

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**H**

**1**

**HOUSE BILL 924**

Short Title: Mecklenburg County/Reimbursement Agreements. (Local)

---

Sponsors: Representatives Carney; and Samuelson.

---

Referred to: Local Government I, if favorable, Environment and Natural Resources.

---

April 1, 2009

A BILL TO BE ENTITLED

AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR  
PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY.

The General Assembly of North Carolina enacts:

**SECTION 1.** A county may enter into reimbursement agreements with private property owners for the design and construction of park infrastructure or parks that: (i) are included in the county's Parks Master Plan; (ii) are located on property that is adjacent to or in close proximity to other property owned by the private property owner or its affiliates; and (iii) are located on the property owned by the private property owner that is to be leased or transferred to the county.

**SECTION 2.** A county may provide for the reimbursements to be paid from any lawful source over any period of time, including making payments that include a premium for delayed reimbursement. A county may also exchange real property owned by the county under the provisions of G.S. 160A-271 as part of the reimbursement, or in full or partial payment for a lease, or in connection with the exchange for the real property owned by the private property owner that is developed or to be developed for park purposes.

**SECTION 3.** No construction performed by a private property owner as part of a reimbursement agreement authorized by this act shall be deemed to be construction subject to the provisions of Article 8 of Chapter 143 of the General Statutes, and no reimbursement agreement authorized by this act shall be deemed to be subject to the provisions of Article 8 of Chapter 159 of the General Statutes, and neither shall be deemed to be a violation or evasion of any provision of either of these Articles. Notwithstanding the foregoing provisions of this section, a construction contract subject to a reimbursement agreement authorized by this act shall not be awarded by a private property owner who is a party to the reimbursement agreement without complying with the requirements of G.S. 143-129 relating specifically to public advertising and bid opening requirements that would be applicable if the construction contract had been awarded by the county.

**SECTION 4.** This act applies to Mecklenburg County only.

**SECTION 5.** This act is effective when it becomes law.

