

CITY OF HIGH POINT

AGENDA ITEM



TITLE: Declare Surplus Property and Fire Truck Donation	
FROM: Thomas Reid, Fire Chief	MEETING DATE: February 19, 2024
PUBLIC HEARING: n/a	ADVERTISED DATE/BY: n/a
ATTACHMENTS: Letter to Manager and letter from Bethany Fire Department Resolution Articles of Incorporation	

PURPOSE: Donation of surplus City fire truck to Bethany Volunteer Fire Department.

BACKGROUND: A 1996 International Mini Pumper was acquired by the city when Deep River Fire Department ceased business and assets became property of the City. This apparatus was replaced this year with a 2023 Truck and we removed the 1996 from service.

BUDGET IMPACT: N/A

RECOMMENDATION/ACTION REQUESTED: The Fire Department is requesting the council to declare the 1996 International Mini Pumper surplus property and approve the recommendation to donate the surplus 1996 International Mini Pumper to Bethany Volunteer Fire Department.





**HIGH POINT
FIRE DEPARTMENT**



Office of the Fire Chief

January 26, 2024

To: Tasha Logan Ford, City Manager

Re: Fire Truck Donation

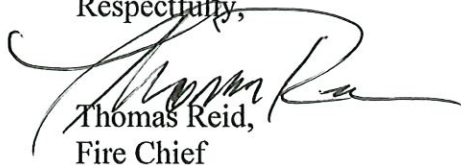
Ms. Logan Ford,


The Fire Department has a 1996 International Mini Pumper that was given to us when we received the Deep River Fire Department Assets. The city presently receives fire tax payments to provide fire protection to the Deep River Fire District. This apparatus has served as a brush truck and will be decommissioned in February, when the new brush truck purchased with ARPA funds will be placed in service. We have had a request from the Bethany Volunteer Fire Department to donate the International Mini Pumper to their organization as they do not have funds to purchase a brush truck. In researching this department, they are an all-volunteer department operating out of two fire stations. They cover an area of approximately 46 square miles with a population slightly over 6000 residents in Rockingham County, NC. Their funding consists of approximately 400,000 in fire tax funds and whatever they can raise from BBQ's and stews. Their future goal is to open another station in this large district to help with coverage of the area. This truck will serve as an apparatus in one of the substations.

HPFD Assistant Chief Perry Hall serves as a volunteer for Bethany and helped facilitate the request. This truck has served the Deep River and High Point communities well. In our spirit of helping others, it would speak well of the city by helping others less fortunate than us.

I am proposing that we donate the surplus 1996 International Mini Pumper to Bethany Volunteer Fire Department which serves an all-rural area. The Fire Department has around 40 volunteers, who can desperately use this apparatus.

Respectfully,


Thomas Reid,
Fire Chief

	Bethany Fire Department, Inc.
	6052 NC 65 Reidsville, NC 27320 (336) 951-2155 Perry Hall, Fire Chief fphall140@gmail.com Dalton Griffin, Chairman of The Board

January 1, 2024

Dear Chief Reid,

We're Volunteer Fire Department of Bethany, Inc., a nonprofit volunteer fire department in Reidsville. We were founded 50 years ago by community members who seen the need of fire protection. We are located on the Guilford/Rockingham County border.

We're reaching out to you as a neighbor with a vested interest in seeing our community thrive and providing the best service and protection possible to our citizens.

One of the obstacles we face in a rural setting, is houses being a long ways off the road, many in difficult, tight areas to reach. Some have "self-made" bridges over streams that do not allow a full size fire truck to cross.

We pre-plan out these addresses as we know of them, noting the long distance off the roadway and limited access. We currently do not have a "rated" pumper that is small enough to access some these areas.

We are in need of a smaller "mini" pumper that can access these tight locations. The previous Deep River Fire Department brush truck, which High Point Fire is replacing, would greatly fill this need. We would be honored to allow this vehicle to continue to serve the public in Bethany.

Thank you for your time and consideration. Our EIN # is 56-6000231.

Please reach out to me if you have any questions about our organization.

