RESOLUTION AUTHORIZING THE CONVEYANCE OF BOOKS TO
THE FRIENDS OF THE LIBRARY

WHEREAS, a number of library materials belonging to Rockingham County are no longer suitable for County use since these books are out of date, historically inaccurate, duplicates, or in poor condition;

WHEREAS, in the ordinary course of County business these materials are routinely determined to be surplus property;

WHEREAS, the Friends of the Library support the Rockingham County libraries and sponsor book sales and use the sale proceeds for the public purpose of benefiting the libraries;

WHEREAS, North Carolina General Statute 160A-279 authorizes the County to convey property by private sale to a public or private entity which carries out a public purpose if the County is authorized by law to appropriate funds to such entity, upon authorization by the Board of Commissioners at a regular meeting and notice to the public, on the condition that the property will be put to a public use by the recipient entity;

WHEREAS, North Carolina General Statute 153A-449 permits the County to contract with and appropriate money to any person, association, or corporation, in order to carry out any public purpose that the county is authorized by law to engage in. Pursuant to North Carolina General Statute 153A-149 (c)(19), the County has statutory authority to establish and maintain libraries. Thus, the County can appropriate money to the Friends of the Library for maintaining libraries, and therefore, under North Carolina General Statute 160A-279, the County may convey surplus personal property to the Friends of the Library by private sale so long as the sale proceeds are used for the public purpose of supporting the County libraries; and

WHEREAS, the Board of Commissioners is convened at a regular meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE ROCKINGHAM COUNTY BOARD OF COMMISSIONERS

1. That, the Director of Rockingham County Libraries, or their designee, is hereby authorized to donate the above-described items of surplus personal property on a rolling basis without consideration to the Friends of the Library on the condition that the Friends of the Library shall use the sale proceeds for the public purpose of benefiting the County libraries; and

2. The Clerk to the Board of Commissioners shall publish a notice summarizing this resolution, and no sale may be executed pursuant to this resolution until at least ten days after the day the notice is published pursuant to North Carolina General Statute 160A-267.
This resolution shall become effective upon its adoption this the 17th day of October, 2016.

T. Craig Travis, Chairman
Rockingham County Board of Commissioners

Pamela M. McLain, MMC, NCCCC
Clerk to the Board