

AGENDA

Meeting Type:	SPECIAL
Date:	04/16/1996
JOINT MEETING; COUNCIL/COUNTY/SCHOOLS	

City of Charlotte, City Clerk's Office

CITY COUNCIL/COUNTY COMMISSION/BOARD OF EDUCATION
JOINT LUNCHEON
APRIL 16, 1996, 12 NOON
CMGC ROOM 267

AGENDA

- Opening comments by Mayor Pat McCrory
- Video Task Force Team Report
- Legislative package and lobbying strategies

The next Joint Luncheon meeting is scheduled for June 18, to be hosted by the County Commission

**1996 Legislative Agenda
City of Charlotte
April 15, 1996**

The attached Legislative Agenda Items were approved unanimously by Charlotte City Council on April 8, 1996 in regular session. The issues discussed are presented for the consideration of the Mecklenburg delegation for introduction into the 1996 short session.

Request: Amendment of Charter Section 7.81 to add stormwater to the list of purpose for which the City may condemn property pursuant to Chapter 136 of the General Statutes.

Origin of Request: City Attorney, Engineering, and Property Management Departments

Rationale:

- Section 7.81 of the City of Charlotte Charter currently authorizes the City to condemn property for streets and highways, water supply and distribution systems, sewage collection and disposal systems and airports using the authority and procedure set out in Chapter 136 of the North Carolina General Statutes, statutory provisions that the N.C. Department of Transportation uses to acquire property. In addition, Chapter 40A of the General Statutes provides authority for local governments to acquire property for all of the above mentioned public purposes, plus a few more. One of the additional purposes listed under Chapter 40A is for stormwater services. There are several substantive and procedural differences between the condemnation provisions of Chapters 40A and 136.

Until recently, the City has not had the need to acquire property for stormwater services. However, with the development of the City's stormwater program, it has become necessary on occasion to do so. That stormwater condemnations must now be accomplished under Chapter 40A, while other City condemnations are brought under Chapter 136, has caused a level of confusion within City departments, among citizens whose property is the subject of condemnation, and among attorneys and appraisers. The proposed amendment would ensure that all City condemnations are accomplished using the same substantive and procedural provisions.

SECTION 7.81, CHAPTER 437 OF THE 1983
SESSION LAWS OF NORTH CAROLINA

"Section 7.81. Powers and Procedures. The City of Charlotte shall have the power of eminent domain and may acquire, either by purchase, gift, or condemnation, any land, right of access, right of way, water right, privilege, easement, or any other interest in or without the City limits, for any lawful public use or purpose. In the exercise of the power of eminent domain, the City is hereby vested with all power and authority now or hereafter granted by the laws of North Carolina applicable to the City of Charlotte, and the City shall follow the procedures now or hereafter prescribed by said laws; provided that, notwithstanding the provisions of G.S. §40A-1, in the exercise of its authority of eminent domain for the acquisition of property to be used for streets and highways, water supply and distribution systems, sewage collection and disposal systems, **storm sewer and drainage systems and works**, and airports, the City of Charlotte is hereby authorized to use the procedure and authority prescribed in Article 9 of Chapter 136 of the General Statutes of North Carolina, as now or hereafter amended; provided, further, that whenever therein the words 'Secretary' or 'Secretary of Transportation' appear, they shall be deemed to include the 'City Manager'; provided, further, that nothing herein shall be construed to enlarge the power of the City of Charlotte to condemn property already devoted to public use. The City of Charlotte is also vested with the authority to condemn for public library purposes, property rights, privileges, easements and restrictive covenants and conditions, including any restrictive covenants and conditions applicable to real estate now or hereafter owned, restricting the use of same in any manner whatsoever."

Request: Amend General Statutes 18.B-501(F) to allow the Mecklenburg County Alcoholic Beverage Control Board to contract with City of Charlotte police to provide additional law enforcement services.

Origin of Request: Charlotte Police Department

Rationale:

- In 1982, the Legislature declared that the Alcohol Beverage Control Board officers are the only official agencies to make unannounced inspections and enforce ABC laws within their respective counties. In some counties where there are no ABC officers, local ABC Boards can contract with local law enforcement agencies to enforce the ABC laws in lieu of the ABC Board hiring their own officers. The City of Greensboro received special legislation in 1987 allowing their ABC Board to both provide ABC officers and contract with local law enforcement personnel to enforce the ABC laws within Guilford County.

There are approximately 1,300 plus or minus outlets for the sale of alcohol within Mecklenburg County. Currently, there are only 10 to 12 local ABC officers available to enforce the ABC laws within Mecklenburg. If a Charlotte police officer does not possess the requisite justification or consent for a lawful entry into ABC licensed premises, the officer has no authority to enter for the purpose of ABC enforcement or administrative inspection. Many local night clubs and/or restaurants have become nuisances to nearby residential areas and have caused a tremendous increase in the workload of Charlotte-Mecklenburg police. Without the authority to enter these premises for inspections, our officers are only able to respond to emergencies upon request. That is, our officers are constantly put in a reactive, rather than proactive, law enforcement mode.

- Community police officers need the ability to contract with the ABC Board to enter stores, restaurants, and private clubs to inspect for ABC violations in order to prevent more serious criminal incidents. If the ABC Board is allowed to contract with Charlotte police officers, at no cost to the ABC Board, the Board Laws, Rules and Regulations would be better enforced and community based policing would become more effective.

AN ACT TO ALLOW THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD TO PROVIDE ITS OWN LAW ENFORCEMENT PERSONNEL AND TO CONTRACT FOR ADDITIONAL LAW ENFORCEMENT SERVICES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-501(f) is rewritten to read:

"(f) Contracts with Other Agencies. Instead of, or in addition to, hiring local ABC officers, a local board may ~~contract to pay its enforcement funds to a~~ with a sheriff's department, city police department, or other local law enforcement agency for enforcement of the ABC laws within the law enforcement agency's territorial jurisdiction. Enforcement agreements may be made with more than one agency at the same time. When such a contract for enforcement exists, the officers of the contracting law-enforcement agency shall have the same authority to inspect under G.S. 18B-502 that an ABC officer employed by that local board would have. If a city located in two or more counties approves the sale of some type of alcoholic beverage pursuant to the provisions of G.S. 18B-600(e4), and there are no local ABC boards established in the city and one of the counties in which the city is located, the local ABC board of any county in which the city is located may enter into an enforcement agreement with the city's police department for enforcement of the ABC laws within the entire city, including that portion of the city located in the county of the ABC board entering into the enforcement agreement.

Payments, if any, received by a contracting agency for furnishing law enforcement services shall be in addition to any profits allocated to local governments derived from sale of alcoholic beverages."

Sec. 2. This act shall apply only to the Mecklenburg County Alcoholic Beverage Control Board.

Sec. 3. This act is effective upon ratification.

Request: Amend Chapter 446 of Public Local Laws of 1931 Relating to the Emergency and Pension Fund for Law Enforcement Officers in Mecklenburg County

Origin of Request: Charlotte Mecklenburg Police Department

Rationale:

- In 1931, the Emergency and Pension Fund for law enforcement officers in Mecklenburg County was established to provide monthly pensions for permanently disabled law enforcement officers and survivor benefits for their spouses. The fund received contributions from the Court system where convictions or guilty pleas resulted in a tax of \$1.00 per incident. The fund continued to receive money from convictions until the late 60's when court reforms ceased the contributions.

The fund is administered by a Board consisting of the Mayor, Chair of the County Commission, the Police Chief and the Sheriff. The Board selects a Secretary/Treasurer to administer the fund which currently totals \$1,078,000 and is growing by \$40,000 to \$50,000 per year.

Although changes in the compensation formula for disabled officers has increased over the years, the survivor benefits have remained at \$500. The Board is requesting that the survivor benefit be increased up to a maximum of \$10,000. The Board is also requesting authority to provide an amount up to \$2,500 for a scholarship fund for children of slain police officers or officers permanently disabled while performing their official duties.

The Emergency and Pension Fund Board requests that the funds be adjusted to reflect a meaningful increase over the original amounts approved in 1931.

A BILL TO BE ENTITLED

AN ACT TO AMEND CHAPTER 446, PUBLIC-LOCAL LAWS OF 1931, RELATING TO THE EMERGENCY AND PENSION FUND FOR LAW ENFORCEMENT OFFICERS IN MECKLENBURG COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 446, Public-Local and Private Laws of 1931 is hereby amended by making the following revisions to Sec. 5.

"SEC.5. The funds accumulated under this act shall be known as the "Emergency and Pension Fund of the County of Mecklenburg" and shall be used as a fund for all arresting officers, as defined in section two hereof, and their families, under the following terms and conditions, that is to say: If an officer while in the actual performance of his duties shall become disabled, there shall be paid to him a sum not in excess of five hundred dollars (\$500.00), and a monthly pension while so disabled not in excess of seventy five dollars (\$75.00) per month, and the board may pay to such disabled officer an additional sum not in excess of twenty dollars (\$20.00) per month for each child or dependent under the age of eighteen years while the disability of such officers may exist and while the said officer shall live, and in case of death resulting while in the actual performance of his duties, if the officer shall be married, the board may pay immediately to the widow of such officer a sum not in excess of five hundred dollars (\$500.00), and may further pay a sum not in excess of fifty dollars (\$50.00) per month for said widow during widowhood, and, in addition thereto, the board may pay the said widow for the support of any dependent children she may have, a sum not in excess of twenty dollars (\$20.00) per month for each child until said child shall reach the age of eighteen (18) years, and in case of death resulting while in the actual performance of official duties under this act where the individual or officer as herein defined may be unmarried, the board may pay to the nearest dependent next of kin of deceased a sum not in excess of five hundred (\$500.00) dollars, or in lieu thereof the board may pay the funeral expenses of deceased not in excess of five hundred (\$500.00) dollars, and it if an officer while in the actual performance of his duties is killed, the board may pay from the fund any amount up to a maximum of \$10,000.00 as a death benefit to the surviving spouse of the deceased officer. If the officer

is not married at the time of death, the board may pay any amount up to a maximum of \$10,000.00 to the nearest dependant next of kin of the deceased. It is further the true intent, meaning and purpose of this act that the board shall be empowered hereunder, in its discretion, to pay any amount less than the maximum ~~enumerated~~ specified, and said board may refuse to make a payment of any amount in any case in any or all of the classes herein enumerated. Further, the board in its discretion may use monies from the fund to award college scholarships to children of officers who are either killed while in the performance of their duties or who are rendered totally disabled as a result of an injury received while in the performance of their duties. The maximum scholarship amount shall be \$2,500.00 per child.

Section 2. This act shall become effective upon ratification.

Request: Amend City Charter (Chapter IV, Subchapter D, Sec. 4.61) to Increase Civil Service Board from Five Members to Five Members and Two Alternates

Origin of Request:

Rationale:

- The Civil Service Board has requested the addition of two alternates to enhance flexibility in meeting their quorum requirements. The added alternates also help them adhere to requirements for appeals of terminated firefighters or police officers whose appeal must be heard between the fifteenth and thirtieth day after they have been cited to the Board for termination or suspension.
- The Board recommends changing the Charter with regard to the Civil Service Board from 5 members to 5 members and 2 alternates, and specifically state that "Termination Hearings will be held with a panel of five (5) members, and Suspension Hearings will be held with a panel of three (3) members, and change the language referring to a "majority of the Board" to "a majority of the seated Panel". This will prevent any chance of having a tied vote on any decision. "All seven members shall attend the Regular Meetings of the Board in order to stay abreast of current issues and rules, and to maintain attendance requirements."

Although suspension hearings are only held if an Officer or Fire fighter writes a letter of appeal, all hearings must be set between the fifteenth and thirtieth day after an employee has been cited to the Board for suspension or termination according to the current City Charter. Having seven members would allow us to have more flexibility of schedules to set hearings between the fifteenth and thirtieth day.

AMEND CHARLOTTE CITY CHARTER

WITH REGARD TO CIVIL SERVICE BOARD

CHAPTER IV - ADMINISTRATION

SUBCHAPTER D. CIVIL SERVICE

Sec. 4.61. [Board]

Current:

There is hereby continued a Civil Service Board for the City of Charlotte, to consist of five (5) members, three (3) members to be appointed by the City Council and two (2) members to be appointed by the Mayor. Each member shall serve a term of three (3) years. In case of a vacancy on the Board, the City Council or the Mayor, as the case may be, shall fill such vacancy for the unexpired term of said member. A majority of said Board shall constitute a quorum. Attendance of meetings and continued service on the Board shall be governed by the attendance policies established by the City Council. Vacancies resulting from a member's failure to attend the required number of meetings or hearings shall be filled as provided herein.

Proposed:

There is hereby continued a Civil Service Board for the City of Charlotte, to consist of five (5) members and two (2) alternates, three (3) members and one alternate to be appointed by the City Council and two (2) members and one alternate to be appointed by the Mayor. Each member shall serve a term of three (3) years. In case of a vacancy on the Board, the City Council or the Mayor, as the case may be, shall fill such vacancy for the unexpired term of said member. For the purposes of establishing a quorum of the Board, any combination of Board members and alternates totalling three (3) shall constitute a quorum. All Board members and alternates shall attend regular meetings for the purposes of meeting attendance policy and familiarity with Board business and procedure. Alternates shall attend hearings when needed due to scheduling conflicts of regular Board members and shall vote only when serving in the absence of a regular Board member. Attendance of meetings and continued service on the Board shall be governed by the attendance policies established by the Council. Vacancies resulting from a member's or alternate's failure to attend the required number of meetings or hearings shall be filled as provided herein.

