

# FORSYTH COUNTY

## BOARD OF COMMISSIONERS

MEETING DATE: OCTOBER 27, 2014 AGENDA ITEM NUMBER: 9

**SUBJECT: RESOLUTION APPROVING THE DONATION OF SURPLUS COUNTY VEHICLES TO THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION PURSUANT TO THE PROVISIONS OF N.C.G.S. 160A-280 TO REPLACE AGING VEHICLES IN THE SCHOOL SYSTEM'S ACTIVE FLEET (GENERAL SERVICES DEPARTMENT)**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

### SUMMARY OF INFORMATION:

The motor vehicles identified in the attached letter are no longer adequate for the needs of the County due to their age, condition, and reduction in fleet and are therefore surplus to the needs of the County.

ATTACHMENTS:  YES  NO

SIGNATURE: *J. Dudley Watts, Jr.* DATE: October 22, 2014  
COUNTY MANAGER

**RESOLUTION APPROVING THE DONATION OF SURPLUS  
COUNTY VEHICLES TO THE WINSTON-SALEM/FORSYTH COUNTY  
BOARD OF EDUCATION PURSUANT TO THE PROVISIONS OF  
N.C.G.S. 160A-280 TO REPLACE AGING VEHICLES  
IN THE SCHOOL SYSTEM'S ACTIVE FLEET  
(GENERAL SERVICES DEPARTMENT)**

**WHEREAS**, Forsyth County owns certain motor vehicles, identified in the attached letter and incorporated herein by reference, which are no longer useful to the County 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 three (3) County vehicles, identified in the attached letter, 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 replace aging vehicles in the school system's active fleet; and

**WHEREAS**, the said vehicles would be donated on the conditions that the Winston-Salem/Forsyth County Board of Education agrees that the vehicles would be used or disposed of and the proceeds thereof used solely to replace aging vehicles in the school system's active fleet in Forsyth County and further agrees to waive all rights to make any claims against the County relating to any failure of performance of the said vehicles; 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 three (3) motor vehicles, identified in the attached letter from Brent Teague, Schools Assistant Director of Maintenance to Kevin Rogers, County Fleet Manager, which is incorporated herein by reference, 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 three (3) surplus motor vehicles identified in the attached letter from Brent Teague to Kevin Rogers to replace aging vehicles in the school system's active fleet.

**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 vehicles 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 vehicles shall be used or disposed of and the proceeds thereof used by the Winston-Salem/Forsyth County Board of Education solely to replace aging vehicles in the school system's active fleet 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 vehicles, to which they agree by accepting title to the vehicles, 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 27<sup>th</sup> day of October 2014.

**PUBLIC NOTICE OF PROPOSED  
RESOLUTION APPROVING THE DONATION OF SURPLUS  
COUNTY VEHICLES TO THE WINSTON-SALEM/FORSYTH COUNTY  
BOARD OF EDUCATION PURSUANT TO THE PROVISIONS OF  
N.C.G.S. 160A-280 TO REPLACE AGING VEHICLES  
IN THE SCHOOL SYSTEM'S ACTIVE FLEET  
(GENERAL SERVICES DEPARTMENT)**

**WHEREAS**, Forsyth County owns certain motor vehicles, identified in the attached letter and incorporated herein by reference, which are no longer useful to the County 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 three (3) County vehicles, identified in the attached letter, 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 replace aging vehicles in the school system's active fleet; and

**WHEREAS**, the said vehicles would be donated on the conditions that the Winston-Salem/Forsyth County Board of Education agrees that the vehicles would be used or disposed of and the proceeds thereof used solely to replace aging vehicles in the school system's active fleet in Forsyth County and further agrees to waive all rights to make any claims against the County relating to any failure of performance of the said vehicles; 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 three (3) motor vehicles, identified in the attached letter from Brent Teague, Schools Assistant Director of Maintenance to Kevin Rogers, County Fleet Manager, which is incorporated herein by reference, 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 three (3) surplus motor vehicles identified in the attached letter from Brent Teague to Kevin Rogers to replace aging vehicles in the school system's active fleet.

**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 vehicles 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 vehicles shall be used or disposed of and the proceeds thereof used by the Winston-Salem/Forsyth County Board of Education solely to replace aging vehicles in the school system's active fleet 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 vehicles, to which they agree by accepting title to the vehicles, 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 27<sup>th</sup> day of October 2014.



**Mr. Kevin Rogers  
Fleet Manager  
Forsyth County  
3730 N. Liberty Street  
Winston-Salem, NC 27105**

Dear Mr. Rogers,

The Winston-Salem/Forsyth County Board of Education would like to request the following vehicles from Forsyth County. We understand that these vehicles are earmarked for auction. We ask that Forsyth County donate the following vehicles to the Winston-Salem/Forsyth County Board of Education to be used as replacements for the below aging vehicles in WSFCS active fleet:

| F/C | ID#  | Year | Mileage | Make | Model     | Vin Number        |
|-----|------|------|---------|------|-----------|-------------------|
|     | 1797 | 1997 | 101,195 | Ford | F-450     | 3FELF47G9VMA50994 |
|     | 8515 | 2005 | 167,324 | Chev | 2500 4X4  | 1GBHK29UX5E248107 |
|     | 1806 | 2006 | 124,658 | Ford | Crown Vic | 2FAFP71WX6X151560 |

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Teague".

**Brent Teague  
Assistant Director, Maintenance  
Winston-Salem/Forsyth County Schools**