

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: MARCH 24, 2014

AGENDA ITEM NUMBER: 7

SUBJECT: RESOLUTION APPROVING THE DONATION OF SURPLUS COUNTY EQUIPMENT TO THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION PURSUANT TO THE PROVISIONS OF N.C.G.S. 160A-280 TO ASSIST WITH SNOW REMOVAL (GENERAL SERVICES DEPARTMENT)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION:

Forsyth County owns a Curtis snow plow and Curtis salt spreader which require repair and are no longer useful to the County due to their age and condition.

The Maintenance Division of the Winston-Salem/Forsyth County Schools has requested the above equipment be donated to the Schools System to assist with snow removal during inclement weather.

ATTACHMENTS: YES NO

SIGNATURE:


COUNTY MANAGER

DATE: March 19, 2014

**RESOLUTION APPROVING THE DONATION OF SURPLUS
COUNTY EQUIPMENT TO THE WINSTON-SALEM/FORSYTH COUNTY
BOARD OF EDUCATION PURSUANT TO THE PROVISIONS OF
N.C.G.S. 160A-280 TO ASSIST WITH SNOW REMOVAL
(GENERAL SERVICES DEPARTMENT)**

WHEREAS, Forsyth County owns a Curtis snow plow and Curtis salt spreader, which are in need of repair and are no longer useful to the County due to their age and condition and should be declared surplus to the County's needs; and

WHEREAS, N.C.G.S. 160A-280 allows counties to donate to another governmental unit any personal property that the Board of County Commissioners deems to be surplus, obsolete, or unused; and

WHEREAS, County staff recommends that the Curtis snow plow and Curtis salt spreader be declared surplus and be donated to the Winston-Salem/Forsyth County Board of Education, a school administrative unit which is a governmental unit as defined by N.C.G.S. 160A-274(a), to assist with snow removal during inclement weather; and

WHEREAS, the said personal property would be donated on the conditions that the Winston-Salem/Forsyth County Board of Education agrees that the equipment would be used or disposed of and the proceeds thereof used solely to support the needs of the Winston-Salem/Forsyth County Schools System and further agrees to waive all rights to make any claims against the County relating to any failure of performance of the said equipment; and

WHEREAS, pursuant to the provisions of N.C.G.S. 160A-280, the Forsyth County Board of Commissioners has caused a public notice of this proposed Resolution to be posted at least five days prior to the adoption of this Resolution approving the donation.

NOW, THEREFORE, BE IT RESOLVED by the Forsyth County Board of Commissioners that the Curtis snow plow, Serial Number 125264, and the Curtis salt spreader, Serial Number 115062, are hereby declared to be surplus to the County's needs based upon their age and condition.

BE IT FURTHER RESOLVED that the Forsyth County Board of Commissioners hereby approves the donation pursuant to the provisions of N.C.G.S. 160A-280 by Forsyth County to the Winston-Salem/Forsyth County Board of Education of the above described personal property to assist with snow removal during inclement weather.

BE IT FURTHER RESOLVED that the Chairman or the County Manager and Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, the necessary documents to convey title to the said equipment by donation to the Winston-Salem/Forsyth County Board of Education pursuant to the provisions of N.C.G.S. 160A-

280, on the conditions that said equipment shall be used or disposed of and the proceeds thereof used by the Winston-Salem/Forsyth County Board of Education solely to support the needs of Winston-Salem/Forsyth County Schools System and that the Winston-Salem/Forsyth County Board of Education shall waive all rights to make any claims against Forsyth County relating to any failure of performance of the said donated equipment, to which they agree by accepting title to the equipment, all subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

BE IT FURTHER RESOLVED that pursuant to the provisions of N.C.G.S. 160A-280, a public notice of this proposed donation was posted at least five days prior to the adoption of this Resolution approving the donation and this Resolution was adopted prior to donating the surplus personal property.

Adopted this the 24th day of March 2014.

**PUBLIC NOTICE OF
RESOLUTION APPROVING THE DONATION OF SURPLUS
COUNTY EQUIPMENT TO THE WINSTON-SALEM/FORSYTH COUNTY
BOARD OF EDUCATION PURSUANT TO THE PROVISIONS OF
N.C.G.S. 160A-280 TO ASSIST WITH SNOW REMOVAL
(GENERAL SERVICES DEPARTMENT)**

WHEREAS, Forsyth County owns a Curtis snow plow and Curtis salt spreader, which are in need of repair and are no longer useful to the County due to their age and condition and should be declared surplus to the County's needs; and

WHEREAS, N.C.G.S. 160A-280 allows counties to donate to another governmental unit any personal property that the Board of County Commissioners deems to be surplus, obsolete, or unused; and

WHEREAS, County staff recommends that the Curtis snow plow and Curtis salt spreader be declared surplus and be donated to the Winston-Salem/Forsyth County Board of Education, a school administrative unit which is a governmental unit as defined by N.C.G.S. 160A-274(a), to assist with snow removal during inclement weather; and

WHEREAS, the said personal property would be donated on the conditions that the Winston-Salem/Forsyth County Board of Education agrees that the equipment would be used or disposed of and the proceeds thereof used solely to support the needs of the Winston-Salem/Forsyth County Schools System and further agrees to waive all rights to make any claims against the County relating to any failure of performance of the said equipment; and

WHEREAS, pursuant to the provisions of N.C.G.S. 160A-280, the Forsyth County Board of Commissioners has caused a public notice of this proposed Resolution to be posted at least five days prior to the adoption of this Resolution approving the donation.

NOW, THEREFORE, BE IT RESOLVED by the Forsyth County Board of Commissioners that the Curtis snow plow, Serial Number 125264, and the Curtis salt spreader, Serial Number 115062, are hereby declared to be surplus to the County's needs based upon their age and condition.

BE IT FURTHER RESOLVED that the Forsyth County Board of Commissioners hereby approves the donation pursuant to the provisions of N.C.G.S. 160A-280 by Forsyth County to the Winston-Salem/Forsyth County Board of Education of the above described personal property to assist with snow removal during inclement weather.

BE IT FURTHER RESOLVED that the Chairman or the County Manager and Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, the

necessary documents to convey title to the said equipment by donation to the Winston-Salem/Forsyth County Board of Education pursuant to the provisions of N.C.G.S. 160A-280, on the conditions that said equipment shall be used or disposed of and the proceeds thereof used by the Winston-Salem/Forsyth County Board of Education solely to support the needs of Winston-Salem/Forsyth County Schools System and that the Winston-Salem/Forsyth County Board of Education shall waive all rights to make any claims against Forsyth County relating to any failure of performance of the said donated equipment, to which they agree by accepting title to the equipment, all subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

BE IT FURTHER RESOLVED that pursuant to the provisions of N.C.G.S. 160A-280, a public notice of this proposed donation was posted at least five days prior to the adoption of this Resolution approving the donation and this Resolution was adopted prior to donating the surplus personal property.

Adopted this the 24th day of March 2014.



**MEMORANDUM
WINSTON-SALEM/FORSYTH COUNTY SCHOOLS
MAINTENANCE DIVISION**

To: Eddie Cooley

**From: Brent Teague
Assistant Director**

**Through: Darrell Walker
Asst. Superintendent**

Date: 1/31/2014

Subject: Curtis Snow Plow, Curtis Salt Spreader

Winston Salem Forsyth Schools is requesting the transfer of ownership for the Curtis snow plow and the Curtis salt spreader be transferred into Winston Salem Forsyth County Board of Education's name.