

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B 956
Apr 25, 2016
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40548-LM-139 (02/16)

Short Title: Henderson County/Community College Projects. (Local)

Sponsors: Representatives McGrady and Whitmire (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT
COMMUNITY COLLEGE BUILDINGS ON THE CAMPUS OF BLUE RIDGE
COMMUNITY COLLEGE.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 115D-9, 115D-15.1, 143-341(3), or any other provision of law, Henderson County (hereinafter "County") is hereby authorized to construct community college buildings, as that term is defined in G.S. 143-336, on the campus of Blue Ridge Community College (hereinafter "College") located within Henderson County. Henderson County may finance the construction of these buildings in accordance with Article 8 of Chapter 159 of the General Statutes and G.S. 160A-20. In constructing the buildings, the County does not have to comply with the provisions of G.S. 115D-9 or Part 1 of Article 36 of Chapter 143 of the General Statutes. However, the County shall comply with the provisions of Article 3D of Chapter 143 of the General Statutes (Procurement of Architectural, Engineering, and Surveying Services) and Article 8 of Chapter 143 of the General Statutes (Public Contracts). The College does not have to comply with the provisions of G.S. 115D-15.1 when conveying to the County property owned by the College which will be the site of the construction and will be pledged as collateral pursuant to G.S. 160A-20. The County shall consult with the Board of Trustees of the College about programming requirements for the buildings and shall keep the Board informed as to the construction process and progress. Upon the completion of the construction of the buildings, the County shall lease the buildings to the College under the terms and conditions agreed to by both the County and College.

SECTION 2. The Board of Trustees of the College shall transfer title to the following property to the County for the life of the debt incurred by the County for the construction of the community college buildings authorized by Section 1 of this act:

BEING all of Lot 1, consisting of 3.33 acres, more or less, as shown on survey of Plat recorded at Plat Slide 10120 (also Book 2016, Page 10120(1)) in the Office of the Register of Deeds for Henderson County, North Carolina, which survey is incorporated herein by reference for greater certainty of description. Upon the satisfaction of the debt, the County shall transfer title to the property back to the Board of Trustees of the College.

SECTION 3. The County and the Board of Trustees of the College may enter into a memorandum of understanding to allow for the construction of community college buildings by the County on the campus of the College located within the County, if deemed appropriate by the County and College and if the terms of the memorandum will allow for the construction to be completed in a timely fashion and cost-efficient manner.



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1 **SECTION 4.** The County and the Board of Trustees of the College may enter into a
2 memorandum of understanding for the lease of space in County-owned buildings to the College, if
3 the buildings are located within the County and if the lease is deemed appropriate by the County
4 and College.

5 **SECTION 5.** Sections 1 through 3 of this act are effective when they become law and
6 apply only to construction projects and renovations funded entirely with County funds and
7 coordinated by the County for College uses and purposes between January 1, 2014, and December
8 31, 2020. The remainder of this act is effective when it becomes law.