

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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HOUSE BILL 956

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

Sponsors: Representatives McGrady and Whitmire (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - Community Colleges

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 (hereinafter "County") is hereby authorized to construct
8 community college buildings, as that term is defined in G.S. 143-336, on the campus of Blue
9 Ridge Community College (hereinafter "College") located within Henderson County. Henderson
10 County may finance the construction of these buildings in accordance with Article 8 of Chapter
11 159 of the General Statutes and G.S. 160A-20. In constructing the buildings, the County does not
12 have to comply with the provisions of G.S. 115D-9 or Part 1 of Article 36 of Chapter 143 of the
13 General Statutes. However, the County shall comply with the provisions of Article 3D of Chapter
14 143 of the General Statutes (Procurement of Architectural, Engineering, and Surveying Services)
15 and Article 8 of Chapter 143 of the General Statutes (Public Contracts). The College does not have
16 to comply with the provisions of G.S. 115D-15.1 when conveying to the County property owned
17 by the College which will be the site of the construction and will be pledged as collateral pursuant
18 to G.S. 160A-20. The County shall consult with the Board of Trustees of the College about
19 programming requirements for the buildings and shall keep the Board informed as to the
20 construction process and progress. Upon the completion of the construction of the buildings, the
21 County shall lease the buildings to the College under the terms and conditions agreed to by both
22 the County and College.

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

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

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



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.