

REQUEST FOR BOARD ACTION

HENDERSON COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: 7 November 2005

SUBJECT: Resolution for Reimbursement of Expenses for Tuxedo Park/Library Project

ATTACHMENT(S): Draft resolution

SUMMARY OF REQUEST:

This resolution would allow the expenses authorized and directed by the Board for the planning for the Tuxedo Park/Library Project to be reimbursed to the County in any subsequent financing of the costs of the Project.

COUNTY MANAGER RECOMMENDATION/BOARD ACTION REQUESTED:

The County manager supports this proposal.

County staff will be present and prepared if requested to give further information on this matter.

RESOLUTION

WHEREAS, Henderson County desires to construct a new community park and/or library in the Tuxedo community of Henderson County (“the Tuxedo Park Project”);

WHEREAS, Henderson County proposes to finance the Tuxedo Park Project, but will incur expenses on the Project prior to that financing;

WHEREAS, the County wishes to reimburse itself from the financing proceeds for any expenditures it makes on the Tuxedo Park Project prior to the financing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Henderson County, as follows:

1. The Henderson County Board of Commissioners, which is authorized to declare the official intent of the County of Henderson, North Carolina (referred to in this Resolution as the “Issuer”) with respect to matters contained herein, hereby makes the following declaration which is intended to constitute a Declaration of Official Intent to Reimburse from Financing Proceeds Expenditures Made by the County with respect to the Tuxedo Park Project:
 - (a) **Expenditures to be Incurred.** The Issuer expects to incur expenditures to accomplish the Tuxedo Park Project.
 - (b) **Plan of Finance.** The Issuer intends to finance the cost of the Tuxedo Park Project with proceeds of a financing in an amount deemed advisable by the Issuer but not to exceed \$1,500,000.00.
 - (c) **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the financing set out above for any expenditures paid by it prior to the incurrence of the Borrowing concerning or on account of the Tuxedo Park Project.
2. This resolution shall take effect immediately upon its passage.

ADOPTED THIS the ____ day of November, 2005.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: _____
William L. Moyer, Chairman

ATTESTED BY:

Elizabeth W. Corn, Clerk to the Board

[OFFICIAL SEAL]



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OFFICE OF THE COUNTY MANAGER

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MEMORANDUM

November 3, 2005

To: David E. Nicholson, County Manager
From: Justin B. Hembree, Assistant County Manager
Subject: Update Concerning Analysis of Tuxedo School Property

The purpose of this memorandum is to provide an update concerning staff's progress on developing a comprehensive analysis of Tuxedo Property. Staff continues to work in order to determine more precise cost estimates for the various options in relation to this property. Specifically, the following steps have been taken since the Board's October 20, 2005 Special Meeting:

- Several conversations have been held between management staff and Cooper Construction. Cooper Construction has agreed to work to develop a rough cost estimate for the various demolition alternatives. One aspect that is hindering the development of this cost estimate is the unavailability of a hazardous materials inventory for the buildings. Management staff will continue to work with Cooper Construction. It should be noted that Cooper Construction, as always, has been extremely helpful in assisting staff with this project.
- Management staff has also met with Environment Health staff to discuss issues relating to the site's septic and water systems. According to Environmental Health's records, the current septic and water systems can support "light" institutional uses. However, it was noted that new permits would be required for more intense uses. Until a specific use, if any, for the site is determined a more in-depth analysis of this aspect will need to be placed on hold.
- On Wednesday, November 2, 2005, Library staff met with representatives from Craig-Gaulden and Davis, an architecture firm that specializes in the design of libraries and other public facilities. Library and architects walked through the Tuxedo School buildings and discussed the various options for the use of the property. Craig-Gaulden and Davis will conduct a formal analysis of the building to determine cost of renovation. The cost of this service will be \$100 per hour and is estimated to consume approximately 20 hours.
- Recreation staff continues to work with Stuart Stepp to better develop the site plan for the proposed recreation portion of the project. Recreation staff is also working with site planners from North Carolina State University to assist with the development of a proposed site plan that will maximize the use of space in the various options for the property.
- Today, management staff will meeting with representatives from Hayes, Seay, Mattern and Mattern, an architecture and engineering firm. A walk through of the buildings will be conducted in order to

provide the representatives with a feel for the property. It is anticipated that staff will request Hayes, Seay, Mattern and Mattern to submit a proposal and cost estimate for conducting an engineering and environmental analysis of the property to include all buildings.

It is obvious there will be a cost associated with developing these various studies. Therefore, it may be appropriate for the Board of Commissioners to adopt a Reimbursement Resolution for this project. This will ensure that all upfront planning costs can be covered through future financing. Also, it should be noted that it will take some to gather all of the information that is required for a study of this scale. Staff will continue to work as quickly as possible to bring a revised report back to the Board of Commissioners in the near future. However, the various project consults will need time to conduct their reviews and develop reports.