(UNDERLINE INDICATES NEW LANGUAGE.)

Sec. 4.61[Board]
Subsection 7(c)

Current:

Appeal hearings. Upon receipt of a citation from either Chief or upon receipt of notice of appeal from any officer or employee of the Fire or Police Department, the Board shall hold a hearing not less than fifteen (15) days nor more than thirty (30) days from the date the notice of appeal, or the citation is received by the Board, and shall promptly notify the officer of the hearing date.

Proposed:

Appeal hearings. Upon receipt of a citation for termination from either Chief or upon receipt of notice of appeal from any officer or employee of the Fire or Police Department for a suspension, the Board shall hold a hearing not less than fifteen (15) days nor more than thirty (30) days from the date the notice of appeal, or the citation is received by the Board, and shall promptly notify the officer of the hearing date. Termination hearings shall be held with a panel of five (5) made up of any combination of available members or alternates, and suspension hearings shall be held with a panel of three (3) made up of any combination of available members or alternates.

(UNDERLINE INDICATES NEW LANGUAGE.)

Request: Legislation Authorizing the City of Charlotte to Board Up Vacant Buildings

Origin of Request: Neighborhood Development Key Business

Rationale: The City of Charlotte has many residential dwelling units that become open and vacant due to a number of factors. The City of Charlotte uses its minimum housing code to bring resolution to vacant, deteriorated housing. The code, however, is designed to bring about permanent resolution, either through rehabilitation or demolition, while giving owners due process including administrative hearings and rights of appeal. This process may take up to 9 months from the date of inspection.

Open and vacant structures, meanwhile, tend to attract vagrants, may become a focus for drug and other criminal activity, may pose a safety hazard to children and may deteriorate beyond repair due to vandalism during the time it takes to complete the code enforcement process.

The City will seek reimbursement for the cost of securing the building at actual costs plus a 10% administrative charge. This might be accomplished by notifying the County Tax Administrator such that the amount due is added to the property tax bill, placing a lien on the property for the amount due, or sending the owner of record an invoice and pursuing uncollected amounts in civil court.

If the owner believes that the City has acted illegally, he or she may ask that the Housing Appeals Board waive some or all of the money due the City. If the owner wishes to pursue an informal appeal, the Code Enforcement Official, or his designee, shall have that same authority.

AN ACT TO PROVIDE FOR THE BOARDING UP OF ABANDONED STRUCTURES

The General Assembly of North Carolina enacts:

Section 1. The second paragraph of G.S. 160A-441 is amended to read:

"In addition to the exercise of police power authorized herein, any city may by ordinance provide for the repair, closing, or demolition of any abandoned structure which the city council finds to be a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children or frequent use of vagrants as living quarters in the absence of sanitary facilities. Such ordinance, if adopted, may provide for the repair, closing, or demolition of such structure pursuant to the same provisions and procedures as are prescribed herein for the repair, closing, or demolition of dwellings found to be unfit for human habitation. Notwithstanding the provisions of G.S. §160A-443(5), such ordinance also may provide that if an abandoned structure is not secured so as to prevent unauthorized entry thereto, the public officer, after conducting an inspection and making a preliminary determination that the structure is a health or safety hazard, may cause the structure to be boarded up or otherwise secured so as to prevent unauthorized entry. If proceedings against an abandoned structure culminate in a final determination, either administrative or judicial, that the structure is a health or safety hazard, the costs incurred by the public officer to secure the structure shall be a lien against the real property upon which it was incurred. Such lien shall be filed, have the same priority, and be collected the same as a lien created under the authority of G.S. §160A-443(6)."

Section 2. This Act is effective upon ratification.

In the General Assembly read three times and ratified this the _____ day of _____, 1996.

Request: Amend Statewide Bill - Chapter 160B and 153A of the General Statutes to allow counties over 500,000 to have a referendum authorizing the assumption of debt for consolidated governments during the same ballot as the referendum for the consolidation itself.

Origin of Request: City Attorney, County Attorney, Charlotte City Council and Mecklenburg County Commission.

Rationale: Current legislation authorizing cities and counties to have referendum for consolidation did not include a technical issue which would allow the consolidated government to assume the individual debts of the cities and counties that consolidated. During the previous legislative session, Wilmington/New Hanover received legislative approval authorizing them to include on the same ballot the issue of both consolidation and the assumption of debt in the event the consolidation vote was approved.

If consolidation efforts move forward on the current schedule under existing law, consolidation cannot occur without separate referenda in November of 1996 and again in the late summer or fall of 1997. The 1996 referendum would provide voters with a non-binding opportunity to express their views on consolidation. The 1997 referendum would address the constitutional requirement that voters must approve the consolidated government's assumption of City and County debt. (Article V, Section 4 (2) of the North Carolina Constitution.

Mecklenburg County recently voted to request legislation which would allow Charlotte and Mecklenburg to put the technical debt assumption issue on the same ballot as the consolidation vote but required the issues to be two separate votes. On April 8, City Council unanimously approved the Mecklenburg County suggestion for two separate votes on one ballot.

AN ACT AMENDING THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO THE CONSOLIDATION OF CITIES AND COUNTIES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 160B of the General Statutes is amended by adding a new Article to read:

**"ARTICLE 6.
Assumption of Obligations and Debt Secured
By a Pledge of Faith and Credit
Part 1. General Provisions.**

"§ 160B-26. Applicability of this Article.

(a) This Article applies to any county that has a population over 500,000 according to the most recent federal decennial census.

(b) If this section is declared unconstitutional or invalid by the courts, it does not affect the validity of the Article as a whole or any part other than the part so declared to be unconstitutional or invalid.

"Part 2. Assumption of Obligations and Debt.

"§ 160B-27. Organizational meeting; preparation of budget.

The governing board of a consolidated city-county shall have its first organizational meeting as provided in the charter or applicable local acts of the General Assembly, but not later than the first business day following the effective date of the consolidation. Unless otherwise provided in the charter or applicable local acts, the organizational meeting shall be held at 12:00 noon at the regular meeting place of the previous board of county commissioners. Prior to the effective date of consolidation, any interim governing board designated or appointed in the charter or applicable local acts may meet to discuss business and take action as appropriate, including preparation of a proposed budget for the next ensuing fiscal year. In addition, any such interim governing board may take any action which is specifically authorized by this Chapter to be taken by an interim governing board. Meetings of any interim governing board during this period are subject to all applicable notice and meeting procedures required by general law.

"§ 160B-28. Referendum approval of certain debt assumption required for consolidation; effective date of consolidation.

(a) Referendum Approval of Certain Debt Assumption Required for Consolidation. -- For the consolidation of a city with a county to be effective in accordance with the provisions hereof, the assumption by the consolidated city-county of all debt secured by a pledge of faith and credit of said city outstanding at the effective date of consolidation must have been approved by referendum (which referendum approval may occur at different times for different portions of said debt).

(b) Effective Date of Consolidation. -- Subject to the requirement of referendum approval of certain debt assumption for consolidation as provided by subsection (a) of this section, the consolidation of a city with a county shall be effective upon the later of:

- (1) Sixty days following publication of notice of the enactment of the consolidation by the General Assembly;

- (2) Sixty days following publication of the statement of result of the latest referendum relating to the consolidation or to the assumption of debt secured by a pledge of faith and credit in connection with the consolidation; or
- (3) Any effective date of the consolidation set by the General Assembly.

In addition, upon adoption of concurrent resolutions by the governing board of each unit to be consolidated, or by the interim governing board of the consolidated city-county, the effective date may be delayed further, but no later than July 1 of the next calendar year.

(c) Limitation of Local Acts. -- No special, private, or local act, including any enactment of a consolidation of a city with a county, enacted after May 1, 1996, may be construed to modify, amend, or repeal any portion of this section unless it expressly so provides by specific reference to this section.

"§ 160B-29. Referendum on consolidation and on assumption of certain debt secured by a pledge of faith and credit; right to issue certain authorized but unissued debt secured by a pledge of faith and credit.

(a) In connection with a city-county consolidation, if there exists at the effective date of the consolidation (i) any outstanding debt secured by a pledge of faith and credit of a consolidating city or (ii) the right to issue any authorized but unissued debt of said city that is to be secured by a pledge of faith and credit and is proposed to be assumed by the consolidated city-county, then there shall have been held a favorable referendum on the question of the assumption of that debt secured by a pledge of faith and credit and, if applicable, there shall have been held a referendum on the assumption of the right to issue that authorized but unissued debt secured by a pledge of faith and credit.

(b) The referendum on the question of the assumption of debt secured by a pledge of faith and credit or, if applicable, the assumption of the right to issue authorized but unissued debt secured by a pledge of faith and credit shall be submitted to the voters as a separate proposition in a referendum called by a consolidation study commission under G.S. 153A-406.

(c) If the General Assembly provided for a referendum on the question of consolidation instead of a referendum called by a consolidation study commission under G.S. 153A-406, the governing bodies of the units proposed to be consolidated, by resolution, shall add to the ballot as a separate proposition the assumption of debt secured by a pledge of faith and credit question and, if applicable, the assumption of the right to issue authorized but unissued debt secured by a pledge of faith and credit question. In either event, the propositions shall be substantially as provided in G.S. 153A-406.

(d) If the city-county consolidation is authorized by the General Assembly without a referendum or if there otherwise has not been a referendum on the question of the assumption of any debt secured by a pledge of faith and credit or, if applicable, the question of the assumption of the right to issue any authorized but unissued faith and credit debt, then the governing bodies of the units proposed to be consolidated, by resolution, may provide for a referendum on said questions. In addition, any interim governing board for the consolidated city-county, by resolution, also may provide for such a referendum. The propositions submitted to the voters shall be substantially in the following form (and may include part or all of the bracketed language as appropriate and any other modifications as may be needed to reflect the issued debt secured by a pledge of faith and credit of any of the consolidating units or the portion of the authorized but unissued debt secured by a pledge of

faith and credit of any of the consolidating units, the right to issue which is proposed to be assumed by the consolidated city-county):

'Shall, in connection with the consolidation of the City of _____ with the County of _____, the consolidated unit assume the debt of each secured by a pledge of faith and credit, [the right to issue authorized but unissued debt to be secured by a pledge of faith and credit [(including any such debt as may be authorized for said city or county on the date of this referendum)] and any of said authorized but unissued debt as may be hereafter issued,] and be authorized to levy taxes in an amount sufficient to pay the principal of and the interest on said debt secured by a pledge of faith and credit]?

YES NO'

(e) To be approved the proposition must receive the votes of a majority of those voting in the referendum. In connection with the proposed consolidation of one or more cities with a county, if the assumption by the consolidated city-county of outstanding debt secured by a pledge of faith and credit of the consolidating city and, if applicable, the right to issue authorized but unissued debt secured by a pledge of faith and credit of the consolidating city was approved by the votes of a majority of those voting in the referendum, the vote on that referendum shall constitute the approval by a majority of the qualified voters who vote thereon as required by Article V, Section 4(2) of the Constitution of North Carolina.

(f) Any such referendum on the question of consolidation or the assumption of debt secured by a pledge of faith and credit or the right to issue authorized but unissued debt secured by a pledge of faith and credit may be held on the same day as any other referendum or election in the county involved, but may not otherwise be held during the period beginning 30 days before and ending 30 days after the day of any other referendum or election to be conducted by the board of elections conducting the referendum and already validly called or scheduled by law.

(g) A notice of a referendum on consolidation or on the assumption of debt secured by a pledge of faith and credit or, if applicable, the right to issue authorized but unissued debt secured by a pledge of faith and credit shall be published at least twice in a newspaper of general circulation in the county. The first publication shall be not less than 14 days and the second publication not less than seven days before the last day on which voters may register for the referendum. The notice shall state the date of the referendum, a statement as to the last date for registration for the referendum under the election laws then in effect, and substantially the text of the proposition to be voted upon. The notice shall be published by the governing bodies of the units proposed to be consolidated or, if applicable, the interim governing board of the consolidated city-county by their respective clerks or by such other person as shall be designated by each applicable governing body or board.

(h) The board of elections shall canvass any referendum on consolidation and any referendum on the assumption of debt secured by a pledge of faith and credit or, if applicable, the right to issue authorized but unissued debt secured by a pledge of faith and credit and shall certify the results to the governing bodies of the units proposed to be consolidated or, if applicable, the interim governing board of the consolidated city-county which shall then certify and declare the result of the referendum and shall publish a statement of the result once in a newspaper of general circulation in the county, with the following statement appended:

'Any action or proceeding challenging the regularity or validity of this referendum must be begun within 30 days after the date of publication of this statement of result.'

(i) Any action or proceeding in any court to set aside a referendum on consolidation or a referendum on assumption of debt secured by a pledge of faith and credit or, if applicable, the right to issue authorized but unissued debt secured by a pledge of faith and credit in connection with consolidation, or to obtain any other relief, upon the grounds that the referendum is invalid or was irregularly conducted, must be begun within 30 days after the publication of the statement of the result of the referendum. After the expiration of this period of limitation, no right of action or defense based upon the invalidity of or any irregularity in the referendum shall be asserted, nor shall the validity of the referendum be open to question in any court upon any ground whatever, except in an action or proceeding begun within the period of limitation prescribed in this section.

