

# Town of Blowing Rock

## Request for Council Action

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FROM: Ed Evans  
SUBJECT: Resolution No. 2017-09: *Town of Blowing Rock Regulations Prescribing Procedures for Disposing of Personal Property Valued at Less than \$30,000'*  
TO: Council  
DATE: April 11, 2017  
REQUESTED BY: Manager Ed Evans

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Public Hearing Required  Yes  No  
Properly Advertised  Yes  No  Will be required  
Public Notice  Yes  No  Will be required

### BACKGROUND:

When capital assets are no longer used as originally authorized and are unable to be repurposed by the governing agency, then they may be considered surplus. Article 12 of North Carolina General Statute Chapter § 160A governs the disposal of personal property.

Proper disposal of personal property that has achieved its maximum benefit for the town provides for effective property management and the safeguarding of public investment. North Carolina General Statute § 160A-266 (c) provides that 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. 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. To accomplish this task the Town Council is given authority by the state to authorize a town official to declare surplus property and dispose of it through prescribed regulations adopted by the Town Council.

Staff is requesting that Council review and approve the proposed *Regulations Prescribing Procedures for Disposing of Personal Property Valued at Less Than \$30,000* through adoption of Resolution No. 2017-09. Doing so will enable staff to implement good housekeeping measures to ensure optimum usage of tax dollars.

### ATTACHMENTS:

1. Resolution No. 2017-09: *Town of Blowing Rock Regulations Prescribing Procedures for Disposing of Personal Property Valued at Less than \$30,000'* (1 page)

2. *Regulations Prescribing Procedures for Disposing of Personal Property Valued at Less Than \$30,000 (1 page)*

STAFF RECOMMENDATIONS:

Staff requests that Council exercise their power to **adopt** Resolution No. 2017-09: '*Town of Blowing Rock Regulations Prescribing Procedures for Disposing of Personal Property Valued at Less than \$30,000*'.

COUNCIL ACTION:

**TOWN OF BLOWING ROCK**  
**REGULATIONS PRESCRIBING PROCEDURES**  
**FOR DISPOSING OF**  
**PERSONAL PROPERTY VALUED AT LESS THAN \$30,000**

*The Regulations Prescribing Procedures for Disposing of Personal Property Valued at Less than \$30,000, Adopted by Resolution 2017-XX on April 11, 2017.*

**Section 1.** The Town Manager is hereby authorized to dispose of any surplus personal property owned by the Town of Blowing Rock, whenever he or she determines, in his or her discretion, 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 the Town would best be served by disposing of the property.

**Section 2.** The Town Manager 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 North Carolina General Statute 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 the Town if greater value may be obtained in that manner, and the Town Manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Town Manager may retain the property, 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 Town Council.

**Section 4.** The Town Manager 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 regulation prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) is enacted pursuant to the provisions of North Carolina General Statute § 160A-266(c).