

# FORSYTH COUNTY BOARD OF COMMISSIONERS

MEETING DATE: MARCH 15, 2018 AGENDA ITEM NUMBER: 7

**SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN FORSYTH COUNTY AND ADDICTION RECOVERY CARE ASSOCIATION, INC. (ARCA) FOR LEASE OF COUNTY OWNED PROPERTY**

**COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:** Recommend Approval

**SUMMARY OF INFORMATION:** See Attached

ATTACHMENTS:  YES  NO

SIGNATURE: *J. Dudley Watts, Jr.* DATE: March 14, 2018  
COUNTY MANAGER

**RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN  
FORSYTH COUNTY AND ADDICTION RECOVERY CARE ASSOCIATION, INC.  
(ARCA) FOR LEASE OF COUNTY OWNED PROPERTY**

**WHEREAS**, Forsyth County owns the Springwood Care Center facility located at 5755 Shattalon Drive, Winston-Salem, N.C. which it intends to lease to Addiction Recovery Care Association, Inc. (ARCA) for a ten (10) year term at an annual rental of \$1.00 on the condition that ARCA uses the premises exclusively for substance abuse and mental health treatment and program administration; and

**WHEREAS**, the use of \$825,441 in reserve Behavioral Health funds to complete three capital projects on the Springwood Care Center facility in preparation for the ARCA Lease was unanimously approved on January 11, 2018 by the Triad Community Board, which is responsible for overseeing the expenditure of Behavioral Health funds; and

**WHEREAS**, under the terms of the proposed Lease, ARCA will be responsible for facility maintenance, including routine maintenance and capital repairs, and for operating costs including utilities, telephone, internet, and real and personal property insurance; and

**WHEREAS**, pursuant to the provisions of N.C.G.S. 153A-176 and 160A-272, Forsyth County is authorized to lease any property owned by the County upon Resolution of the Board of Commissioners after thirty days' public notice according to such conditions as the Board of Commissioners may determine if the property will not be needed by the County for the term of the lease; and

**WHEREAS**, it has been determined that the above-described property will not be needed by Forsyth County during the term of the proposed lease;

**NOW, THEREFORE, BE IT RESOLVED** by the Forsyth County Board of Commissioners that the Chairman or County Manager and the Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, the above-described Lease Agreement, between Forsyth County and Addiction Recovery Care Association, Inc. (ARCA), subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney. The original Lease Agreement is attached hereto and incorporated herein by reference.

Adopted this the 15<sup>th</sup> day of March 2018.

**PUBLIC NOTICE OF INTENT TO AUTHORIZE  
THE LEASE OF COUNTY OWNED PROPERTY  
(5755 SHATTALON DRIVE, WINSTON-SALEM, N.C.)**

Notice is hereby given pursuant to the provisions of N.C.G.S. 153A-176 and 160A-272, that the Forsyth County Board of Commissioners, at its regular meeting scheduled for Thursday, March 15, 2018 at 2:00 p.m. in the Commissioners' Meeting Room on the fifth floor of the Forsyth County Government Center located at 201 N. Chestnut Street in Winston-Salem, N.C., intends to authorize the execution of a lease of Forsyth County-owned real property located at 5755 Shattalon Drive, Winston-Salem, N.C. with Addiction Recovery Care Association, Inc. (ARCA) as Tenant. The proposed term of the lease would be one hundred twenty months.

The real property to be leased by Forsyth County to ARCA is also known as the Springwood Care Center. The annual rental under the proposed lease is \$1.00 per year on the condition that ARCA uses the premises exclusively for substance abuse and mental health treatment and program administration. Tenant will be responsible for facility maintenance, including capital repairs, and for operating costs including utilities, telephone, internet, and real and personal property insurance.

The property identified herein will not be needed by Forsyth County for other County purposes during the term of the proposed lease.

This notice shall be published once at least thirty (30) days prior to the regular meeting date in which the lease is considered.

This \_\_\_\_\_ day of February 2018.

**FORSYTH COUNTY**

By: \_\_\_\_\_  
Carla D. Holt  
Clerk to the Board



**Forsyth County, NC and Addiction Recovery Care Associates ( "ARCA")  
Summary of Proposed Lease Terms**

<b>Tenant:</b>	Addiction Recovery Care Associates, (the "Tenant")
<b>Landlord:</b>	Forsyth County, (the "Landlord")
<b>Premises:</b>	The building located at 5755 Shattalon Drive, Winston-Salem NC; also known as the Springwood Care Center.
<b>Term:</b>	120 month term.
<b>Rental:</b>	The Tenant shall pay Landlord a base rental of \$1 per year.
<b>Use:</b>	The Tenant may use the Premises exclusively for the treatment and administration of substance abuse and mental health programs.
<b>Construction Costs and Tenant Improvements:</b>	Tenant will solely be responsible for all facility maintenance to include routine maintenance and capital repairs
<b>Operational Expenses of the Building:</b>	Tenant will be solely responsible for the operating costs of the Premises to include utilities, telephone, internet, and both real and personal property insurance.
<b>Landlord Responsibilities:</b>	Landlord will retain responsibility for grounds maintenance to Sturmer Park property (Tenant responsible for parking lot maintenance, courtyard maintenance and hedge trimming as further defined in the Agreement).