***§ 160B-30. Local Government Commission review of assumption of debt secured by a pledge of faith and credit; assumption of debt secured by a pledge of faith and credit and right to issue authorized but unissued debt secured by a pledge of faith and credit upon consolidation.**

(a) Review by Local Government Commission. -- At the date specified in the following sentence if any consolidating city or county has outstanding any debt secured by a pledge of faith and credit or, if applicable, any authorized but unissued debt secured by a pledge of faith and credit which is proposed to be assumed by the consolidated city-county or has outstanding or pending approval any debt secured by a pledge of faith and credit the issuance of which was or is subject to approval by the Local Government Commission, then the assumption of any such debt and, if applicable, the assumption of the right to issue such authorized but unissued debt, if any, shall be subject to review by the Local Government Commission. The finance officers of the units proposed to be consolidated shall use their best efforts to notify the secretary of the Local Government Commission of the proposed consolidation and assumption of debt secured by a pledge of faith and credit or, if applicable, the right to issue authorized but unissued debt secured by a pledge of faith and credit at least two months before the introduction in the General Assembly of legislation proposing to enact the consolidation into law, provided that time allows. The Local Government Commission, to such extent it deems appropriate, may conduct a review of the proposed consolidation and assumption of debt secured by a pledge of faith and credit or, if applicable, the right to issue authorized but unissued debt secured by a pledge of faith and credit and may report the results of its review to the presiding officer of each house of the General Assembly to be provided to the respective committees to which the legislation to enact the consolidation shall be referred.

(b) Assumption of Debt Secured by a Pledge of Faith and Credit by Consolidated City-County. -- Subject to the requirement of referendum approval of certain debt assumption for consolidation by the General Assembly and effective upon the effective date of the consolidation provided in G.S. 160B-28(a), upon enactment of the consolidation by the General Assembly and effective upon the effective date of the consolidation provided in G.S. 160B-28(b), the debt secured by a pledge of faith and credit of the consolidating city at the effective date of the consolidation (including formerly authorized but unissued debt secured by a pledge of faith and credit as may have been issued at the time) is assumed by, and becomes a binding obligation of the consolidated city-county, and the faith and credit of the

consolidated city-county is pledged to secure any such assumed debt secured by a pledge of faith and credit. In addition, any debt secured by a pledge of faith and credit of the county at the effective date of the consolidation shall become a binding obligation of the consolidated city-county and the faith and credit of the consolidated city-county is pledged to secure any such debt.

(c) **Right to Issue Authorized but Unissued Debt Secured by a Pledge of Faith and Credit.** -- Subject to the passage of a referendum relating to the assumption by the consolidated city-county of the right to issue any authorized but unissued debt of the consolidating city to be secured by a pledge of faith and credit that is proposed to be assumed by the consolidated city-county, upon enactment of the consolidation by the General Assembly and effective upon the effective date of the consolidation as provided in G.S. 160B-28(b), the right to issue the authorized but unissued debt secured by a pledge of faith and credit of the consolidating city at the effective date of the consolidation is assumed by, and upon issuance such obligations become binding obligations of, the consolidated city-county, and, upon issuance, the faith and credit of the consolidated city-county is pledged to secure any such debt secured by a pledge of faith and credit. In addition, the right to issue the authorized but unissued debt secured by a pledge of faith and credit of the county at the effective date of the consolidation shall be vested in the consolidated city-county and, upon issuance, such debt secured by a pledge of faith and credit becomes a binding obligation of the consolidated city-county and, upon issuance, the faith and credit of the consolidated city-county is pledged to secure any such debt.

***§ 160B-31. Notice of enactment of consolidation; limitation of actions.**

(a) **Publication of Notice of Enactment.**--Following ratification of an act of the General Assembly authorizing consolidation, there shall be published once in a newspaper of general circulation in the county a notice of said enactment and, if applicable, the fact that in connection with said enactment there is an assumption by the consolidated city-county of the debt secured by a pledge of faith and credit of the consolidating city and, if applicable, assumption of the right to issue authorized but unissued debt secured by a pledge of faith and credit of the consolidating city and that there is also binding on the consolidated city-county the debt secured by a pledge of faith and credit of the county and, if applicable, there is vested in the consolidated city-county the right to issue authorized but unissued debt secured by a pledge of faith and credit of the county with the following statement appended:

‘Any action or proceeding challenging the regularity or validity of this referendum must be begun within 30 days after the date of publication of this statement of result.’

The notice shall be published by the governing bodies of the units proposed to be consolidated or, if applicable, the interim governing board of the consolidated city-county by their respective clerks or by such other persons as shall be designated by each applicable governing body or board.

(b) **Limitation on Action Contesting Validity of Enactment of Consolidation.**--Any action or proceeding in any court to set aside enactment of a city-county consolidation by the General Assembly, or to obtain any other relief, upon the grounds that the enactment is invalid or was irregularly enacted, must be begun within 30 days after the publication of the notice of the enactment. After the expiration of this period of limitation, no right of action or defense based upon the invalidity of the enactment or any irregularity in the enactment shall be asserted, nor shall the validity of the enactment be open to question in any court

upon any grounds whatever, except in an action or proceeding begun within the period of limitation prescribed in this section."

Sec. 2 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-406. Referendum; General Assembly action.

(a) If authorized to do so by the concurrent resolutions that established it, a commission may call a referendum on its proposed plan of governmental consolidation. If authorized or directed in the concurrent resolutions, the ballot question may include as a separate proposition the assumption of debt secured by a pledge of faith and credit language and may also include the assumption of the right to issue authorized but unissued faith and credit debt language as provided in subsection (b) of this section. The referendum on the two propositions may be held on the same day as any other referendum or election in the county or counties involved, but may not otherwise be held during the period beginning 30 days before and ending 30 days after the day of any other referendum or election to be conducted by the board or boards of elections conducting the referendum and already validly called or scheduled by law.

(b) The propositions submitted to the voters shall be substantially in one or more of the following forms and may include part or all of the bracketed language as appropriate and other such modifications as may be needed to reflect the issued debt secured by a pledge of faith and credit of any of the consolidating units or the portion of the authorized but unissued debt secured by a pledge of faith and credit of any of the consolidating units the right to issue which is proposed to be assumed by the consolidated city-county:

- (1) "Shall the County of _____ and the County of _____ be consolidated?
[] YES [] NO"

"Shall, in connection with the consolidation of the County of _____ and the County of _____, the consolidated unit assume the debt of each secured by a pledge of faith and credit, [the right to issue authorized but unissued debt to be secured by a pledge of faith and credit [(including any such debt as may be authorized for said counties on the date of this referendum)] and any of said authorized but unissued debt as may be hereafter issued,] and be authorized to levy taxes in an amount sufficient to pay the principal of and the interest on said debt secured by a pledge of faith and credit?
[] YES [] NO"

- (2) "Shall the City of _____ and the City of _____ be consolidated?
[] YES [] NO"

"Shall, in connection with the consolidation of the City of _____ and the City of _____, the consolidated unit assume the debt of each secured by a pledge of faith and credit, [the right to issue authorized but unissued debt to be secured by a pledge of faith and credit [(including any such debt as may be

authorized for said cities on the date of this referendum)] and any of said authorized but unissued debt as may be hereafter issued,] and be authorized to levy taxes in an amount sufficient to pay the principal of and the interest on said debt secured by a pledge of faith and credit?
 YES NO"

- (3) "Shall the City of _____ and the County of _____ be consolidated"
 YES NO"

"Shall, in connection with the consolidation of the City of _____ and the County of _____, the consolidated unit assume the debt of each secured by a pledge of faith and credit, [the right to issue authorized but unissued debt to be secured by a pledge of faith and credit [(including any such debt as may be authorized for said city or county on the date of this referendum)] and any of said authorized but unissued debt as may be hereafter issued,] and be authorized to levy taxes in an amount sufficient to pay the principal of and the interest on said debt secured by a pledge of faith and credit?
 YES NO"

(c) The proposition submitted to the voters shall be substantially in one of the following forms:

- (1) "Shall the County of _____ and the County of _____ be consolidated?
 YES NO"
- (2) "Shall the City of _____ and the City of _____ be consolidated?
 YES NO"
- (3) "Shall the City of _____ and the County of _____ be consolidated?
 YES NO"

(d) If the proposition is to consolidate two or more counties or to consolidate two or more cities, to be approved it must receive the votes of a majority of those voting in each of the counties or cities, as the case may be. If the proposition is to consolidate one or more cities with a county, to be approved it must receive the votes of a majority of those voting in the referendum. In addition, no governmental consolidation may become effective until enacted into law by the General Assembly.

(e) Subsection (b) of this section applies to any county that has a population over 500,000 according to the most recent federal decennial census. Subsection (c) of this section applies to all other counties. If any subsection or provision of this section is declared unconstitutional or invalid by the courts, it does not affect the validity of the section as a whole or any part other than the part so declared to be unconstitutional or invalid, provided that if the classifications in subsections (b) and (c) of this section are held unconstitutional or

invalid then subsection (c) of this section is repealed and subsection (b) of this section shall be applicable uniformly to all counties.

Sec. 3. If a concurrent resolution is adopted pursuant to G.S. 153A-405 or 153A-406 prior to the effective date of this Act, the concurrent resolution may be amended to include authorization or direction that the ballot include as a separate proposition the assumption of obligations language and may also include the assumption of the right to issue authorized but unissued faith and credit debt language as provided by G.S. 153A-406.

Sec. 4. If any section or provision of this Act is declared unconstitutional or invalid by the courts, it does not affect the validity of the Act as a whole or any part other than the part so declared to be unconstitutional or invalid.

Sec. 5. This Act is effective upon ratification.

5. Parole Accountability Committee Legislative Package

*Boyd Couble
Maj.'s Office*

Action: Approve a recommendation from the Public Safety Committee to include recommendations from the Citizens Parole Accountability Committee in Council's 1996 legislative package.

Committee Chair: Don Reid
Staff Resource: Chief Dennis Nowicki

Policy: Community Safety

Explanation of Request:

- *The Citizens Parole Accountability Committee, which was established by Council in 1994, has spent the last 18 months studying the parole process in North Carolina. The committee has developed a legislative package which was endorsed by Council's Public Safety Committee on March 19.*

APPROVED BY CITY COUNCIL
APR 8 1996

Brenda R. Freeze
City Clerk *BRF*

- *The principal recommendation of the Committee is to revise North Carolina General Statute 15A-1371. The revision requires the Parole Commission to provide public notification to all parties, including victims or their immediate families, police and district attorney, and media, 90 days prior to parole hearing. This action will provide interested parties ample time to comment on the parole.*

- *Other items in the legislative package include:*

- *Allowing victims of violent crime to be heard regarding the parole of their offender,*
- *Considering violent offenders for parole other year instead of every year, and*
- *Increasing funding for the Probation and Parole Department to hire additional parole officers to reduce caseloads and allow closer monitoring of parolees.*

every

- *The proposed lobbying effort would include:*
 - *Written and personal contacts with the*

Mecklenburg legislative delegation,

- *Partnerships with other major North Carolina cities, and*
- *Seeking the support of the N.C. League of Municipalities.*

Attachment 1

***Citizens Parole Accountability Committee Report of Findings and Recommendations to the City Council
Public Safety Committee***

Citizens Parole Accountability Committee
Report of Findings and Recommendations
to the City Council Public Safety Committee

January 1996

Preamble

The Citizens Parole Accountability Committee (CPAC) was established by City Council in June 1994. The objective of the Committee, as stated in the Community Safety Plan, was/is: "To affect the review process of the Parole Board so as to prevent violent or career criminals from being given early parole."

Background

Over the past 18 months CPAC has researched many aspects of the parole and early release process as they occur in North Carolina. This research and our subsequent findings have been invaluable in educating CPAC as to the best way(s) to fulfill the charge given to us by City Council. In order to best address our objective(s) we focused our efforts on the following issues:

1. Defining how the process (actually) works now.
2. Examining what works and what does not within the existing process.
3. Identifying procedures that are not enforced or acted upon appropriately.
4. Considering procedures that could be changed that would improve the process.
5. Considering costs associated with changes suggested.

Findings

To date (January 1996) the Committee has reviewed more than 700 cases of individuals pending parole and/or early releases from prison to Charlotte and Mecklenburg County. Our efforts to assist victims in their response and/or prevent release of these individuals has been reported previously. Ultimately, our effectiveness as a Committee depends on our (as well as the District Attorney, Police and Victim) receiving adequate prior notice of the pending release(s) from the Parole Commission. Subsequently, we have found that:

Despite existing statutes (G.S. 15A-1371) prior notification of parole/release hearings are not always provided

Victims and authorities that do receive prior notification of a parole/release hearing, most often do not have adequate time to prepare a response within the 30 day time frame stipulated.

Recommendation

Revise G.S. 15A-1371 to **require** the Parole Commission to provide public notification to all parties stipulated, **including the local media, 90 days** prior to parole/release hearing.

CPAC Addendum

Legislative Considerations

All victims (immediate family) of violent crimes should be notified automatically 90 days in advance of a parole/release hearing.

