

**STATE BOARD OF COMMUNITY COLLEGES
Asheville-Buncombe Technical Community College
Special Construction Delegation Rescinded**

Request: The State Board is requested to rescind Asheville-Buncombe Technical Community College's special construction delegation effective immediately. S.L. 2013-112 nullified the Memorandum of Understanding (MOU) between AB Tech and Buncombe County, ending the partnership which provided the basis for originally granting the college special construction delegation.

Background: The State Board initially granted special construction delegation authority to AB Tech on January 20, 2012, for its proposed Allied Health and Workforce Development building, a project funded entirely with non-State funds. In its application for delegated authority, AB Tech stated that it would obtain the expertise required through a close partnership with Buncombe County and capital project coordination provided through contracted consultants. The partnership between the college and the county was formally established through an MOU.

The State Board expanded AB Tech's delegated authority on August 16, 2012, at the college's request to include projects funded in part or in total with State funds requiring the total estimated expenditure of public funds of \$4,000,000 or less, as well as other projects funded in total with non-State funds regardless of the project's estimated cost. The broadened authority was granted based on the MOU between the college and the county, as well as the recent hire of a licensed architect by the college.

Rationale: One of the conditions of approval was that the college must agree to maintain a level of staffing, legal representation, and professional expertise that is consistent with what was represented on its special construction delegation application. S.L. 2013-112 grants Buncombe County the authority to construct buildings on the campuses of AB Tech that are funded entirely with county funds and coordinated by the county for college uses and purposes between January 1, 2012, and December 31, 2018. The legislation also nullifies the MOU between the college and Buncombe County. Since the college's application heavily relied on county expertise and cooperation, the State Board is recommended to rescind the college's special construction delegation authority effective immediately.

Contact:

Jennifer Haygood
Executive VP for Operations/CFO