



Nice Matters!

Town of Emerald Isle
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Mayor
Eddie Barber

Mayor Pro-Tem
Floyd Messer, Jr.

Board of Commissioners
Candace Dooley
Steve Finch
Jim Normile
Mark Taylor

Town Manager
Matt Zapp
mzapp@emeraldisle-nc.org



RESOLUTION AMENDING PURCHASING AND CONTRACTING POLICY

Whereas, the Town utilizes a formal Purchasing and Contracting Policy to promote cost-effective, fair, consistent, legal, and ethical practices by Town staff to obtain supplies, materials, equipment, apparatus, and services; as well as the procedures for the disposal of surplus property, and

Whereas, the Purchasing and Contracting Policy was initially adopted in January 2004, and is amended from time to time in order to comply with new legislation and regulations, modernize practices, and promote greater efficiency and effectiveness, and

Whereas, the Town adheres to Article 12 of Chapter 160A of North Carolina General Statutes, which outline the processes for the disposal of surplus property, and

Whereas, N.C. G.S. 160A-266(c) allows the Town's governing board to adopt regulations authorizing an individual officer or employee to conduct small surplus items sales without prior governing board approval if the value of the sale is less than \$30,000, and

Whereas, the Town's existing Purchasing and Contracting Policy contains regulations authorizing the Town Manager to dispose of small surplus items without the prior approval of the government board if the value of the sale is less than \$5,000, and

Now, therefore, be it resolved that Article X – Surplus Property, Sections 2 and 3 of the Town's formal Purchasing and Contracting Policy is hereby amended by changing the dollar threshold from \$5,000 to \$30,000 to be consistent with N.C. G.S. 160A-266, as follows:

Section 2. Sale of Personal Property (Less than ~~\$5,000~~, \$30,000)

The Town Manager is authorized to dispose of any personal property owned by the Town of Emerald Isle, whenever he/she determines, in his/her discretion, if:

- (A) The item or group has a fair market value of less than ~~\$5,000~~, \$30,000;
- (B) The property is no longer necessary for the conduct of public business; and,
- (C) Sound property management principles and financial consideration indicate that the interests of the Town would best be served by disposing of the property.

The Town Manager may dispose of any such surplus personal property by any means which are judged to yield the highest attainable sale price in money or other consideration, in accordance with North Carolina General Statutes.

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 salvage value, or cause it to be disposed of as waste material.

The Town Manager shall, on or before the first day of February, report in writing to the Town Board of Commissioners on any property disposed of under these provisions from January 1 through December 31 of the previous year. The written report 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 sale or exchange since the last such report was submitted.

Section 3. Sale of Real Property or Personal Property (Greater than ~~\$5,000~~, ~~\$30,000~~)

The Town Board of Commissioners must authorize the disposal of any real property or surplus personal property valued at greater than ~~\$5,000~~, ~~\$30,000~~. Private negotiation and sale may be used for personal property valued at less than \$30,000 for any one item or group of similar items. Real property, of any value, and personal property valued at \$30,000 or more for any one item or group of similar items may be sold through sealed bid, negotiated offer and upset bid, and public auction procedures, as outlined in the North Carolina General Statutes.

Adopted this the ____ day of _____, 2020.

ATTEST:

Eddie Barber, Mayor

Rhonda Ferebee, Town Clerk. CMC