

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: April 7, 2025

SUBJECT: Surplus and Donation of Laptop - Bullington Gardens, Inc.

PRESENTER: Mark Seelenbacher, IT Director

ATTACHMENTS:

- 1) Resolution
- 2) N.C.G.S. 160A-280
- 3) List of Proposed Surplus Property

SUMMARY OF REQUEST:

Attached for the Board's consideration is a resolution declaring one (1) Dell Laptop no longer used by Henderson County as surplus property and requesting the donation of the laptop to Bullington Gardens, Inc., a 501(c)(3) organization, as allowed by N.C.G.S. 160A-280.

BOARD ACTION REQUESTED:

Staff requests the Board consider approving the attached resolution declaring the laptop as surplus and authorizing its donation to Bullington Gardens, Inc. as allowed by N.C.G.S. 160A-280.

Suggested Motion:

I move that the Board approve the attached resolution declaring the laptop presented as surplus and authorize its donation to Bullington Gardens, Inc. as allowed by N.C.G.S. 160A- 280.

**RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS
AND AUTHORIZING THE DISPOSITION OF PERSONAL PROPERTY
BY DONATION**

WHEREAS, Henderson County owns the Dell Laptop 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 Dell Laptop as surplus and transferring it to Bullington Gardens, Inc, a 501(c)(3) organization, via donation as authorized by N.C.G.S. 160A-280 (Exhibit A); and

WHEREAS, it is the intent of the County to donate said surplus property.

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

1. The Dell Laptop itemized on the attached Exhibit B is hereby declared to be surplus property.
2. Henderson County Department of Information Technology is hereby authorized to transfer by donation, the surplus property described above to the Bullington Gardens, Inc.
3. 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 7th day of April 2025.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
William Lapsley, Chairman

ATTEST:

Denisa Lauffer, Clerk to the Board

[OFFICIAL SEAL]

Exhibit A - N.C.G.S. 160A-280

§ 160A-280. Donations of personal property to other governmental units.

(a) A city may donate to another governmental unit within the United States, a sister city, or a nonprofit organization incorporated by (i) the United States, (ii) the District of Columbia, or (iii) one of the United States, any personal property, including supplies, materials, and equipment, that the governing board deems to be surplus, obsolete, or unused. The governing board of the city shall post a public notice at least five days prior to the adoption of a resolution approving the donation. The resolution shall be adopted prior to making any donation of surplus, obsolete, or unused personal property. For purposes of this section a sister city is a city in a nation other than the United States that has entered into a formal, written agreement or memorandum of understanding with the donor city for the purposes of establishing a long term partnership to promote communication, understanding, and goodwill between peoples and to develop mutually beneficial activities, programs, and ideas. The agreement or memorandum of understanding establishing the sister city relationship shall be signed by the mayors or chief elective officer of both the donor and recipient cities.

(b) For the purposes of this section, the term "governmental unit" shall have the same meaning as defined by G.S. 160A-274(a) and shall include North Carolina charter schools.

(c) The authority granted to a city under this section is in addition to any authority granted under any other provision of law. (2007-430, s. 1; 2009-141, ss. 1, 2, 3.)

Exhibit B - List of Proposed Surplus Property:

<u>DEPARTMENT</u>	<u>Date</u>	<u>Make</u>	<u>Model</u>	<u>Serial#</u>	<u>Asset#</u>
Information Technology	4/1/2018	Dell	Latitude 7280	9MTL1N2	19760