Parole Board should provide all victims of violent crime the opportunity to be heard regarding the parole/release of (their) offender.

Parolees in the community who are arrested for a new crime should remain in jail (for the new crime) until adjudicated.

Alternate parole eligibility and/or parole consideration for crimes of violence to every other year vs. every year.

Require accountability (of Parole Commission) for notification procedures.

Increase funding for Parole field staff to allow more efficient caseload management of parolees released into the community.

All pre-parole/release notification(s) should include at least; documentation of inmate's date of sentence, what sentence included, if placed on probation previously- whether probation was revoked, and time served vs. length of sentence.

6. District Attorney Needs for 1996 Legislative Package

*Boyd Cauble
Mgr's Office*

Action: *Approve a recommendation from the Public Safety Committee to lobby the legislature for additional resources for the District Attorney.*

Committee Chair: *Don Reid*

Staff Resource: *Chief Dennis Nowicki*

Policy: *Public Safety*

Explanation of Request:

- *One of the most critical needs in the criminal justice system in Mecklenburg County is additional resources for the District Attorney's Office. These resources, both assistant district attorneys and support staff, are needed to deal with the growing volume of criminal cases presented for prosecution. Chief Nowicki noted this need at City Council's retreat in February.*

APPROVED BY CITY COUNCIL

APR 8 1996

**Brenda R. Freeze
City Clerk**

BRF

- *On March 19 Peter Gilchrist made a presentation to the Council's Public Safety Committee on the District Attorney's needs.*
- *A February 1996 study by the Jefferson Institute for Justice Studies indicates that North Carolina needs 116 additional district attorneys to maintain the same level of prosecutorial services that were available in 1985. Seventeen of the additional district attorneys are needed in Mecklenburg County.*
- *The North Carolina Conference of District Attorneys, of which Peter Gilchrist is the current president, has voted to make lobbying the legislature for the additional resources their number one priority. Realizing the difficulty in hiring and training all of these additional personnel in a brief period of time, the Conference of District Attorneys has decided to ask the legislature for half of the needed resources this year and lobby for the other half next year.*

- *The Public Safety Committee unanimously endorsed asking the full Council to lobby Mecklenburg County's legislative delegation to support the additional resources for the District Attorney as one way of making the criminal justice system more effective.*
- *An attachment provides more detailed information on the District Attorney's needs, current caseloads, and the new organizational structure that the District Attorney has implemented to maximize the use of his existing resources.*
- *The proposed lobbying effort would include:*
 - *Letters and personal contacts with the Mecklenburg legislative delegation,*
 - *Partnerships with other cities across the state, and*
 - *Seeking the support of the N.C. League of Municipalities as a partner in the lobbying effort.*

Attachment 2

The District Attorney's Office in Mecklenburg County.

THE DISTRICT ATTORNEYS OFFICE IN MECKLENBURG COUNTY

The Current Situation in Mecklenburg County

As one of the fastest growing and successful urban areas in the United States, Mecklenburg County has suffered disproportionately from crime and particularly violent crime. Law enforcement has for over fifteen years presented to the District Attorney's Office in Mecklenburg County *significantly more cases* than the office has had the capacity to assimilate and process. The office has used a variety of management techniques increasingly and necessarily being dictated by available resources. Assistant district attorneys are being forced to ask not whether they ought to prosecute but whether resources permit. In spite of measures taken to control caseloads, the staff size and experience level of many of the assistant district attorneys are making compliance with the Rules of Professional Conduct problematic. It is not unusual for assistant district attorneys to handle legal matters without the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation of the State. Other cases are declined for prosecution because assistant district attorneys do not have time to provide advise and assistance to law enforcement officers who need *attorney assistance* to adequately develop cases for prosecution. Other cases are routinely being reduced from felonies to misdemeanors in an effort to manage attorney caseloads. It should be a matter of concern to the Mecklenburg County Bar that the District Attorney's Office does not have the attorneys, staff, equipment and training to properly carry out the statutory duties of the office.

Statutes and Procedures That Affect District Attorneys

The Office of the District Attorney is established by the Constitution of North Carolina. The District Attorney is charged by law with broad responsibility for advising the officers of justice in his district and prosecuting criminal actions, as well as enforcing numerous specific statutes. The operating expenses of the office are to be paid from State funds. The majority of law enforcement resources in Mecklenburg County come from local sources.

Police are permitted to make lawful arrests of defendants based on less evidence than the law requires the district attorney to present to convict the same defendants. In all but a minority of jurisdictions *nationwide* police bring to either the district attorney or to court cases that cannot and will not result in convictions. North Carolina has traditionally had cases filed with the court first and later the district attorney reviews the case and makes a decision of whether or not to prosecute and if so at what level. This procedure evolved and later became law because the State was once entirely rural and law

enforcement officers rarely had access to a district attorney before the case was filed. Today in some urban areas of the state, depending upon the consent of the district attorney, police may have the ability to bring certain cases to the district attorney before filing charges.

The benefits of a pre-filing review of a case by a district attorney are significant. The district attorney can advise the police (one of the district attorney's duties under the Constitution) how to improve the case. Cases with insufficient evidence are never filed and arrests are not required where convictions cannot be obtained. When weak cases are not filed, criminal justice costs are avoided. Public defenders and appointed lawyers are not required, jail beds are not used and arrest processing costs are avoided on cases that will be dismissed. Early screening or review of cases is the preferable standard for prosecution and is recommended by both the National Prosecution Standards of the National District Attorneys Association and by the American Bar Association. Pre-warrant screening has not been widely utilized in North Carolina and one of the important reasons is that filings of cases is a key measurement of district attorney workload utilized by the Administrative Office of the Courts to allocate personnel to district attorney offices. To the extent that cases are screened out before filing the workload is understated and so the apparent need for assistant district attorneys, support staff and other resources.

Steps Currently Being Taken to Improve Office Performance

The District Attorney's Office in Mecklenburg County is now engaged in a felony staff reorganization that has two parts--internal and external. The internal portion to be implemented January 2, 1996, will consist of assigning the felony lawyers to one of five teams (Homicide, Crimes Against Property, Crimes Against Persons, Child Sex Abuse/Juvenile and Drugs). The teams will organize their work with law enforcement officers, victims, witnesses, and district attorney staff to facilitate case and defendant handling. The external portion projected to be implemented in the late Spring or Summer of 1996 will consist of developing case handling procedures with judges, defense attorneys, court administrators' office, and district attorneys' personnel that establish timeliness for completion of necessary steps in processing cases that will reduce delay and efficiently utilize available court time.

The combination of both reorganizations is expected to improve efficiency. However, anticipated efficiency will not replace the need for sufficient assistant district attorneys and staff to deal with cases and defendants currently being presented for prosecution. The following details District Attorney needs.

Assistant District Attorneys

Child Sex Abuse/Juvenile Team

The Office will annually receive approximately 300 cases evolving investigations of sexually abused children. The cases are time consuming to review, discuss with law enforcement officers and other professionals, and to handle. The current backlog is 90 defendants and over 200 cases. It is important to deal with these cases quickly because of the tender age of victims and their need to resolve cases that may have a significant impact on their lives. An additional ADA is required for these cases. There are two ADAs handling juvenile cases. The caseload consists of approximately 600 felonies and 2,000 misdemeanor petitions per year. Increasingly juveniles are becoming involved in violent felonies and these cases are also time consuming to handle. A portion of the juvenile cases must be transferred to superior court for disposition as adults and these require substantial additional time.

The laws, procedures, problems and issues involving juveniles are such that a degree of specialization is needed to improve the district attorney response to the substantial increase in juvenile crime. The ADAs working in juvenile court need to become a separate team with their own supervisor. The laws, procedures, problems and issues involving juveniles are such that specialization will improve the district attorney response to the current juvenile caseload. An additional ADA is needed for juvenile court to supervise and coordinate prosecution efforts. It is worth noting that defending approximately 75 percent of these juveniles require three attorneys from the Children's Law Center.

Homicide Team

The Team has the task of reviewing with investigating officers the investigative files for all homicide cases (88 in 1994 and 89 in 1995) and making requests for additional information needed for prosecution decision making. If the case is accepted as a first degree murder prosecution, the Team will handle the case. If the case will not be prosecuted as first degree, the Team will make the decision as to the appropriate level of charge and, when the file is complete, either retain the case for prosecution or transfer the case to a member of the Crimes Against Person Team. If transferred, the Homicide Team will assist as needed in explanations to the victims family and developing of a disposition strategy for the case. The Team will have three ADAs and one more is needed.

Crimes Against Persons Team

The team will be presented by police with approximately 1,200 cases evolving violent crimes against persons in addition to the homicide cases not handled by the Homicide team. Many of the cases involve drugs, and people using, possessing or selling drugs. Witnesses often are afraid or hostile, and lie about facts. Much time is spent trying to determine if cases can be successfully prosecuted and often at the time of trial witnesses refuse to cooperate and/or come to court. This is particularly true of cases charging armed robbery, felonious assault, and firing into occupied property. There is an important need to retain certain defendants in jail pending disposition to prevent further violence and to protect witnesses. Time to disposition for defendants in jail needs to be minimized and caseloads for ADAs handling these cases must be smaller. The Team will have five ADAs and should have two more.

Crimes Against Property Team

This team with six ADAs will to be referred in excess of 4,600 felony cases including arsons, burglaries, frauds, larcenies and dumpings. The team members carry the largest caseloads in the office. At present, too many of the crimes against property cases are not prosecuted either because ADAs do not have time to develop the cases with the investigating officers and witnesses and these cases are plea bargained as misdemeanors or dismissed to reduce caseloads. The Team handles a wide variety of cases. Many are routine and well investigated by the police and can proceed routinely to guilty pleas. Other cases are unique and require considerable time by an ADA for review of the investigative file and consultation with investigators and victims to determine whether the case can or should be prosecuted. This Team needs a minimum of three more ADAs to address the workload.

Drug Team

The Drug team has done an excellent job in dealing with approximately 3,000 drug felonies annually. The Charlotte-Mecklenburg Police Department has decentralized the Street Drug Interdiction Unit and has moved much of the drug effort to the Service Areas and to team policing officers. As a result, there are many groups of officers and supervisors who need access to members of the Drug Team to discuss strategies and do joint planning. The District Attorney's Office has been in the forefront of the development of a Drug Treatment Court to support the expedited case management in the Drug Court. Implementation of this program in 1996 will be an additional duty for team members. An additional ADA is needed to permit ADAs to deal with officers and police

administrators and to allow the Team Supervisor to train team members.

Misdemeanor Section

The Misdemeanor section currently has seven ADAs including the supervisor. The Section is responsible for staffing six district courts and one superior court. In spite of the fact that one ADA covers two district courts and the Misdemeanor Appeals ADA is not in superior court every day the staffing of the team too often requires that the supervisor handle a courtroom when an ADA is unavailable. There are a number of important responsibilities that are not being met. ADAs are not available to meet with Police Service Area administrators and community police officers to develop strategies and to deal with specific problems that the officers and citizens are facing. The supervisor does not have time to deal with Section problems and to observe and train her assigned ADAs. At present, with the exception of the supervisor, all of the ADAs have joined the office since July 31, 1995. Two additional ADAs in the Section are needed to solve these problems and to allow time for individual ADAs to be assigned to important cases and to have out-of-court time to prepare the cases, and to then both handle the case in District Court and, if necessary, follow it onto Superior Court.

Existing Needs for Support Personnel

Paralegals can be used in a variety of situations to reduce the need for more Assistant District Attorneys and yet can be trained to perform work that attorneys would otherwise have to do. This includes calling witnesses to set up interviews with the ADAs and in some cases even conduction certain interviews or at least finding out specific information and verifying information needed to draft proper charges. Paralegals can locate criminal records, prepare exhibits, contact witnesses who are on stand-by and have them in court when needed and generally do a variety of routine tasks that are necessary in processing cases.. All of these are tasks which ADAs are currently frequently doing and which reduce the number of cases that the ADAs could handle if not so encumbered.

Paralegals are needed as follows:

- Juvenile (1)
- Child Sex Abuse (1)
- Homicide (1)
- Crimes Against Persons Team (2)
- Crimes Against Property Team (3)
- Drug Team (1)

Other needs

Automation of Subpoena Service Status

Notification of witnesses to be in court is a major problem for the District Attorney and the Sheriff. Hundreds of paper subpoenas are generated and must be served each day criminal courts are in session. The importance of witness appearance in court cannot be overstated. If a necessary witness is not present, the case at best must be continued and at worst is dismissed. The prioritizing of the service of the subpoenas and returning the served or unserved subpoenas to the Clerk of Court for filing in the case file is a most important but labor intensive task. If the subpoena process were automated many witnesses could be notified by telephone utilizing a computer screen rather than a paper copy and the service or non-service status could immediately be recorded in the Clerk's computer without the necessity of handling the paper copy. Additional benefits are that the computer could prioritize unserved subpoenas and permit the Sheriff to work first on the subpoenas for the earliest cases and then on those where timeliness was not so critical. A further benefit would be that the computer would immediately reveal those cases where witnesses had not been served and decisions could be made pretrial as to whether to attempt further efforts to locate unserved witnesses or whether the case should be dismissed because of inability to locate a necessary witness and the remaining witnesses recalled and notified not to come to court unnecessarily.

