent and Finance Director to dispose of any surplus personal property owned by Henderson County with a fair market value of less than thirty thousand dollars (\$30,000) pursuant to N.C.G.S 160A-266(c).

**A RESOLUTION PRESCRIBING PROCEDURES
FOR DISPOSING OF
PERSONAL PROPERTY VALUED AT LESS THAN \$30,000**

BE IT RESOLVED by the Board of Commissioners of the County of Henderson:

Section 1. The Purchasing Agent is hereby authorized to dispose of any surplus personal property owned by the County of Henderson, whenever the Purchasing Agent and Finance Director, jointly determine that:

- (a) the item or group of items has a fair market value of less than thirty thousand dollars (\$30,000.00);
- (b) the property is no longer necessary for the conduct of public business; and,
- (c) sound property management principles and financial considerations indicate that the interests of Henderson County would best be served by disposing of the property.

Section 2. The Purchasing Agent may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. Gen. Stat. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to Henderson County if greater value may be obtained in that manner, and the Purchasing Agent is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Purchasing Agent may obtain any reasonably available salvage value or cause it to be discarded. No surplus property may be donated to any individual or organization except by resolution of the Henderson County Board of Commissioners.

Section 4. The Purchasing Agent shall keep a record of all property sold under authority of this resolution and that record shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Section 5. This resolution is enacted pursuant to the provisions of N.C. Gen. Stat. § 160A-266(c).

Section 6. This resolution shall become effective upon adoption.

THIS the 17th day of September, 2014.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
Charles Messer, Chairman

ATTEST:

Teresa L. Wilson, Clerk to the Board

[OFFICIAL SEAL]

§ 160A-266. Methods of sale; limitation

(c) A city council may adopt regulations prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items in substitution for the requirements of this Article. The regulations shall be designed to secure for the city fair market value for all property disposed of and to accomplish the disposal efficiently and economically. The regulations may, but need not, require published notice, and may provide for either public or private exchanges and sales. The council may authorize one or more city officials to declare surplus any personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the city in accord with the regulations. A city official authorized under this section to dispose of property shall keep a record of all property sold under this section and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.