

Ad to be placed in the paper if approved by Council.

Pursuant to NCGS 160A-269, the Wadesboro Town Council has received an offer for \$45,000 due prior to transfer of the property for the following Town property: CAL~FLO system – liquid lime tower and feed pump system. This includes potential buyer assuming all costs of equipment and shipping, dismantling, removing, and transfer of the system.

The Town Council proposes to accept the offer unless within 10 days of publish of this notice, any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by filing a deposit with the Town Clerk of five percent (5%) of the increased bid. The Council may at any time reject any and all offers.

**ATTACHMENT A
MAY 1, 2017 MINUTES**

(d) A city may discard any personal property that: (i) is determined to have no value; (ii) remains unsold or unclaimed after the city has exhausted efforts to sell the property using any applicable procedure under this Article; or (iii) poses a potential threat to the public health or safety. (1971, c. 698, s. 1; 1973, c. 426, s. 42.1; 1983, c. 130, s. 1; c. 456; 1987, c. 692, s. 2; 1987 (Reg. Sess., 1988), c. 1108, s. 9; 1997-174, s. 6; 2001-328, s. 4; 2005-227, s. 3.)

§ 160A-267. Private sale.

When the council proposes to dispose of property by private sale, it shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property by private sale at a negotiated price. The resolution or order shall identify the property to be sold and may, but need not, specify a minimum price. A notice summarizing the contents of the resolution or order shall be published once after its adoption, and no sale shall be consummated thereunder until 10 days after its publication. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 24.)

§ 160A-268. Advertisement for sealed bids.

The sale of property by advertisement for sealed bids shall be done in the manner prescribed by law for the purchase of property, except that in the case of real property the advertisement for bids shall be begun not less than 30 days before the date fixed for opening bids. (1971, c. 698, s. 1.)

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

§ 160A-270. Public auction.

(a) Real Property. - When it is proposed to sell real property at public auction, the council shall first adopt a resolution authorizing the sale, describing the property to be sold, specifying the date, time, place, and terms of sale, and stating that any offer or bid must be accepted and confirmed by the council before the sale will be effective. The resolution may, but need not, require the highest bidder at the sale to make a bid deposit in a specified amount. The council shall then publish a notice of the sale at least once and not less than 30 days before the sale. The notice shall contain a general description of the land sufficient to identify it, the terms of the sale, and a reference to the authorizing resolution. After bids have been received, the highest bid shall be reported to the council, and the council shall accept or reject it within 30 days thereafter. If the bid is rejected, the council may readvertise the property for sale.

(b) Personal Property. - When it is proposed to sell personal property at public auction, the council shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property at public auction. The resolution or order shall identify the property to be sold and set out the date, time, place, and terms of the sale. The resolution or order (or a notice summarizing its contents) shall be published at least once and not less than 10 days before the date of the auction.

Hugh James

From: Hugh Burnett <hburnett@burnett-inc.com>
Sent: Friday, April 21, 2017 11:38 AM
To: Hugh James
Subject: Offer on Wadesboro CAL~FLO System

Hugh:

I have a municipality with a well in Jones County GA that may be interested in purchasing the CAL~FLO system at your plant. Burnett would take care of dismantling and removing the system. The offer is \$45,000.00 for the complete unit as it was last operated with tank, mixer, electrical components, and feed pumps.

Let me know if Wadesboro will accept the offer and I will take it back to the municipality in GA to bring both parties together.

Best regards,

Hugh Burnett

DBA: Burnett Lime Company, Inc.

7095 Hwy 11

Campobello SC 29322

P 864-592-1658

F 864-592-1690

hburnett@burnett-inc.com





Property Disposal Options For North Carolina Local Governments

General Disposal Methods	Personal Property UNDER \$30,000	Personal Property OVER \$30,000	ALL Real Property
Sale			
Competitive sale by public auction (G.S. 160A-270); sealed bid (G.S. 160A -268), or upset bid (G.S. 160A-269)	Yes	Yes	Yes
Private negotiated sale with governing board approval (G.S. 160A-266(b) and 160A-277), or by local policy (160A-266(c))	Yes	No	No
Exchange			
Exchange with public and private entities (G.S. 160A-271)	Yes	Yes	Yes
Lease			
Lease with term over 10 years treated as sale of property (G.S. 160A-272)	Yes	Yes	Yes
Discard			
Discard because has no value, unable to sell, or poses threat to public health or safety (G.S. 160A-266(d))	Yes	Yes	No
Raffle surplus property (G.S. 14-309.15)	Yes	Yes (\$125,000 limit)	Yes (\$500,000 limit)
Donate			
Donate to non-profits, sister cities, and other units of government – does not apply to schools (G.S. 160A-280)	Yes	Yes	No
Donate or sell to public and private entities for continued public use – cities and counties only (G.S. 160A-279)	Yes	Yes	Yes
Convey to other units of government			
Convey to other units of government in NC under conditions “deemed wise” by governing boards (G.S. 160A-274)	Yes	Yes	Yes
Trade-In			
Trade-in included as part of bidding process for purchases of apparatus, supplies, materials, or equipment (G.S. 143-129.7)	Yes	Yes	No

Reference: Lawrence, David M., *Local Government Property Transactions in North Carolina* (2nd ed., 2000). Cited statutes should be consulted for procedural requirements associated with specific disposal method. More information available at www.ncpurchasing.unc.edu.



Property Disposal Options For North Carolina Local Governments

Special Conveyances Not Requiring Competitive Sale	Personal Property UNDER \$30,000	Personal Property OVER \$30,000	All Real Property
Sell artistic, historic, or scenic property to non-profit or trust for conservation or preservation (G.S. 160A-266(b))	Yes	Yes	Yes
Lease property for affordable housing (G.S. 160A-278)	No	No	Yes
Sell property for affordable housing <ul style="list-style-type: none"> • Counties (G.S. 153A-378) • Cities (G.S. 160A-279) 	No	No	Yes
Lease or sell property for economic development projects (G.S. 158-7.1)	No	No	Yes
Sell, exchange, or transfer property for community development projects – cities only (G.S. 160A-457)	No	No	Yes
Lease, sell or convey property to fire department & rescue squad for facilities (G.S. 160A-277)	No	No	Yes
Retiring law enforcement officer's weapon and badge (G.S. 20-187.2)	Yes	No	No

Special Considerations for Public School Property (real and personal):

- Must be sold for valuable consideration (cannot be donated)
- Must be offered first to county board of commissioners for fair market price or negotiated price
- If county does not purchase, can be sold using property disposal procedures under Article 12 of Chapter 160A (G.S. 115C-518)
- Real property can be leased to another governmental unit for one dollar (\$1) per year (G.S. 160A-274(c))

Special Considerations for Seized and Abandoned Property (personal):

- Seized or abandoned personal property held by law enforcement must be disposed of according to procedures set out in Article 2 of Chapter 15 (G.S. 15-11 through 15-17)