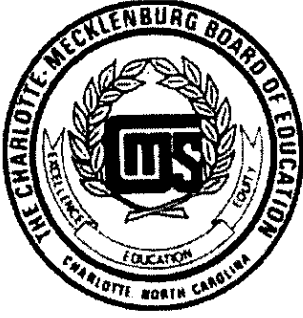
Training

Specialized training is needed for both the assistant district attorneys and the support staff. The attorneys need supplemental education and training not only in trial skills but in special areas that their teams deal with such as arson, fraud and white collar crimes, rape, sexual abuse of children, drug prosecution, nonsupport enforcement, domestic violence, capital litigation, and juvenile prosecution. Too few of the felony attorneys now on staff have had specialized prosecution training in the areas where they are assigned and none of the misdemeanor attorneys with the exception of that provided by the Administrative Office of the Courts and the Institute of Government. The office handles a large number of cases where specialized training is required for effective prosecution.

The support staff also needs additional training in office management, computer skills, personnel management, and victim/witness management. The support staff is becoming increasingly specialized in their jobs and technical training is necessary to

advance and improve their skills.

The personnel needs described are the minimum for the immediate needs of the office and these needs have existed for a number of years. The intermediate and long term needs are greater. There are practical limits on the ability of the office to assimilate and train additional staff in a short time period and the personnel needs described are a realistic number for assimilation in the immediate future. Considering the internal changes underway within the District Attorney's Office and the external changes to be undertaken later in the year, consideration of additional staffing should be deferred until after an assessment is made of the current changes and the impact of these increases.



CHARLOTTE-MECKLENBURG BOARD OF EDUCATION

LEGISLATIVE PRIORITIES 1996 Short Session

I. APPROPRIATIONS

Priority 1: Teacher Pay

If we are to attract and retain the *best and the brightest* teachers needed to develop a world-class school system, we must increase teacher pay. Today, we pay teachers in North Carolina an average of \$31,000 a year. This is 84% of the national average of \$37,000. In Mecklenburg County, the average base pay for teacher level employees is \$31,836, slightly higher than the North Carolina average but significantly lower than the national average. Even more important, however, is that average teacher salaries in our county are 25% below those of other college graduates and 30-50% below those of graduates in scientific and technical fields. In the Southeast, North Carolina ranks next to last in teacher pay; only South Carolina's average teacher salary is lower in our region. In Mecklenburg County, the starting salary for new teachers is \$22,770 -- often posing difficulty while recruiting in competition with neighboring states.

The emergence of site-based management, shared-decision making, increasingly diverse school populations, and an intense focus on educational outcomes requires teachers to demonstrate a new set of refined skills. Teachers need training and the opportunity to learn the latest instructional and management techniques to stay current. We must act swiftly both to attract new talent to the ranks and to strengthen the skills of the current brigade of teachers. Even our Teaching Fellows are being lured to better compensation opportunities after they meet their service requirements.

The North Carolina Association of Educators has challenged the North Carolina General Assembly to raise teacher pay to the national average by the year 2000, at a projected cost of \$1.3 billion. Although a very aggressive target, we contend that the time has come to reward teachers as professionals. We advocate a solid, across-the-board raise in salaries for teachers.

As we move toward more competitive pay for teachers by rewarding them as professionals, we need to focus more attention on pay for performance. (The state's *New ABCs* is a solid start in this direction.)

Substitute Pay

A critical shortage of substitute teachers exists. On a daily basis, we employ approximately 300 substitutes with a peak of 440 on some days. The low pay level increases the risk of poorly supervised classrooms or existing personnel being removed from their regular duties to perform as substitutes. A \$10.00 increase is recommended for each substitute day at each of the following three levels to ensure adequate classroom coverage and appropriately reward substitutes for the work performed:

	Current	Proposed*
4 Year Degree or Less	\$40	\$50
Effective Teacher Training	\$50	\$60
Certified	\$57	\$67
*The total estimated cost for one year including FICA is \$575,088.		

Also, we recommend that the State's allocation of funding to LEAs for substitutes should be at the highest rating which is currently \$57.00, instead of the \$50.00 per day funding which we used this year.

Teacher Assistant Pay

Effective July 1, 1996, the State salary grade for teacher assistants will increase from Grade 53 to Grade 56. Many teacher assistants are currently below the minimum of the new salary pay grade. The Charlotte-Mecklenburg Schools recommends the State provide funding to adjust all teacher assistants equitably according to their experience within the new salary pay grade rather than only increasing teacher assistants to the minimum.

Benefits for Interim Teachers

When teachers take a leave of absence, it is critical that we replace them in the classroom with competent, motivated teachers. In some circumstances, replacement teachers may only be eligible for a substitute rate of pay initially and no benefits. We are requesting that the State approve teacher pay and benefits immediately for positions slated to be interim contracts.

Performance-Based Accountability Plan

We recommend the State continue the plan initiated in 1995-96 so that participants in the career development program will be held harmless with respect to their total pay. This will mean that their career development bonuses will be reduced by any increase in their basic teacher pay until such time that the career development bonus is eliminated.

SUM OF 1994-95 STATE SALARY AND BONUS HELD HARMLESS

Example	1994-95 Costs	1995-96 Costs	1996-97 Projected Costs*	1997-98 Projected Costs*
Level 1				
State Salary	\$38,110	\$38,870	\$40,425	\$42,042
PBAP Incentive	1,338	578	0	0
State Salary + Incentive	\$39,448	\$39,448	\$40,425	\$42,042
Level 2				
State Salary	\$37,360	\$38,110	\$39,634	\$41,219
PBAP	3,115	2,365	841	0
State Salary + Incentive	\$40,475	\$40,475	\$40,475	\$41,219

Note: State salary is the State-level salary

*Assumes a 4% increase to pay in 1996-97 and in 1997-98

We support the *New ABCs* plan to provide \$30 million for rewarding schools based on student outcomes.

Priority 2: Lower Student-Teacher Ratio

In the last two years, class size was reduced in grades K-1. We would like continued consideration given for lowering student-teacher ratios. We acknowledge that we cannot always lower class size given capital constraints and limitations within an already overtaxed physical plant.

Priority 3: Exceptional Children

Unfunded mandates from federal and state governments place an undue burden on local school systems. The Exceptional Children Program is one example. We propose that a flat grant formula be instituted as a means of meeting the individual needs of these students. *In support of the state study* of the funding formula conducted during the 1993-94 school year, we recommend that:

- An additional \$145.7 million be phased in over a five-year period on a state-wide basis.
- Exceptional Children programs should be funded at 2.3 times the cost of regular education.

The 1993-94 study reported that the average state funding per child was \$2,853. The excess cost per disabled child using the 2.3 formula was \$3,709. The total cost per disabled child was \$6,562.

FY 1993-94 State Funding per child (non-disabled)	Excess Cost Per Disabled Child	Total Cost Per Disabled Child
\$2,853	$\$2,853 \times 1.3 = \$3,709$	\$6,562

Actual excess cost funding in the 1994-95 school year was \$2,431 per disabled child. If the 2.3 formula had been used, \$1,278 more per disabled child would have been received by the Charlotte-Mecklenburg Schools or total of \$10,350,522 based on a headcount of 8,099 students.

Actual Excess Cost 1994-95	2.3 Formula Excess Cost	Difference in Excess Cost
\$2,431 per student	\$3,709 per student	\$30,039,191
<u>x</u> 8,099 students	<u>x</u> 8,099 students	- \$19,688,669
\$19,688,699	\$30,039,191	\$10,350,522

Additional funding (\$10 million state-wide over five years) is also needed for extraordinary cost programs such as out-of-district placements, developmental day placements, group homes, community residential placements and other extraordinary cost situations as determined on a case-by-case basis.

- CMS receives funding for out-of-district placements as follows: 40 - 50% of the cost is reimbursed by the state; the remainder is paid out of CMS headcount (federal & state) funds.
- CMS receives about \$7000 per disabled child for contract developmental day placements. The remaining cost is paid out of CMS headcount (federal and state) funds.
- CMS does not currently place any students in community residential placement (e.g., Howell Center).
- Extraordinary cost situations might include students needing assistive technology, personal assistants, or students with extraordinary multiple services.

Block grant categorical funding should be implemented for programs for academically gifted students. Such funding (\$10 million state-wide over five years) should be used on the number of students generated by 4% of the average daily membership and funded at a ratio of one-half the funding allotments for students with disabilities.

The current formula for AG programs is one-third the current state allotment for disabled students or \$680 per student. The number of AG students allowed to be counted during the 1994-95 school year was 3.9 % of the Average Daily Membership (ADM) which equals 3,281 students in the Charlotte-Mecklenburg Schools. Applying this formula yields \$2,231,080.

EXISTING		
AG Allotment	No. of AG Students Counted	Total AG Allotment
1/3 x 2,040 equals \$680 per student	84,129 (CMS/ADM) <u>x .039 (3.9%)</u> 3,281 students	3,281 students <u>x \$680</u> \$2,231,080

The proposed funding formula increases the pupil/allotment by \$1,175 per student and expands the number of students to be counted by .1%

The Average Daily Membership (ADM) in the Charlotte-Mecklenburg Schools during the 1994-95 school year was 84,129. Four percent of this ADM is 3,365 students. One-half the 2.3 proposed funding allotment for students with disabilities is \$1855. If this formula were used to fund AG programs, the Charlotte-Mecklenburg

Schools would receive \$6,242,075 or an increase of \$4,010,995. (Is \$10 million state-wide sufficient?)

PROPOSED		
1994-95 ADM (4%)	Per Pupil Funding for Students with Disabilities	AG Programs
84,129 (CMS/ADM) x .04 (4%) 3,365 students	3,709 (2.3 funding formula x .5 for disabled) \$1855	3,365 (4% ADM) x \$1,855 (per pupil AG) \$6,242,075

Summary

We would remind the delegation that this requirement for delivery of services is *federally mandated*. Initial cost projections contemplated some 40% of the excess cost to be underwritten federally. Regrettably, we continue to be allocated only at the 7% to 8% range. *We need your help* in lobbying at the federal level. Otherwise, to meet the needs of this important segment of our school population, we have no choice but to rely on state/local funds -- and, at present, there are clearly insufficient resources to render the appropriate level of services.

Priority 4: Discipline/Violence

Violence and discipline problems have reached epidemic proportions in the United States and in North Carolina with particularly serious implications for school-age children and adolescents. Schools that experience the daily threat of potential student violence and disruptive classroom behavior have their primary mission of education eroded at great costs to students.

Traditionally, violence has been viewed as a social problem to be dealt with primarily by the law enforcement and judicial systems. Recently, however, violence has been recognized as a major public health problem requiring the collaborative preventive efforts of multi-disciplinary and educational professionals, as well as broad-based community interventions. Violence prevention efforts, therefore, must be designed using educational, regulatory, technological, or combined approaches. Enforcement strategies especially must be supported by adequate personnel to facilitate appropriate interventions. The Office of the District Attorney in Mecklenburg County is woefully understaffed as compared to other prosecutors in counties of similar size in the United States. There is an immediate need for a minimum of 20 additional assistant district attorneys. Both serious and non-serious crimes are going unprosecuted in Mecklenburg County. Police Chief Dennis Nowicki validates that only 25 out of every 100 Mecklenburg County arrests are accepted by the district attorney's office for prosecution because of inadequate staffing.

The North Carolina Annual Report on School Violence documents an unacceptable incidence of violence in our schools. Since violence and disruptive behavior are recognized as major problems that affect our staffs, students, families, and community, it is critical that, as a system, we focus on ensuring that our schools are safe, secure environments where students can learn and teachers can teach. This challenge involves integrating multiple approaches and strategies into the organizational structures of individual classrooms, schools, school districts and communities.

Therefore, we propose that legislation:

- *provide funding for School Resource Officers (SRO)*. There are currently 38 SRO positions in CMS which provide SRO services to every CMS middle school and high school. CMS receives no state monies for these positions, but rather contracts with the Charlotte-Mecklenburg Police Department to provide the services (total cost per year is approximately \$605,000).
- *support continued funding for the North Carolina Center for the Prevention of School Violence* in order to promote the implementation and evaluation of

citizenship and violence prevention in the curriculum, peer mediation training and safe school planning.

- *propose increased funding to develop and expand alternative programs for chronically disruptive students or at-risk students who may be suspended or expelled at earlier ages.* CMS currently has five alternative schools and six discipline schools. One-thousand five hundred and two (1,502) students attend the alternative schools and 360 students attend the discipline schools. Waiting lists vary for these schools from zero to approximately 300 students. Even though the discipline schools are overcrowded, we cannot have a waiting list for them because once a student is given an alternative education assignment (s)he must be placed. There is a critical need to expand these programs and respond to the demand. CMS data validates that many alternative students cannot read, read below grade level, or have deficiencies in reading. Yet, there is no funding available for *reading support positions* in these schools. In addition, we need to remember that families with children represent the fastest growing segment of the homeless population. It has been estimated that there are over 3,000 homeless individuals in Charlotte at any one time. Current data suggests that there is an overwhelming number of “hidden” homeless children scattered throughout the local school system. While many of these children attend mainstream schools, their attendance is erratic, their transfer rate -- one of the leading indicators of future dropout -- is extraordinarily high. Their attempts to be successful in school are often thwarted because their basic needs are not being met and because the academic environment is not prepared to respond to their special needs. Expanded alternative programs are needed to identify and serve our homeless students. A Child’s Place, our only transition program for homeless students, serves only elementary children which leaves a defined need for alternative services for secondary students. Case management which is an important component of these services will require *additional social work and dropout prevention positions*. CMS has only 42 dropout prevention case managers and 7 social workers to serve 88,504 students.
- *support the appropriation of \$1.6 million to hire 20 additional assistant district attorneys* which would ultimately increase the number of Mecklenburg County district attorneys assigned to juvenile offenders to equalize the caseload demand for processing juvenile crime.

