

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 299
Mar 6, 2019
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10146-LM-76

Short Title: Henderson Cty/Build Community College Bldgs. (Local)

Sponsors: Representatives McGrady and Henson (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

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

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 is hereby authorized to (i) construct or renovate community college buildings, as that term is defined in G.S. 143-336, on the main campus of Blue Ridge Community College located within Henderson County, to be used for a new arts, sciences, and general studies center and for a new police officers physical abilities test training center and (ii) make substantial renovations to existing buildings on campus. In exercising the authority granted in this Section, Henderson County shall comply with all of the following:

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

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

SECTION 3.(a) Within 120 days of the effective date of this act, the Board of Trustees of Blue Ridge Community College shall identify, in writing, to Henderson County (i) the real property upon which it intends the new buildings described in Section 1 of this act to be constructed and (ii) any other real property needed for the financing of the construction and 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, 2022, 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.