

RESOLUTION # _____

RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT BETWEEN
BUNCOMBE COUNTY AND THE BUNCOMBE COUNTY BOARD OF EDUCATION

- WHEREAS, the parties entered into a Real Property Exchange Deed of Conveyance and Agreement Regarding Future Conveyance and Improvements as same is recorded in Book 4514, Page 1728 Buncombe County Registry (the "2008 Agreement") as of January 23, 2008;
- WHEREAS, one provision of the 2008 Agreement obligated the County to demolish the Old Zeugner Swim Facility building at its sole cost once the New Swim Facility was completed;
- WHEREAS, the New Swim Facility was completed in the Spring of 2019, and The Buncombe County School Board has determined that it desires to retrofit the Old Zeugner Swim Facility building rather than have the County proceed and demolish it for use as a storage facility;
- WHEREAS, the estimated cost of this retrofit is \$105,000 and the County had an estimate for demolition in the amount of \$90,000 and funds have been budgeted for this purpose;
- WHEREAS, this Agreement obligates the County to pay over to the School Board the sum of \$90,000 and in exchange the School Board will use the funds to retrofit the Old Zeugner Swim Facility building and maintain and insure the building; and
- WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to agree to enter into this Agreement.

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

1. That the Chair and County Manager, or any one of them, be and is hereby authorized to execute an Interlocal Agreement between Buncombe County and The Buncombe County Board of Education a copy of which is included with this agenda packet.
2. That the previously approved Capital Projects Ordinance line item is hereby changed from "Zeugner demolition" to "Zeugner demolition and repair."

3. The Chairman and County Manager, or either of them, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by this Resolution, except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of the specific provisions of this Resolution.
4. That all acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
5. That this resolution shall be effective upon its adoption.

This the ____ of November, 2019.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk

By: _____
Brownie Newman, Chairman

APPROVED AS TO FORM

County Attorney