Safe and Drug-Free Schools

Current research documents that comprehensive violence prevention and substance abuse prevention programs foster reductions in drug use and violence that are lasting and meaningful. Broad-based programs include developmentally

appropriate information about drugs, social resistance skills training and integrated curriculum. Effective programs use interactive teaching techniques and teacher training and provide adequate content coverage and sufficient follow-up and repetition. Cultural sensitivity to the target population, particularly as it relates to parent and family involvement, is critical to program success.

For prevention to work, *institutionalization* of prevention programs must occur. School-based programs with community-based components offer important promise for effective interventions. The school setting promotes institutional and systems approaches.

Long-scale studies reveal that successful school-based programs affect the behavior patterns and decision-making processes of students. Safe and drug-free schools programming positively impacts classroom behavior, school attendance, and parent involvement. The focus of safe and drug-free schools program components foster the growth of peer mediation, conflict resolution, drug resistive education skills and safe school planning. If we are to reduce physical fighting, carrying weapons, assaults, disruptive behavior, and drug use, it is critical that our legislative efforts:

- advocate for continued funding of federal, state, and local monies for substance abuse prevention and violence prevention.
- advocate continuation of the Safe and Drug-Free Schools monies at the current budget levels. The FY 1995-96 state funding received by CMS through its Drug-Free Schools Grant is \$383,200. There is currently a 25% reduction proposed in this funding which amounts to \$138,000. If this reduction becomes reality, CMS will lose two full-time counselor positions that provide direct services and programs to students and families.

Priority 5: Pre-K/Readiness to Learn

Early childhood studies validate that the first five years of a child's life provide the foundation on which all other experiences will be based. Approximately 80% of a child's intellect, personality and social skills are formed by age five. During the first two years of life a child's brain is enriched and permanently affected according to the level of stimulation the child receives. With the appropriate verbal and intellectual experiences, the child's ability to learn is forever enhanced; without such early encouragement, the child's potential is stunted. Quality Pre-K experiences are critical in that they provide the framework by which children develop the personal confidence necessary for high levels of academic achievement and effective interpersonal relationships. Research also indicates a link between the early years and the formation of a conscience. Those very young children who never form a loving, trusting bond with a reliable adult, in some cases, are the very same children who, later in life, join gangs and engage in violent and anti-social behaviors.

Over the lifetime of the participants of Pre-K programs, an estimated \$7.16 for every dollar invested is returned to the public. Based on clear evidence that quality Pre-K programs significantly impact the learning and potential of children, it is critical that out legislative efforts:

- recognize the *critical nature of a child's first five years of life*; recognize the positive impact the Smart Start initiative is having on preschool children and their families in Mecklenburg County; and therefore, strongly support the expansion of Smart Start so that all children in the State will receive the benefit of a Smart Start.
- recognize the fact that the Mecklenburg County Smart Start initiative is currently funded at less than 22% of its potential total allocation and recommend that existing Smart Start counties currently funded at less than 60% of their allocation be given expansion funds to move them closer to full funding.

Priority 6: Technology

We must seize the promise of new technologies to increase productivity, enhance student achievement, and expand learning time. In a climate of change, technology helps us keep pace. Without it, our students will not be able to compete in an ever-changing world. No longer is it enough to teach just reading and writing. The skills needed to be literate in the twenty-first century will be in many forms -- text, audio, graphic and video.

The amount of information is growing exponentially, and technology facilitates the concept of shared information resources. With a systematic approach, all schools, no matter the size or location, will have equal access to quality instructional resources.

Technology revolutionizes schooling because it makes learning flexible and portable. It means that learning and all things connected to schooling need not occur in a classroom six feet from the teacher's desk. Unfortunately, some citizens view technology as an add-on. Technology amplifies, invigorates and facilitates the efforts of people. The right software can do for teachers what word processors do for reporters, spreadsheets do for the statisticians, and electronic mail does for the office workers. As for students, computers are not just high-tech workbooks. They are tools for writing, researching, communicating, investigating, experimenting and calculating. Technology changes the way students learn and what they are able to do.

Technology, fully integrated with curriculum and instructional goals, provides a strong support for teaching and learning.

Past experience has shown that the most effective implementation of learning and instructional management technologies occurs when the funding program is continuous over a multi-year period. This stream of funding is essential to continue our technology initiatives set forth in our local long-range technology plan.

Results of the legislative school technology funding for last year have allowed CMS to accomplish the first step in our technology plan. We are in the process of establishing networked computer information/research centers in all middle schools, providing extensive staff development for teachers and administrators and building the beginning infrastructure for a networked environment.

Therefore, we propose that the General Assembly *continue funding the technology trust* for school districts implementing the second phase of the *North Carolina Instructional Technology Plan* which includes equipment, cabling infrastructure, staff development and supporting electronic resources.

The Charlotte-Mecklenburg Schools technology plan has been adopted and is being implemented in phases. However, we do not have adopted legislation mandating the funding of this plan. The legislature appropriated \$42 million for the schools of North Carolina for one year, only. Locally, we are spending significant dollars to upgrade our facilities in order to network our investments. Therefore, we are asking that the technology trust continue to be funded for year two yielding us:

- Expansion of technology into the curriculum in our middle and high schools (up to \$4 million)
- Continued staff development, technical maintenance and support for all technology programs in CMS (up to \$1 million)
- Expansion of the Instructional Management System into elementary and middle school (up to \$600,000)

Technology is as important as school capital funds, and it is an investment that will pay off for decades to come. Obsolescence is a fact of life, and we continually need to upgrade software, as well as hardware. We hope that a formula will be considered to replace technology equipment consistent with the manner that we replace school buses.

Priority 7: Extend the School Year

Add additional funding to the block grant to enable school systems to extend the school year for both professional staff and students.

Extend the School Year for Professional Staff

Currently, most professional school staff are State employees for ten calendar months with a limit of 200 work days. If we expect these professionals to work collaboratively, to keep current on new strategies and techniques and to be responsive to the needs of our culturally diverse student population, we must give them more time.

Additional funding (to the block grant) is needed to extend the work year for these professionals. Beginning with the 1996-97 school year, \$3.5 million is needed per year to provide CMS professional staff with five additional work days. The extension of the school year will allow professional staff to:

- keep current of new trends and procedures
- participate in collaborative planning sessions with principals and professional staff
- improve their content knowledge in specific subject areas
- attend staff development programs
- develop new curriculum, instructional and support materials

Remediation/Accelerated Learning Opportunities

Our students cannot gain a competitive edge over other students throughout the world who attend schools for significantly longer periods of time. Time must be a factor which supports learning, not a boundary marking its limits. School systems cannot raise student expectations and curriculum standards while holding the school year, school term, and school day constant.

With limited resources, we would like to place priority on lengthening the school day/year for students who are experiencing the most difficulty with their academic studies. Additional funding (to the block grant) is needed to provide after-school programs, week-end programs and summer programs for students who need more time in order to succeed.

For the 1996-97 school year and for each year thereafter, one million dollars is needed to provide the extra time for 1,000 of our most at-risk students. The extension of the school year for these students would allow for the provision of:

- reteaching students
- individual and small group tutoring
- special assistance to improve study and organizational skills
- additional computer-assisted instruction
- opportunities for diagnostic review for student needs
- student learning programs
- extra time to enable professional support staffs to work with parents

Priority 8: Miscellaneous Funding

Opening New Schools/Personnel (staffing levels)

Presently, the State does not provide any funding for positions in advance of the opening of new schools. Since it is impossible to assure the efficient opening of a school without early staffing, this means we must utilize local funds. We are, therefore, requesting State funding in accordance with the following model:

MINIMAL MODEL FOR STAFFING A NEW ELEMENTARY SCHOOL

Position	Entry Date	Additional Employment
Principal	March 1 (12 month)	4 months
Senior Administrative Secretary	March 1 (12 month)	4 months
Assistant Principal	June 10 (10 month)	2 months
Media Specialist	June 10	2 months
Custodian	May 1 (12 month)	2 months
10 Month Secretary	June 10	2 months
Cafeteria Manager	July 10	1 month
Extended Hours - staff	flexible	100 hours

MINIMAL MODEL FOR STAFFING A NEW MIDDLE SCHOOL

Position	Entry Date	Additional Employment
Principal	March 1 (12 month)	4 months
Senior Administrative Secretary	March 1 (12 month)	4 months
Assistant Principal	March 1	5 months
Media Specialist	March 11	5 months
Guidance Counselor	April 10	4 months
Custodian	May 1 (12 month)	2 months
Cafeteria Manager	July 10	1 month
Athletic Director	June 9	2 months
Guidance Secretary	June 9	2 months
Extended Hours - staff	flexible	200 hours

MINIMAL MODEL FOR STAFFING A NEW HIGH SCHOOL

Position	Entry Date	Additional Employment
Principal	October 1 (12 month)	9 months
Senior Administrative Secretary	October 10 (12 month)	9 months
Assistant Principal	October 10	10 months
Media Specialist	October 10	10 months
Guidance Counselor	March 29	4 months, 2 weeks
Athletic Director	March 29	4 months, 2 weeks
Guidance Secretary	April 1	4 months, 1 week
Custodian	May 1	2 months
Cafeteria Manager	July 10	1 month
Extended Employment for Dept. Chair	Flexible	450 hours

Criminal Records Check

In the 1994-95 Session the State Legislature passed North Carolina General Statute §115C-332, giving school systems the ability to perform criminal record checks of employees through both a state check and a federal check. However, the Legislature failed to fund this legislation. This places school systems like the Charlotte-Mecklenburg Schools in an awkward position. In order to ensure a safe, secure learning environment for the students in the system, we are obligated to check for a record of criminal convictions. Unfortunately, this is quite expensive and places a financial burden on the system.

CMS hires approximately 3000 new employees every year. New employees are fingerprinted during orientation. The fingerprint cards are then sent to the State Bureau of Investigation (SBI) for processing. The cost per fingerprint card is \$7.00, and the SBI card check is \$14.00. The total cost per employee of a State check is \$21.00.

This does not take into account the fact that many of our employees are recruited from outside the state of North Carolina. The same legislation that authorized nationwide checks forbids CMS from charging employees for out-of-state checks. This cost is currently paid out of local funds as well. CMS hires approximately 600 people from out-of-state annually. We fingerprint each of these new hires as they come through orientation, run the cards through the SBI and have an out-of-state check on them at a cost of \$20.00 per check. Therefore, these employees are costing CMS \$41.00 per employee. This cost will disappear when we are able to perform a national check.

The national check will, however, cause us to incur additional costs. The Federal Bureau of Investigation (FBI) will check for criminal records by processing

fingerprint cards. This requires new fingerprint cards so that all new employees must be fingerprinted twice. The contractor who fingerprints our employees will charge \$5.00 per card on a second fingerprint card. The FBI will charge \$24.00 per fingerprint card to actually do the criminal records check on each employee.

First fingerprint card (for state check)	\$ 7.00
Second fingerprint card (for national check)	\$ 5.00
SBI check	\$14.00
FBI check	\$24.00
TOTAL (per employee)	\$50.00

This equals a total cost of \$150,000 based on 3000 new employees per year.

Priority 9: School Construction

Despite successful passage of a \$217 million bond issue in the fall of 1995, our needs are considerably greater -- and reflect two pressing realities:

1. *OUR PHYSICAL PLANT IS AGING* and is in need of repair and renovation -- and, in some instances, replacement. 50% of our existing physical plant pre-dates 1970 -- or is over 25 years old. It needs attention.
2. *GROWTH* . . . Our region has been blessed with economic success. As a result, the Piedmont has witnessed considerable growth. Last year alone, this translated to an additional 3,600 students entering our system. We cannot continue to house this demand in temporary facilities. Some 9% of our school population -- or 8,000 plus students -- reside in temporary classrooms . . . some 380 mobile units. This does not make sense: economically, physically, or educationally. We need to make the appropriate investment in our children, in brick and mortar. If we are to remain an economical-viable region, attractive to industry either considering relocation or weighing expansion, we must show that we are committed to our children by planing and investing appropriately.

As the legislature considers a state-wide referendum, please work to ensure that the funding formula reflects sensitivity to our growth. The needs of Charlotte-Mecklenburg Schools are real, and they are NOW in front of us.

II. NON-APPROPRIATIONS

Priority 1: Teacher Performance Evaluation Instrument

At the present time, any individual who does not have tenure must be evaluated using the North Carolina Performance Appraisal System. This system requires the minimum of three formal observations and a summative evaluation. Because of the large number of non-tenured teachers in the Charlotte-Mecklenburg Schools, this evaluation requirement has resulted in a copious amount of paper documentation. More meaningful evaluation could be provided to teachers if systems had the flexibility to develop and use an evaluation system that would more closely align teacher performance with student achievement.

