

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 299
PROPOSED COMMITTEE SUBSTITUTE H299-PCS30310-BA-7**

Short Title: Henderson Cty/Build Community College Bldgs.

(Local)

Sponsors:

Referred to:

March 11, 2019

A BILL TO BE ENTITLED

1
2 AN ACT PROVIDING THAT HENDERSON COUNTY IS AUTHORIZED TO CONSTRUCT
3 COMMUNITY COLLEGE BUILDINGS ON THE HENDERSON COUNTY CAMPUS OF
4 BLUE RIDGE COMMUNITY COLLEGE TO BE USED FOR ARTS, SCIENCES, AND
5 GENERAL STUDIES AND POLICE PHYSICAL ABILITIES TEST TRAINING AND TO
6 AUTHORIZE THE COUNTY TO MAKE SUBSTANTIAL RENOVATIONS TO
7 EXISTING CAMPUS BUILDINGS.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Notwithstanding G.S. 115D-9, 115D-15.1, 143-341(3), or any other
10 provision of law, Henderson County is hereby authorized to (i) construct or renovate community
11 college buildings, as that term is defined in G.S. 143-336, on the main campus of Blue Ridge
12 Community College located within Henderson County, to be used for a new arts, sciences, and
13 general studies center and for a new police officers physical abilities test training center and (ii)
14 make substantial renovations to existing buildings on campus. In exercising the authority granted
15 in this Section, Henderson County shall comply with all of the following:

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

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

31 **SECTION 3.(a)** Within 120 days of the effective date of this act, the Board of
32 Trustees of Blue Ridge Community College shall identify, in writing, to Henderson County (i)
33 the real property upon which it intends the new buildings described in Section 1 of this act to be
34 constructed and (ii) any other real property needed for the financing of the construction and
35 renovations authorized by Section 1 of this act. The real property identified by the Board of



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1 Trustees shall be a portion of the real property described in Book 490, Page 373 of the Henderson
2 County Registry.

3 **SECTION 3.(b)** Within 30 days of the identification of the real property as provided
4 in subsection (a) of this Section, the Board of Trustees of Blue Ridge Community College shall
5 transfer title to the identified property to Henderson County for the life of any debt incurred
6 against the property by Henderson County for the construction or renovation of community
7 college buildings as authorized by Section 1 of this act.

8 **SECTION 3.(c)** Upon the satisfaction of any debt incurred against the property
9 referred to in subsection (a) of this Section, Henderson County shall transfer title to the property
10 back to the Board of Trustees of Blue Ridge Community College. If no debt is incurred against
11 the property referred to in subsection (a) of this Section by Henderson County for the construction
12 or renovation of community college buildings on or before December 31, 2023, Henderson
13 County shall transfer title to the property back to the Board of Trustees of Blue Ridge Community
14 College.

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

19 **SECTION 5.** Sections 1 through 3 of this act are effective when they become law
20 and apply only to construction and renovation projects by Henderson County on the Henderson
21 County campus of Blue Ridge Community College between January 1, 2019, and December 31,
22 2023. The remainder of this act is effective when it becomes law.