Sincerely,

Perry Hall

Fire Chief



**RESOLUTION APPROVING DONATION OF SURPLUS 1996 INTERNATIONAL MINI-PUMPER TRUCK TO BETHANY VOLUNTEER FIRE DEPARTMENT
PURSUANT TO G.S. 160A-280**

WHEREAS, the City of High Point owns a 1996 International Mini-Pumper Truck which is no longer useful to the City and should be declared as surplus to the City's needs; and

WHEREAS, N.C.G.S. 160A-280 allows cities to donate to a nonprofit corporation any personal property that the City Council deems surplus, obsolete, or unused; and

WHEREAS, City staff recommends that the above described City equipment be declared surplus and be donated to the Bethany Volunteer Fire Department, Inc., a nonprofit organization incorporated in the State of North Carolina; and

WHEREAS, pursuant to the provisions of N.C.G.S. 160A-280, the High Point City Council has caused a public notice of this proposed donation to be posted at least five days prior to the adoption of this Resolution approving the donation.

NOW, THEREFORE, BE IT RESOLVED, by the High Point City Council that (1) the equipment identified above is hereby declared to be surplus to the needs of the City of High Point based upon its age and condition; and (2) public notice of this proposed Resolution has been posted at least five days prior to the adoption of this Resolution approving the donation.

BE IT FURTHER RESOLVED that the High Point City Council hereby approves the donation of the surplus equipment, and that the City Manager is hereby authorized to execute, on behalf of the City of High Point, the necessary documents to convey ownership of the above-described equipment by donation to the Bethany Volunteer Fire Department, Inc., pursuant to the provisions of N.C.G.S. 160A-280.

Adopted this 19th day of February 2024

Cyril Jefferson, Mayor

ATTEST

Sandra Keeney, City Clerk

FILED

APR 16 10 52 AM '73

THAD EURE
SECRETARY OF STATE
NORTH CAROLINA

ARTICLES OF INCORPORATION
OF

VOLUNTEER FIRE DEPARTMENT OF BETHANY, INC.

We, the undersigned natural persons of the age of eighteen years or more, do hereby associate ourselves into a non-profit corporation under the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina, entitled "Non-Profit Corporation Act", and the several amendments thereto, and to that end do hereby set forth:

1. The name of the Corporation is Volunteer Fire Department of Bethany, Inc.

2. The period of duration of the corporation shall be perpetual.

3. The purpose or purposes for which this corporation is organized are: For the purpose of organizing a volunteer fire department supported by special taxes as have already been approved by vote for the Bethany Fire District of Rockingham County in New Bethel Township and other adjoining townships serving the people encompassed within the Fire District as already organized with fire protection and rescue services, all as may be commensurate with a volunteer fire department as provided in the General Statutes of North Carolina and all its customary functions.

4. For the purpose of creating this Department the membership of this Fire Department shall initially consist of those persons or individuals who have hereto signed their names as original incorporators. In addition to those who have signed their names as incorporators, all such residents of the Fire District, as they become qualified, shall be eligible for membership upon completion of a full course of training under the direction of the Rockingham County Fire Marshall and who have conformed to all rules and regulations necessary to qualify them as "volunteer firemen", and shall thereafter consist of those persons who shall keep their membership current by qualifying as volunteer firemen and shall participate regularly in fire drills and training in order to maintain their qualification within said Department, and the members of this corporation shall each stand on an equal footing insofar as control of this corporation, its activities, bylaws and rules are hereafter concerned, so that each shall have an individual vote in the election of directors, the enactment of bylaws and regulations, and any amendments and changes thereafter enacted. The method by which directors may be elected, providing that each member as herein provided shall have an equal vote, shall be provided in the bylaws rather than in the charter of this Corporation.