Priority 2: Dismissal/Appellant Process

Currently, the process involved in dismissing a teacher for poor performance is bureaucratic, time-consuming and expensive. Consequently, most school systems in North Carolina are not aggressive in dealing with the issue of incompetent teachers. Currently, a teacher recommended for dismissal has the right to a hearing before the Professional Review Committee (PRC) and then a right to another hearing before the local board of education. We recommend that the PRC process be eliminated so as to cut out a meaningless level of review. A teacher disappointed with the outcome of the local board's decision after a hearing would still have the right to appeal the board's decision to Superior Court. This change in §115C-325 would help to streamline a fairly cumbersome process and would ensure a more swift and efficient handling of these issues.

Priority 3: Licensure/Lateral Entry

North Carolina is one of thirty-one states that require some or all of the NTE tests as a condition for licensure. Since Charlotte-Mecklenburg recruits from many states that do not require the NTE as a condition for licensure, exemption from NTE licensure requirements would allow the employment of qualified individuals to fill those positions that cannot be filled from the regular applicant pool.

There are also many positions each year that are difficult to fill because teachers cannot be found with licenses to teach in these areas. Individuals who hold degrees in these areas, but do not possess teaching licenses, are hired to fill these positions and are licensed as lateral entry by the state. It is now becoming difficult to find individuals with degrees in these critical areas. We are requesting flexibility in the hiring of college graduates with expertise, work experience, and training in critical

areas such as science, math, BEH, and foreign language and in assessing degrees and related experiences without the current barriers imposed regarding testing, coursework, and timelines. This flexibility would assist in filling many of these positions.

Priority 4: Waivers

Continue the implementation of the waivers granted by the General Assembly in the 1995-96 session, with the objective of allowing schools to make the granted waiver changes without requesting permission from the State Department of Public Instruction. We would like for the General Assembly to continue the following:

- grandfather existing waivers that are scheduled to expire
- grant us more flexibility with the 11 line items without having to seek waivers every time. (We acknowledge a likely desire to restrict transfers with respect to either Exceptional Children or central administrative staffs.)

We support the intent of the state's *New ABCs* to hold schools accountable for outcomes while allowing them flexibility in implementing instructional programs. Specifically, we support the following amendments recommended by the State Board to the General Assembly for providing greater control and flexibility at the local level:

- *Class Size* . . . repeal all provisions limiting class size (except in grades K-3) and extend to local school officials the authority to make these decisions.
- *Use of Teacher Assistants* . . . repeal all restrictions on the use of teacher assistants.
- *School Day* . . . repeal those provisions that deny local school boards the flexibility to determine their school calendars.
- *Lease Purchase Contract* . . . amend provisions to allow local boards of education the authority to enter into lease purchase contracts for equipment such as copiers and computers.
- *Discipline of Exceptional Children* . . . amend provisions which are currently more restrictive than federal law regarding suspension of exceptional children.
- *Evaluation of Public School Employees* . . . determine locally the use of the state's performance standards and the frequency of evaluation of teachers.
- *Textbooks* . . . allow LEAs the option to purchase and use as basic text those textbooks not on the list formally adopted by the State Board.
- *School Buildings* . . . repeal restrictions to a local board's ability to utilize leased facilities to house classrooms (especially for temporary purposes).
- *State Purchasing Requirements* . . . enact legislation extending an exception to local boards of education that would permit them to purchase off-State contract items costing up to \$10,000.

Priority 5: Tuition Tax Credits and Vouchers

RESOLUTION

Whereas, public education has been a governing principle in our democracy since its inception in 1635 guarantying a free and open system for educating all our children; and

Whereas, the Charlotte-Mecklenburg Board of Education believes that the support of and improvement to the nation's public schools must be a societal priority; that local, state, and federal education funds should finance publicly controlled schools; and that these funds should not be funneled to private or parochial schools through such mechanisms as tuition tax credits and vouchers; and

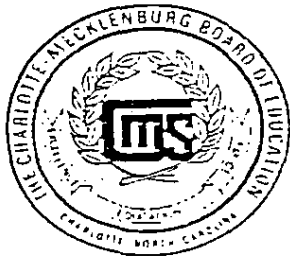
Whereas, in 1995 legislation was proposed introducing three bills before the North Carolina House of Representatives using vouchers, tuition grants, and tax credits to help parents send their children to private-school choice programs. Of the three House bills, only a committee substitute of HB 954, providing refundable tax credits worth \$1,000 per child a year by 1997 to families in private or parochial schools, passed the House Education and Finance Committees and is pending in the House Appropriations Committee Education Subcommittee; and

Whereas, in June 1995 an open letter, signed by Governor Jim Hunt and former Governor Jim Martin, was released by the Citizens for Public Schools, a bipartisan coalition of 28 organizations representing educators, parents, business people and citizens, stating, "...North Carolina should focus on improving the public schools, and we believe the legislature has taken historic action to do that. For the first time, school systems and individual schools will have the authority they need to meet their obligations to taxpayers and be held accountable for the results. That clear authority and accountability could be undermined if HB 954, or any tax credit/voucher bill, is enacted;" and

Whereas, the National PTA has long opposed vouchers for public education and has stated that tax dollars should help finance underfunded, successful programs and reform proposals in the public schools, instead of financing private school voucher plans.

Therefore, be it resolved, that the Charlotte-Mecklenburg Board of Education believes that a voucher system would drain resources from public schools and do nothing to enhance parental involvement, improve discipline or safety, or further high academic standards.

Therefore, be it further resolved, that a voucher system would diminish public accountability for the use of tax dollars, for these monies would be spent according to the policies of a private Board of Trustees, and not through the decisions of a democratically elected and publicly accessible Board of Education.



Adopted on the 12th day of March 1996.

Susan M. Burgess

Susan M. Burgess
Chairperson
Charlotte-Mecklenburg Board of Education

Dennis R. Williams

Dennis R. Williams, Ed.D.
Acting Superintendent for Educational Services

H. Hilton L'Orange

H. Hilton L'Orange
Acting Superintendent for Finance and Operations

Priority 6: Charter Schools

The Charlotte-Mecklenburg Schools has wholeheartedly embraced school reform and feels that we need to continue to strive to find innovative and effective ways to educate our children and enhance learning. In a climate favoring flexibility and decentralization, charter schools can respond to parental desire for more school choice while still providing innovative public education with fewer rules attached. In the event that charter schools become a reality, we would support the following:

- Sponsorship of any charter school would require the approval of the LEA, along with proposed contractual terms of operation (example, the school's objectives, its instructional plans, specific student achievement expectations, and financial plans, etc.).
- Any charter school so sponsored and approved would be held accountable for results in accordance with the *New ABCs Plan*.
- The number of charter schools will not exceed more than three per local administrative unit per year and no more than 100 total (SB 940).
- At least 75% of K-8 teachers and at least 50% of 9-12 teachers will hold teacher certificates (SB 940).
- The charter school will adhere to health and safety requirements of the local school district (SB 940).
- The charter school will not charge tuition and will not discriminate on the basis of ethnicity, national origin, gender, or disability (HB 955).
- If the school does not reflect in some fashion the ethnicity of the school system, the charter will be withdrawn.

As legislation is considered, we offer the following *pros* and *cons*:

Advantages
Involvement of more than one organization can contribute positive energy to the schools.
Parents respond positively to choices.
Organizational structure allows for creativity and less bureaucracy.
Site-based management and accountability are built into the charter contract.

Disadvantages

More freedom on the part of charter schools to operate *outside the box* may cause unrest among staffs of other schools in the school district (possibly to lead to an advantage).

Interest of the co-sponsoring partner organization may wane over time, thereby diminishing the long-term effectiveness of the school.

Choice, not fully understood or properly communicated, can be divisive in the community.

While less structure and more creativity may yield improvement, caution is urged not to completely abandon known, proven instructional techniques.

Charter schools may attract an already advantaged group of students whose parents choose while leaving more disadvantaged students in conventional schools.



MECKLENBURG COUNTY
Office of the County Manager

Proposed 1996 Short Session Legislation

- 1.) An act to authorize separate referendum questions on consolidation and on assumption of certain debts secured by a pledge of faith and credit in connection with a city-county consolidation.
- 2.) An act to allow Mecklenburg County to acquire property using installment financings for use by the Board of Education.
- 3.) An act to allow Mecklenburg County and the Charlotte-Mecklenburg Board of Education to acquire school property under a lease with an option to purchase.
- 4.) An act to obtain approval for civil penalty authority for open dumping and illegal waste disposal.

Support Requested Issues

- 1.) Support the Conference of District Attorneys request to fund one-half the positions recommended by the Jefferson Institute in this Legislative Session.
- 2.) Support the passage of House Bill 859 (Solid Waste Act Amendments) and amendments which passed the House in the 1995 Session and is now in the Senate.

PEOPLE • PRIDE • PROGRESS

1996 Short Session Request

An Act To Authorize Separate Referendum Questions on Consolidation and on Assumption of Certain Debts Secured by a Pledge of Faith and Credit in Connection with a City-County Consolidation.

Key Features: Currently the legislation authorizing a referendum on the assumption of obligations and debts secured by a pledge of faith and credit in connection with a city-county consolidation is applicable only to New Hanover County. The current legislative authority authorizing such a referendum found in Chapter 153A and Chapter 160B of the General Statutes needs to be amended to allow a referendum to be called on the assumption by the proposed Charlotte-Mecklenburg Metropolitan Government of the debt of the City of Charlotte and Mecklenburg County. The legislation will require that the proposition on consolidation and the proposition on the assumption of debt be submitted to the voters in two separate questions.

Person/Department Requesting: Gerald G. Fox, County Manager


Contact: Gerald G. Fox, County Manager **Phone:** 336-2472



MECKLENBURG COUNTY
Office of the County Manager

MEMORANDUM

TO: Board of County Commissioners

FROM: Gerald G. Fox, County Manager 

DATE: March 1, 1996

SUBJECT: Amendment to the General Statutes Needed to Avoid Multiple Referenda on Consolidation

The purpose of this memo is to summarize the need of the City and the County to obtain legislative authority for a single referendum to be held on consolidation.

If consolidation efforts move forward on the current schedule under existing law, consolidation cannot occur without separate referenda in November of 1996 and again the late summer or fall of 1997. The 1996 referendum would provide voters with a non-binding opportunity to express their views on consolidation. The 1997 referendum would address the constitutional requirement that voters must approve the consolidated government's assumption of City and County debt. (Article V, Section 4(2) of the North Carolina Constitution)

During the last session of the General Assembly, the City of Wilmington and New Hanover County secured authority to hold a single referendum on consolidation for cities and/or counties considering consolidation under GS 153A-405. While Wilmington/New Hanover was successful in getting the needed authority, the legislation was written in a way that excluded from its coverage Charlotte/Mecklenburg and any other city and county considering consolidation. The authority needed by Charlotte/Mecklenburg could be acquired by a technical amendment which strikes the limiting language or which extends the authority to Charlotte/Mecklenburg.

Such legislation will not increase the authority of Charlotte/Mecklenburg to consolidate nor reduce the control which the General Assembly exercises over the consolidation process. Rather,

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this legislation will simply eliminate the requirement for a second referendum at a different time, along with the expense and potential voter confusion associated with voting twice on the same basic issue. The ballot question, then, would be a single question on both consolidation and assumption of debt.

Because this bill would involve taxation, it cannot be a local bill. Under General Assembly rules applicable to the Short Session, this bill could only be considered if two-thirds (2/3) of the members of the House or Senate (depending on the chamber of introduction) vote to allow its introduction. The City Council agreed to support this legislation on February 19th. If you approve County support for such legislation it will be included in our Short Session legislative program which will be on your April 2 agenda.

GGF/cb

1996 Short Session Request

An Act To Allow Mecklenburg County to Acquire Property Using Installment Financings for Use by The Board of Education.

Key Features: Section 160A-20 of the North Carolina General Statutes authorizes North Carolina counties to engage in "installment financings". In this type of financing the county borrows money and secures its repayment obligation by a mortgage on the property to be acquired with the financing proceeds. Under the law, this loan is "non-recourse" which means that if the county were to default, the lender's remedies would be limited solely to foreclosure and sale of the financed property. This statute does not generally authorize school boards to engage in this type of financing, and not all counties are authorized to undertake this kind of financing for school projects. Currently 38 counties have obtained legislation (G.S. 153A-158.1) to allow them to undertake installment financings under G.S. 160A-20 to construct or renovate schools. This Act would add Mecklenburg to the list of counties in G.S. 153A-158.1 authorized to use G.S. 160A-20 financings for school acquisition and construction.

Person/Department Requesting: Gerald G. Fox, County Manager

Contact: Gerald G. Fox, County Manager **Phone:** 336-2472

1996 Short Session Request

An Act To Allow Mecklenburg County and the Charlotte-Mecklenburg Board of Education to Acquire School Property Under a Lease with an Option to Purchase.

