



Town of Holly Springs

Town Council Meeting Agenda Form

Town Clerk's Office Use:

Agenda Item #:	9k
Attachment #:	5k

Meeting Date: May 15, 2018

Agenda Placement: Consent Agenda

(Special Recognitions (awards, proclamations), Requests & Communications (reports, information presentations), Public Hearings, Consent Agenda, Unfinished Business, New Business, Closed Session)

Subject Title: Ordinance to Allow Finance Department to Surplus

Presenter Name(s): N/a- Contact John Schifano or Lori Hobgood

SUBJECT HIGHLIGHTS:

General Statutes allow municipalities to delegate to their finance office the ability to surplus property that is under \$30,000 in value without individual town council resolutions. As the town has grown, the need to surplus unused personal property has also grown, and it is becoming administratively difficult and perhaps unnecessary for the finance office to prepare surplus resolutions. The finance office would maintain records on each sale to ensure that the town is receiving fair market value for the property sold.

Number of Motions with this Item: 1

Suggested motion(s):

Adopt ordinance 18-04 to authorize the finance office to declare and dispose of surplus personal property less than \$30,000 in value.

Funds, if applicable, are to be appropriated from account(s) / line item(s):

n/a

Staff Review Record

Are there exhibits for this agenda item? Yes

List them in order they should appear in packet: **Draft Ordinance**

Department head initials and comments, if applicable:

Finance director initials and comments, if applicable:

Town attorney initials and comments, if applicable:

Town manager initials and / or comments:

Town clerk initials jp

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

BE IT ORDAINED by the Council of the Town of Holly Springs:

Section 1. Chapter 1, Article V ("Finance") of the Town Code of Holly Springs is hereby amended as follows:

A new Section is hereby created as follows:

"Sec. 2-293 - Surplus of Property Disposal under \$30,000

(a) The Finance Director, or his or her designee, is hereby authorized to dispose of any surplus personal property owned by the Town of Holly Springs, whenever he or she determines, in his or her discretion, that:

1. the item or group of items has a fair market value of less than thirty thousand dollars (\$30,000.00);
2. the property is no longer necessary for the conduct of public business; and,
3. sound property management principles and financial considerations indicate that the interests of the Town would best be served by disposing of the property; and,
4. the method of sale chosen is likely to yield a sale that results in the Town receiving fair market value for the property sold in the most efficient and economically feasible manner.

(b). The Finance Director or designee 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.

(c). 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 Finance Director or designee, is hereby authorized to execute and deliver any applicable title documents. If no offers are

received within a reasonable time, the Finance Director or designee 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 Council.

(d). The Finance Director or designee shall keep a record of all property sold under authority of this Ordinance 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.

(e). The Finance Director 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 for the period prescribed by the municipal document retention schedule.

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

Section 6. This Ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 20__.

Mayor

ATTEST:

_____ Town Clerk

Approved as to Form: _____ Town Attorney