5. Until bylaws have been enacted, which bylaws must provide for amendment from time to time by the membership, Robert's Rules of Order shall prevail in all meetings of the membership, to be presided over by a temporary chairman. Membership shall not be transferable but shall remain open to any citizen of the Bethany Fire District who shall become otherwise qualified as a member of the Volunteer Fire Department as hereinabove provided and who shall be eighteen years of age or older. Upon vote of the membership after this corporation has been in existence for at least six months from the date of this charter, and by the bylaws as amended by its membership, additional membership may be provided for for those who may have retired from active participation in the Fire Department after service therein due to poor health, age, or such other reasons as may be determined, and for membership to encompass women of a Fire Department Auxiliary, who though not qualified as volunteer firemen have taken a supportive role in the raising of contributions and providing for the physical needs of the firemen, including but not confined to the social activities of the membership.

6. The initial registered agent of this corporation shall be Gary Holland, whose address is Route 4, Reidsville, Rockingham County, North Carolina, and the initial office shall be Route 4, Reidsville, Rockingham County, North Carolina, in his care.

7. The initial Board of Directors shall consist of eight persons who shall continue to serve in said capacity until fifteen additional firemen have qualified for membership, at which time an election shall be called of the directors and they will serve until such time as such election has been called, provided that such election shall be called within at least one year from the date of this charter, the initial eight directors and their addresses being as follows:

<u>NAMES</u>	<u>ADDRESSES</u>
Curtis Apple	Route 4, Reidsville, N. C. 27320
T. W. Holland	Route 4, Reidsville, N. C. 27320
Clay Barham	Route 4, Box 167, Reidsville, N. C. 27320
Tommy Purgason	Route 4, Box 137, Reidsville, N. C. 27320
Billy E. Walker	Route 1, Summerfield, N. C. 27358
Lawrence McCollum	Route 4, Reidsville, N. C. 27320
David Sharp	Route 4, Reidsville, N. C. 27320
Gary Holland	Route 4, Reidsville, N. C. 27320

8. The names and addresses (including street and number, if any) of each of the incorporators is as follows:

<u>NAMES</u>	<u>ADDRESSES</u>
Curtis Apple	Route 4, Reidsville, N. C. 27320
T. W. Holland	Route 4, Reidsville, N. C. 27320
Clay Barham	Route 4, Box 167, Reidsville, N. C. 27320
Tommy Purgason	Route 4, Box 137, Reidsville, N. C. 27320
Billy E. Walker	Route 1, Summerfield, N. C. 27358
Lawrence McCollum	Route 4, Reidsville, N. C. 27320
David Sharp	Route 4, Reidsville, N. C. 27320
Gary Holland	Route 4, Reidsville, N. C. 27320

IN TESTIMONY WHEREOF, we have hereunto set our hands, this the 11th day of April, 1973.

Curtis W Apple
Billy E Walker
Clay Barham
Lawrence E McCollum
Gary Holland
Tommy Purgason
T.W. Holland
David E Sharp

STATE OF NORTH CAROLINA
COUNTY OF ROCKINGHAM

This is to certify that on the 11th day of April, 1973, before me, a Notary Public, personally appeared Curtis Apple, T. W. Holland, Clay Barham, Tommy Purgason, Billy E. Walker, Lawrence McCollum, David Sharp, and Gary Holland, who I am satisfied are the persons named in and who executed the foregoing Articles of Incorporation, and I having first made known to them the contents thereof, they did each acknowledge that they signed and delivered the same as their voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, this the 11th day of April, 1973.

Louise P. Morris
Notary Public

My Commission expires: Sept 8, 1974

FILED

DEC 10 10 02 AM '75

THAD EURE
SECRETARY OF STATE
NORTH CAROLINA

ARTICLES OF AMENDMENT

OF

THE ARTICLES OF INCORPORATION

OF

VOLUNTEER FIRE DEPARTMENT OF BETHANY, INC.

The undersigned nonprofit corporation hereby executes these Articles of Amendment for the purpose of amending its Articles of Incorporation filed in the Office of the Secretary of State of North Carolina on April 16, 1973:

(1) The name of the corporation is Volunteer Fire Department of Bethany, Inc.

(2) The Articles of Incorporation are amended by the addition thereto of the following new paragraphs:

9. In the event of dissolution, the residual assets of the corporation will be turned over to one or more organizations which themselves are exempt as organizations described in sections 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future Internal Revenue Code, or to the Federal, State, or Local government for exclusive public purpose.

