



# MEMORANDUM

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To: Mayor and Members of the City Council

From: Montré Freeman, City Manager  
J. Phillip Webster, Interim Chief of Police

Date: February 10, 2023

Subject: Discussion - Donation of "Hey Sweetie" Boat to Local 501C3 Non-Profit Organization (Sea Scouts USA)

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***BACKGROUND:***

On occasion, the Elizabeth City Police Department has donated surplus equipment and other items to neighboring agencies and/or local non-profit organizations, in an effort to assist our law enforcement and community partners with acquiring equipment through cost effective means.

Elizabeth City recently acquired ownership of a boat that was abandoned at Mariners' Wharf for a period of approximately two years. The title of the boat was put in the City of Elizabeth City's name after the official legal process was completed. The Department reached out to the local Sea Scout organization to see if they could utilize the boat in their program. Sea Scouts USA is a 501c3 non-profit organization whose mission is "to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Law through maritime skills and adventures." According to their official website, for over 100 years, Sea Scouting has promoted better citizenship and improved members' boating skills through instruction and practice in water safety, outdoor, social, service experiences, and knowledge of maritime heritage.

Staff believes that the donation of this boat to the Sea Scouts would be not only a benefit to this organization, which promotes future leaders but would also be of benefit to the City of Elizabeth City as we would not have to move forward with insuring the boat or take on further liability regarding this vessel. The local Sea Scouts group, which is a subset of Boy Scouts of America, has a desire to make improvements to the boat, and to utilize it in a positive and safe way with their program activities, which are in service to the community. Staff sees it as a "win-win" for all parties.

Staff is respectfully requesting that this matter be discussed/given consideration and if agreed upon, that the necessary steps are taken to move forward with the donation process.

## ***ANALYSIS:***

For some history on how the City obtained this vessel, in September 2022, it was brought to the attention of Interim Police Chief J. Phillip Webster that an abandoned boat was in Mariners' Wharf. The boat had reportedly been left in this location for approximately two years. The boat in this case is a 32' Irwin Citation with Rhode Island registration 9735M and hull number XYM32204L586. The boat is named "Hey Sweetie."

Upon researching the former owner in Rhode Island and receiving notice from him that the boat had been sold to two individuals, Chief Webster was able to locate the whereabouts of one of the two co-owners of the boat but not the other one. After speaking with one of the two co-owners, he stated in writing he had no interest in the boat. The other co-owner could never be located, despite using all resources available to us. That individual was sent a letter via Certified US Mail and the letter was returned undeliverable.

With this information, Chief Webster then wrote a letter to the North Carolina Wildlife Commission, requesting that the City of Elizabeth City be given ownership of the boat, which was granted in December 2022.

There was discussion as to listing the boat on GovDeals.com to sell; however, after speaking with the local Sea Scouts Troop, staff believes the best course of action is to donate the vessel to the Sea Scouts. The group could benefit from the use of the boat, and staff believes this would be a nice gesture to give back to the community in this way. Sea Scouts identified that the boat had taken in quite a bit of water; they have already generously volunteered and pumped the water out and have given their time to make needed improvements to the boat.

North Carolina General Statute §160A-280 (Donations of personal property to other governmental units) allows for the donation of property by local government to donate property to non-profit organizations. The statute reads in full, (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."

If no other non-profit organization expresses an interest after the public notice is given for the period of at least five days, staff recommends moving forward with the donation of the boat and to give a formal presentation of the donation during the February 27, 2023 meeting with the Sea Scouts in attendance.

***STAFF RECOMMENDATION:***

For Council discussion. If consensus is that the boat currently owned by the City of Elizabeth City ("Hey Sweetie", a 32' Irwin Citation with Rhode Island registration 9735M and hull number XYM32204L586) is reached, resolve to issue public notice for a period of at least five days (as required in NCGS §160A-280) concerning the donation of said boat to the Sea Scouts with a formal presentation slated for the February 27, 2023 meeting.