

**REQUEST FOR BOARD ACTION**

**HENDERSON COUNTY  
BOARD OF COMMISSIONERS**

**MEETING DATE:** August 19, 2020

**SUBJECT:** Donation of Surplus Equipment – Cooperative Extension

**PRESENTER:** Dr. Terry Kelley, Director, Cooperative Extension

**ATTACHMENTS:** Yes  
1. NCGS §160A-280

**SUMMARY OF REQUEST:**

Bullington Gardens, Inc. is a non-profit 501(c) 3 organization that is closely tied to Henderson County Cooperative Extension (HCCE) and Henderson County Public Schools (HCPS). Both entities pay portions of the Educational Director’s salary provided through county funds. Bullington Gardens, Inc. in turn conducts programs for HCPS for special needs students in several different programs. Additionally, they conduct educational classes for the public and provide a public garden for community education and enjoyment.

A position was recently created for an Administrative Director for Bullington Gardens, Inc. through funding from NC State, Bullington Gardens, Inc., and Henderson County. This position will be filled in the near future. In preparation for this additional position, Bullington has rearranged some office space to accommodate this new employee along with their current staff. As a result, they are in need of desks for this rearranged space. Henderson County Cooperative Extension has two desks that are not currently in use that would fill that need. This request is for permission to donate those desks to Bullington Gardens, Inc as allowed by N.C.G.S. 160A-280.

**BOARD ACTION REQUESTED:**

Approve donation of two office desks from Henderson County Cooperative Extension to Bullington Gardens, Inc as allowed by N.C.G.S. 160A-280.

**Suggested Motion:**

*I move the Board approve the donation of two office desks from Henderson County Cooperative Extension to Bullington Gardens, Inc as allowed by N.C.G.S 160A-280.*

**§ 160A-280. Donations of personal property to other governmental units.**

(a) A city may donate to another governmental unit within the United States, a sister city, or a nonprofit organization incorporated by (i) the United States, (ii) the District of Columbia, or (iii) one of the United States, any personal property, including supplies, materials, and equipment, that the governing board deems to be surplus, obsolete, or unused. The governing board of the city shall post a public notice at least five days prior to the adoption of a resolution approving the donation. The resolution shall be adopted prior to making any donation of surplus, obsolete, or unused personal property. For purposes of this section a sister city is a city in a nation other than the United States that has entered into a formal, written agreement or memorandum of understanding with the donor city for the purposes of establishing a long term partnership to promote communication, understanding, and goodwill between peoples and to develop mutually beneficial activities, programs, and ideas. The agreement or memorandum of understanding establishing the sister city relationship shall be signed by the mayors or chief elective officer of both the donor and recipient cities.

(b) For the purposes of this section, the term "governmental unit" shall have the same meaning as defined by G.S. 160A-274(a) and shall include North Carolina charter schools.

(c) The authority granted to a city under this section is in addition to any authority granted under any other provision of law. (2007-430, s. 1; 2009-141, ss. 1, 2, 3.)