10. Notwithstanding any other provision of these articles, this corporation shall not carry on any other activities not permitted to be carried on by (a) a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law or (b) a corporation contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1954 or any other corresponding provision of any future United States Internal Revenue Law.

(3) After action by the Board of Directors in accordance with North Carolina General Statutes § 55A-35 and due notice, an annual meeting of the members of the corporation was held on December 4, 1975, at which the foregoing amendment was adopted, a quorum was present at such meeting, and such amendment received at least two-thirds (2/3) of the votes entitled to be cast by members present or represented by proxy at such meeting.

IN WITNESS WHEREOF, these Articles of Amendment are signed by Clay Barham, President and Gene Larimore, Secretary of the corporation, this 4th day of December, 1975.

VOLUNTEER FIRE DEPARTMENT OF BETHANY, INC.

BY: Clay Barham President

BY: Gene Larimore Secretary

STATE OF NORTH CAROLINA

COUNTY OF ROCKINGHAM

I, Patricia A. Ore, a Notary Public, hereby certify that on this 14th day of December, 1975, personally appeared before me Clay Bonham and Gene Harrison, each of whom being by me first duly sworn, declared that he signed the foregoing document in the capacity indicated, that he was authorized so to sign, and that the statements therein contained are true.

Patricia A. Ore
Notary Public

My Commission expires:

Aug. 10, 1976

DOCUMENT #388462
DATE 09/12/86 TIME 11:19
FILED
THOMAS E. WITTY
SECRETARY OF STATE
NORTH CAROLINA

ARTICLES OF AMENDMENT
OF
THE ARTICLES OF INCORPORATION
OF
VOLUNTEER FIRE DEPARTMENT OF BETHANY, INC.

The undersigned nonprofit corporation hereby executes these Articles of Amendment for the purpose of amending its Articles of Incorporation filed in the Office of the Secretary of State of North Carolina on April 16, 1973:

(1) The name of the corporation is Volunteer Fire Department of Bethany, Inc.

(2) The Articles of Incorporation are amended by the addition thereto of the following to paragraph 3:

And to do any other lawful, charitable activity that qualifies under provisions of Section 501 of the Internal Revenue Code and §105-125 and §105-130.11 of the General Statutes of North Carolina and being a charitable purpose and activity.

(3) After action by the Board of Directors in accordance with North Carolina General Statutes §55A-35, the foregoing amendment was adopted by written consent of all the membership.

IN WITNESS WHEREOF, these Articles of Amendment are signed by Thomas E. Witty, President and C.E. Larimore, Secretary of the corporation, this 24th day of June, 1986.

VOLUNTEER FIRE DEPARTMENT
OF BETHANY, INC.

BY: Thomas E. Witty
President

BY: C.E. Larimore
Secretary

STATE OF NORTH

COUNTY OF ROCKINGHAM

I, Ronald M. Price, a Notary Public, hereby certify that on this 24th day of June, 1986, personally appeared before me Thomas E. Witty and C.E. Larimore, each of whom being by me first duly sworn, declared that he signed the foregoing document in the capacity indicated, that he was authorized so to sign, and that the statements therein contained are true.

[Signature]
Notary Public

My Commission Expires:

9/27/87

**PUBLIC NOTICE OF
RESOLUTION APPROVING
THE DONATION OF 1996
INTERNATIONAL
MINI-PUMPER TRUCK TO
THE BETHANY VOLUNTEER
FIRE DEPARTMENT, INC.
PURSUANT TO THE PROVI-
SIONS OF N.C.G.S. 160A-280**

The City Council of the City of High Point intends, at its regular meeting to be held at 5:30 p.m., on Monday, February 19, 2024, to adopt a Resolution approving the donation of a 1996 International Mini-Pumper Truck to the Bethany Volunteer Fire Department, INC., a non-profit North Carolina corporation, pursuant to N.C.G.S. 160A-280. The meeting will be held in the Council Chambers, Third Floor, High Point Municipal Building, 211 South Hamilton Street.

Thomas Reid,
Fire Chief

Feb. 14, 15, 16, 17, 20, 2024