

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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**HOUSE BILL 956
PROPOSED COMMITTEE SUBSTITUTE H956-PCS10528-ST-99**

Short Title: Henderson County/Community College Projects.

(Local)

Sponsors:

Referred to:

April 26, 2016

A BILL TO BE ENTITLED

1 AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT
2 COMMUNITY COLLEGE BUILDINGS ON THE CAMPUS OF BLUE RIDGE
3 COMMUNITY COLLEGE.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Notwithstanding G.S. 115D-9, 115D-15.1, 143-341(3), or any other
7 provision of law, Henderson County is hereby authorized to construct or renovate community
8 college buildings, as that term is defined in G.S. 143-336, on the campus of Blue Ridge
9 Community College located within Henderson County, provided that Henderson County complies
10 with all of the following:

- 11 (1) Article 3D of Chapter 143 of the General Statutes (Procurement of
12 Architectural, Engineering, and Surveying Services).
- 13 (2) Article 8 of Chapter 143 of the General Statutes (Public Contracts).
- 14 (3) Article 8 of Chapter 159 of the General Statutes (Financing Agreements and
15 Other Financing Arrangements).
- 16 (4) G.S. 160A-20 (Security interests).
- 17 (5) Henderson County consults with the Board of Trustees of Blue Ridge
18 Community College about programming requirements for the buildings and
19 keeps the Board of Trustees informed as to the construction process and
20 progress.
- 21 (6) Henderson County funds all projects entirely with County funds.

22 **SECTION 2.** Henderson County and the Board of Trustees of Blue Ridge Community
23 College may enter into a memorandum of understanding to allow for the construction of
24 community college buildings authorized by Section 1 of this act in a timely fashion and
25 cost-efficient manner, if deemed appropriate by the parties.

26 **SECTION 3.(a)** Within 30 days of the effective date of this act, the Board of Trustees
27 of Blue Ridge Community College shall transfer title to the following property to Henderson
28 County for the life of any debt incurred against the property by Henderson County for the
29 construction or renovation of community college buildings authorized by Section 1 of this act:

30 BEING all of Lot 1, consisting of 3.33 acres, more or less, as shown on survey of Plat
31 recorded at Plat Slide 10120 (also Book 2016, Page 10120(1)) in the Office of the Register of
32 Deeds for Henderson County, North Carolina, which survey is incorporated herein by reference
33 for greater certainty of description.

34 **SECTION 3.(b)** Upon the satisfaction of any debt incurred against the property
35 described in this Section, Henderson County shall transfer title to the property back to the Board
36 of Trustees of Blue Ridge Community College. If no debt is incurred against the property



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1 described in this Section by Henderson County for the construction or renovation of community
2 college buildings on or before December 31, 2020, Henderson County shall transfer title to the
3 property back to the Board of Trustees of Blue Ridge Community College.

4 **SECTION 4.** Henderson County and the Board of Trustees of Blue Ridge Community
5 College may enter into a lease agreement in accordance with G.S. 160A-274 for any space in
6 County-owned buildings located within Henderson County, if deemed appropriate by the parties.

7 **SECTION 5.** Sections 1 and 2 of this act are effective when they become law and
8 apply only to construction and renovation projects by Henderson County on the campus of Blue
9 Ridge Community College located within Henderson County between January 1, 2014, and
10 December 31, 2020. The remainder of this act is effective when it becomes law.