



**RESOLUTION PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$5,000**

**WHEREAS**, G.S. 160A-266 establishes a method to dispose of personal property and for the use of electronic advertising for electronic auction of surplus property under 160A-270(c); and,

**WHEREAS**, the local governing board may authorize one or more officials to declare the property surplus and to dispose of the property efficiently and economically at a fair market value following all procedure as set forth in G.S. 160A-266(c); and,

**WHEREAS**, the Town Council is granted authority to declare property surplus and under G.S. 160A-270(c) may advertise electronically the sale of any personal property; and,

**WHEREAS**, the Summerfield Town Council is of the opinion that it would be in the best interest of the Town to establish a procedure for disposing of such property;

**NOW, THEREFORE, BE IT RESOLVED** that the Summerfield Town Council hereby adopts the following procedure for Disposition of Personal Property Valued at Less Than \$5,000:

Section 1. The Town Manager is hereby authorized to declare surplus and dispose of any surplus personal property owned by the Town of Summerfield, 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 five thousand dollars (\$5,000.00); and
- (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 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 the N.C. 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 reasonable available salvage value, or cause it to be disposed of as waste

material. 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 Policy 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. Under no circumstances may Town Council members (or their immediate family, defined as spouse and children) bid on or receive surplus property from the Town of Summerfield.

Section 6. Town staff, volunteers, or private contractors (or their immediate family, as defined above) that are associated with the process to surplus property by determining what personal property is to be surplus, what the value is, or how the property should be surplus, may not bid on or receive surplus property.

Section 7. Town staff or volunteers not associated with the provisions of Section 6 above may only bid on or receive surplus property through a public bid process.

Section 8. This procedure is enacted pursuant to the provisions of N.C. General Statute 160A-266(c).

Section 9. This procedure shall become effective upon adoption.

Adopted on this the 9th day of November, 2010.



Mark E. Brown, Mayor

Attest: Valarie Halvorsen  
Valarie Halvorsen, Town Clerk