

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** October 4, 2021

**SUBJECT:** K9 Gitmo Purchase Agreement

**PRESENTER:** Sheriff Lowell S. Griffin

**ATTACHMENTS:** Yes  
1. K9 Purchase Agreement

**SUMMARY OF REQUEST:**

The Sheriff's Department is requesting that the Board approve the purchase of K9 Gitmo by Rutherford County for use by their Sheriff's Office. K9 Gitmo has a remaining service life of no more than two years and Rutherford County is willing to pay Henderson County the sum of one thousand (\$1,000.00) dollars which is the fair market value of this canine. Rutherford County is aware of the inherent risks associated with working K9s is willing to accept such risks and agrees to indemnify and hold harmless Henderson County from any and all claims or any cause of action whatsoever arising from K9 Gitmo.

**BOARD ACTION REQUESTED:**

The Board is requested to approve the attached K9 Purchase Agreement to transfer the ownership of K9 Gitmo to Rutherford County pursuant to NC General Statute 160A-274 which permits any governmental unit to sell to, or purchase from any other governmental unit any interest in real or personal property.

**Suggested Motion:**

*I move the Board of Commissioners approve the attached K9 Purchase Agreement to allow Rutherford County to purchase K9 Gitmo and ownership be transferred.*

**STATE OF NORTH CAROLINA**

**COUNTY OF HENDERSON**

**K9 PURCHASE AGREEMENT**

**THIS PURCHASE AGREEMENT** is made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the County of Rutherford, a body politic and corporate and a political subdivision of the State of North Carolina, hereinafter “Rutherford County” and the County of Henderson, a political subdivision of the State of North Carolina and body politic and corporate, hereinafter “Henderson County”.

**WITNESSETH:**

**WHEREAS**, Henderson County is the owner of a certain Belgian Malinois canine (K-9), hereinafter “Gitmo”, whose date of birth is September 24, 2014 and further identified by microchip number 981020013507380, and

**WHEREAS**, the K9 Gitmo has a remaining service life of no more than two (2) years, and

**WHEREAS**, NC General Statute 160A-274 permits any governmental unit to sell to, or purchase from any other governmental unit any interest in real or personal property, and

**WHEREAS**, Rutherford County is desirous of acquiring Gitmo from Henderson County, and is willing to pay to Henderson County the sum of one thousand (\$1,000) dollars which amount is equal to the fair market value of the canine, considering the life expectancy and potential service life of the canine, and

**WHEREAS**, Rutherford County is aware of the inherent risks associated with working K9s is willing to accept such risks and agrees to indemnify and hold harmless Henderson County from any and all claims or any cause of action whatsoever arising from K9 Gitmo.

**NOW THEREFORE**, in consideration of the sum of One Thousand (\$1,000) Dollars, the sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Rutherford County shall pay to Henderson County the sum of One Thousand (\$1,000) Dollars,

2. Henderson County shall transfer ownership of K9 Gitmo to Rutherford County, and
3. Rutherford County shall indemnify and hold harmless Henderson County from any and all claims or cause of action arising out of the K9 Gitmo.

This the \_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_

Chairman

Henderson County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Clerk to the Board of Commissioners