

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: September 8, 2015

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

PRESENTER: Captain Steve Carter, Sheriff's Department

ATTACHMENTS: Resolution
N.C.G.S. 160A-274
List of Proposed Surplus Property

SUMMARY OF REQUEST:

As a result of the expiration of the contract between the Henderson County Sheriff's Department and the Hendersonville Housing Authority, the Sheriff's Department is requesting to transfer title of two (2) 2010 Dodge Chargers and associated equipment (light bar and radio) to the Housing Authority that were paid for as part of the Sheriff's prior year contract to provide dedicated security and law enforcement to the Hendersonville Housing Authority.

Attached for the Board's consideration and approval is a resolution declaring the vehicles and associated equipment as surplus and authorizing the private sale to another governmental unit as allowed under N.C.G.S. 160A-274.

BOARD ACTION REQUESTED:

Staff requests that the Board consider approving the attached resolution declaring the attached list of vehicles and associated equipment as surplus and authorizes the private sale to another 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 vehicles and associated equipment presented as surplus and authorizes the private sale to another 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**

WHEREAS, Henderson County owns the vehicles and associated equipment 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 vehicles and associated equipment as surplus and selling via private sale to the Hendersonville Housing Authority as authorized by NCGS 160A-274; and

WHEREAS, it is the intent of the County to sell said surplus vehicles and associated equipment.

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

1. The vehicles and associated equipment itemized on the attached Exhibit B are hereby declared to be surplus property.
2. The Henderson County Sheriff's Department is hereby authorized to dispose by private sale, the surplus property described above to the Hendersonville Housing Authority.
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 8th day of September, 2015.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
Thomas H. Thompson, 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.)

Exhibit B

List of surplus vehicles:

<u>DEPARTMENT</u>	<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>HC#</u>	<u>VIN#</u>	<u>Asset#</u>
Sheriff	2010	Dodge	Charger	SH-219	2B3AA4CT4AH161769	14258
Sheriff	2010	Dodge	Charger	SH-236	2B3AA4CT2AH161768	14257