

BOARD OF COMMISSIONERS

MARK S. SWANGER, CHAIRMAN  
J. W. "KIRK" KIRKPATRICK, III, VICE CHAIRMAN  
L. KEVIN ENSLEY  
BILL L. UPTON  
MICHAEL T. SORRELLS



COUNTY MANAGER  
IRA DOVE

COUNTY ATTORNEY  
LEON M. KILLIAN, III

**RESOLUTION BY THE HAYWOOD COUNTY  
BOARD OF COUNTY COMMISSIONERS  
IN SUPPORT OF AFFORDABLE HOUSING**

**WHEREAS**, Haywood County has committed to developing safe, convenient, accessible, efficient affordable housing for low and moderate income households; and

**WHEREAS**, North Carolina General Statute 153A-378 authorizes and gives certain powers to the counties in North Carolina for affordable housing.

**NOW, THEREFORE, BE IT RESOLVED**, by the Haywood County Board of Commissioners that the following procedures and standards for affordable housing are hereby adopted and shall be followed:

1. Haywood County may make applications or partner as needed with Federal, State, Municipalities, For-Profit and Non-Profit entities to provide opportunities for affordable housing to the citizens of Haywood County.
2. Properties may be sold to entities with extensive experience of developing or rehabilitating properties, preferably for persons of low or moderate income, and who agree to do so for affordable housing to persons of low or moderate income.
3. Haywood County shall attach covenants or conditions which assure that the property will be put to public use by the recipient entity, to be developed or held by the entity to sale or lease to persons of low and moderate income.
4. The Haywood County Board of Commissioners shall dispose of the property pursuant to the provisions of NCGS 160A-267 by private sale at a negotiated price, a notice summarizing the contents of the resolution shall be published once after its adoption, and no sale shall be consummated thereunder until the 10 days after its publication.

Adopted this the 7<sup>th</sup> of March 2016.

---

Mark Swanger, Chairman of the Board

ATTEST:

---

Ira Dove, Clerk to the Board

Approved as to form and legal sufficiency:

---

Leon "Chip" Killian, County Attorney

**§ 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.)

**§ 153A-378. Low-and moderate-income housing programs.**

In addition to the powers granted by G.S. 153A-376 and G.S. 153A-377, any county is authorized to exercise the following powers:

- (1) To engage in and to appropriate and expend funds for residential housing construction, new or rehabilitated, for sale or rental to persons and families of low and moderate income. Any board of commissioners may contract with any person, association, or corporation to implement the provisions of this subdivision.
- (2) To acquire real property by voluntary purchase from the owners to be developed by the county or to be used by the county to provide affordable housing to persons of low and moderate income.
- (3) Under procedures and standards established by the county, to convey property by private sale to any public or private entity that provides affordable housing to persons of low or moderate income. The county shall include as part of any such conveyance covenants or conditions that assure the property will be developed by the entity for sale or lease to persons of low or moderate income.
- (4) Under procedures and standards established by the county, to convey residential property by private sale to persons of low or moderate income in accordance with G.S. 160A-267 and any terms and conditions that the board of commissioners may determine. (1999-366, s. 2.)