Key Features: Generally boards of education may not repair school buildings which are not owned by the board of education. G.S. 153A-158.1 (which is applicable to 38 counties, but not Mecklenburg) allows a board of education to repair school buildings upon sites owned in fee simple by the county. If a county were to acquire a site for use by the board of education by means of a lease with an option to purchase, under current statutes the board of education could not repair such school building. This lack of statutory authority for a board of education to repair a school building which it leased from a county could complicate such a transaction since normally long-term lease agreements require the tenant to maintain the property. This Act will allow a board of education to enter into contracts for the repair of school buildings upon sites which are leased by a county with an option to purchase, and would specifically authorize a county to lease property with an option to purchase for sublease to a board of education.

Person/Department Requesting: Gerald G. Fox, County Manager

Contact: Gerald G. Fox, County Manager **Phone:** 336-2472

MEMORANDUM

TO: Gerald G. Fox, County Manager
FROM: Marvin A. Bethune, County Attorney
DATE: February 26, 1996
RE: Legislation to allow counties to do installment financing transactions for school construction

Counties, cities, and some other types of governmental units are authorized by G.S. 160A-20 to do what is called, by various people, 160A-20 financings, installment financing transactions, certificate of participation (COPS) financings, and, inaccurately, lease/purchase financings. Installment financing transactions and 160A-20 financing are the preferred names for this type of financing.

Certificate of participation financings are a type of 160A-20 financing where the funds come from the sale to a number of investors of a right to share in the repayments from the local government doing the financing. Mecklenburg County has issued certificates of participation on two separate occasions pursuant to this statutory authority - in 1991 in the amount of \$6,645,000 to finance the construction of the temporary jail on Spector Drive, and in 1995 in the amount of \$5,800,000 to finance the acquisition of the Stonewall Plaza Building, approximately 155 acres at Mallard Creek and Prosperity Church Roads, and a leasehold interest on a portion of the Uptown Shelter property and the 5,000 square foot building being constructed thereon.

There has been interest by some counties around the State in using this type of financing for school construction. (Since a revenue stream which can be increased by the issuer of this type financing is key to its use, G.S. 160A-20 allows only schools which are authorized to levy ad valorem taxes to do this type of financing themselves.) It was determined by various attorneys that counties would not be able to use this type of financing for school construction because of provisions contained in Chapter 115C (governing elementary and secondary education) and in Chapter 160A (providing the authority for boards of education to transfer property to counties).

The legislative solution to these problems for more than thirty counties has been accomplished through the enactment of what is now G.S. 153A-158.1, a copy of which is enclosed as Attachment A. This statute gets around various problems previously identified as follows:

COPY

- (1) G.S. 153A-158.1(a) gives the County explicit authority to condemn property for use by a school administrative unit.
- (2) G.S. 153A-158.1(b) provides the County with explicit authority to contract for construction work on County property for use by a school administrative unit, and also requires that the local board of education be involved in the design and construction of the facility.
- (3) G.S. 153A-158.1(c) enables a board of education to transfer property to a county on which the county would construct the new school facility or make renovations to an existing school facility. This statute gets around prohibitions contained in G.S. 160A-274 and G.S. 115C-518 which otherwise restrict transfers from a board of education to a county to properties which had "been determined by the board to be unnecessary or undesirable for public school purposes".
- (4) G.S. 153A-158.1(d) allows the local board of education to enter into contracts for the construction or repair of school buildings on sites owned by the county. This statute gets around the prohibition found in G.S. 115C-40 that boards of education have to own all school properties and the prohibition in G.S. 115C-521(d) that boards of education are not allowed to make contracts for the erection or repair of any school building unless the site upon which the building is located "is owned in fee simple by the board".

In summary, the statute previously furnished to you by Commissioner Helms (G.S. 153A-158.1) does not directly allow counties to use 160A-20 financings for schools, but the statute does eliminate constraints which existed in other statutes which would prevent a county from using that financing mechanism.

I have heard several individuals indicate that they were interested in seeing the County do a "lease/purchase financing" for the proposed technical high school. This type of transaction needs to be clearly distinguished from the 160A-20 financings or installment financing transactions which have been discussed in this memorandum. In this type of transaction the local government does not really do a financing; it simply enters into a contract to lease and possibly purchase a property which was either previously constructed or is being developed for the local government's use by the private developer. The private developer is responsible for any financing required to pay for the construction. As you know, this is the type of transaction which the County engaged in with respect to the City View Park. A county is authorized by G.S. 153A-165 to "lease as lessee, with or without option to purchase, any real or personal property for any authorized public purpose". (G.S. 153A-165)

I have not been asked to research and therefore I express no opinion as to whether a county could do a lease/purchase transaction for subsequent sublease to a board of education, nor have I researched and, therefore, have not expressed an opinion as to whether a board of education could itself engage in a lease/purchase transaction. Some of the provisions contained in G.S. 153A-158.1 would certainly assist in getting over some of the obstacles which might exist to that type of transaction if done by a county for sublease to a board of education, but since I have not researched the issue, I do not know whether G.S. 153A-158.1 would take care of all of the problems which might be encountered with that type of transaction. If you feel you need an opinion on the ability of either the County or the Board of Education to do a true lease/purchase transaction for the technical high school, please feel free to let me know and I will look into the matter further.

Should you have any additional questions with respect to this matter, please feel free to let me know.

MAB:cs

Enclosures

cc: Mr. J. Harry Weatherly, Jr.
✓Ms. Mary Carnilia
Ms. Sandra T. Bisanar

1996 Short Session Request

An Act To Obtain Approval for Civil Penalty Authority for Open Dumping and Illegal Waste Disposal.

Key Features: This delegation provided the County with the authority to administer State rules county-wide, including permitting, inspection and citing violators. The County was not given an effective method for enforcement of noncompliance situations, which remained with the State. The State has agreed to consider delegating civil penalty authority to local programs, however the State holds that this is not permissible under current state law. This legislation will delegate civil penalty authority to local programs.

Person/Department Requesting: Dr. John Barry, Department of Environmental Protection

Contact: Dr. John Barry, Director **Phone:** 336-5500

DEPT.

1-31-96

130A-291.2 Local nonhazardous solid waste management programs.

(a) Subject to the requirements and limitations of this Section, the Department may certify an unit of local government to operate within a *nonhazardous solid waste management program* in lieu of parts of the Departmental program for which the local government requests certification. Local governments are authorized to create or designate agencies or subdivisions of local government to administer and enforce the program. A local government may also designate, by appropriate written agreement, the local board of health and the local health department as the local solid waste management board and agency. Two or more units of local government within a designated area approved by the Department are authorized to establish a joint program and to enter into any agreements that are necessary for the proper administration and enforcement of the program. In addition, the governing board of a city may by resolution permit a county ordinance adopted pursuant to this Section to be applicable within the city, or the governing board of a county may by resolution permit a city ordinance adopted pursuant to this Section to be applicable within the county. The resolutions establishing any local programs must be duly recorded in the minutes of the governing body of each unit of local government participating in the program or allowing the program to operate within its borders. A certified copy of each resolution must be filed with the Department. An ordinance adopted by a local government or rules adopted by a board of health ^{*must be consistent with*} ~~shall at least meet and may exceed~~ the minimum requirements of this Article and the rules adopted pursuant to this Article for the parts of a nonhazardous solid waste management program sought to be administered by the local government.

(b) The Department is authorized and directed to review and have general oversight and supervision over all local nonhazardous solid waste management programs and to this end shall review and certify such programs as being adequate to meet applicable requirements of this

Article and applicable standards and rules adopted pursuant thereto. A local program submitted for certification shall:

- (1) Provide by ordinance or local law for requirements ^{consistent with} ~~no less stringent than~~ those imposed by the provisions of this Article and the standards and rules issued pursuant thereto;
- (2) Provide for the adequate enforcement of such requirements by appropriate administrative and judicial process;
- (3) Provide for notice and hearing procedures for persons aggrieved by an action or order of the local program; and
- (4) Provide for an adequate administrative organization, staff, financial and other resources necessary to effectively and efficiently carry out its programs.

(c) No local government program shall have authority to enforce any duty or responsibility placed upon local governments under this Article for solid waste reduction, solid waste management planning, provision of solid waste management facilities and services, record-keeping and reporting, or similar undertakings.

No local government program shall be authorized to permit or regulate the following nonhazardous solid waste management facilities:

- (1) Any facility which the unit of local government operating the certified program owns or operates or with which the unit of local government has a contractual relationship or is negotiating a contractual relationship;
- (2) Any municipal solid waste landfill;
- (3) Any municipal solid waste combustion facility; and
- (4) Any facility incidental to the facilities enumerated in this paragraph.

This paragraph notwithstanding, local governments ^{may} ~~not~~ enforce local ordinances or rules which are more stringent or more comprehensive than the Departmental program.

(d) If the Department finds that the control of a particular class of nonhazardous solid waste management facilities because of their complexity or magnitude is beyond the reasonable capability of a local nonhazardous solid waste management program or may be more efficiently and economically performed at the State level, it may assume and retain jurisdiction over that class of facilities. Classification pursuant to this subdivision may be either on the basis of the nature of the facilities involved or on the basis of their relationship to the size of the communities in which they are located.

(e)(1) Each governing body of a local nonhazardous solid waste management program certified under this section, or its authorized agent, shall have the power to assess administrative penalties not to exceed the amount prescribed for nonhazardous solid waste violations under G.S. 130A-22. Penalties may be assessed for violations of this Article, violations of local solid waste management ordinances or rules, or for violations of an order issued thereunder. Any person assessed shall be notified of the assessment by registered or certified mail, and the notice shall specify the reasons for the assessment. If the person assessed fails to pay the amount of the assessment to the governing body or its authorized agent within 30 days after receipt of notice, or within 30 days after a final decision upholding the administrative penalty, the governing body may institute a civil action in the superior court of the county in which the violation occurred, to recover the amount of the assessment. In determining the amount of the penalty, the governing body or its authorized agent shall consider the degree and extent of harm caused by the violation, and the cost of rectifying the damage.

(e)(2) Each governing body of a local nonhazardous solid waste management program certified under this section, or its duly authorized agent, may institute a civil action in the

superior court, brought in the name of the agency having jurisdiction, for injunctive relief to restrain any violation or threatened violation of such ordinances, orders, rules, or regulations and for such other relief as the court shall deem proper. Neither the institution of the action nor any of the proceedings thereon shall relieve any party to such proceedings from the penalty prescribed by this Article for any violation of same.

(e)(3) Any final administrative decision rendered in a nonhazardous solid waste management program of such governing body shall be subject to judicial review as provided by Article 4 of Chapter 150B of the General Statutes, and "administrative agency" or "agency" as used therein shall mean and include for this purpose the governing body of any county or municipality, local board of health and any agency or hearing board created by them in connection with nonhazardous solid waste management.

(f)(1) The governing body responsible for each local nonhazardous solid waste management program may require that the owner or operator of a nonhazardous solid waste management facility for which it issues a permit pay an annual fee. Fees collected pursuant to this subdivision shall be used solely to cover all reasonable direct and indirect costs required to develop and administer the nonhazardous solid waste management program.

(f)(2) Each governing body is authorized to expend tax funds, nontax funds or any other funds available to it to finance a nonhazardous solid waste management program and such expenditures are hereby declared to be for a public purpose and a necessary expense.

(g) If the Department determines that any local government is failing to administer or enforce a certified nonhazardous solid waste management program, it shall notify the local government in writing and shall specify the deficiencies of administration and enforcement. If

the local government has not taken corrective action within 30 days of receipt of notification from the Department, the Department shall assume enforcement of the program until such time as the local government indicates its willingness and ability to resume administration and enforcement of the program.

(b) Notwithstanding any other provision of this section, if the Department determines that a nonhazardous solid waste management facility is operating in violation of the provisions of this Article and that the appropriate local authorities have not acted to abate such violation, the Department, upon written notice to the appropriate local governing body, may act on behalf of the State to require any person causing or contributing to the violation to cease the violation or may require such other action as it shall deem necessary.

DISTRICT ATTORNEY'S REQUEST FOR CHAMBER SUPPORT

Peter S. Gilchrist, III, the District Attorney for Mecklenburg County, has consistently maintained that the resources allocated by the North Carolina General Assembly for the prosecution of criminal cases here in Mecklenburg County have not met the needs of the office and the community. A recent study by the Jefferson Institute supports this position, stating that, statewide, North Carolina needs one hundred sixteen (116) additional assistant district attorneys just to return prosecutors' offices to 1985 caseload per assistant district attorney levels. Of those additional assistant district attorneys, the study proposes that seventeen (17) of them be assigned to Mecklenburg to add to the current staff of twenty-six (26) full-time assistant district attorneys. (There are also now two (2) temporary prosecutors, one (1) in an investigators position, and three (3) in grant positions that expire next year.)

Mecklenburg's District Attorney's Office has recently reorganized in an attempt to offer better service to victims, witnesses, and law enforcement, but the caseloads overwhelm the prosecutors. The attached sheet shows the allocation of personnel and the number of cases each team is expected to handle each year. By any measure, these caseloads are too large for prosecutors to give adequate attention to the cases. Similar problems affect many other District Attorney's Offices across the state as mentioned in the attached editorial from Wilmington.

The Conference of District Attorneys plans to request that the legislature fund one-half of the positions supported by the Jefferson Institute study this during this session and the remaining one-half during the next session. That would mean an increase of fifty-eight assistant district attorneys during each of the next two sessions.

Statewide support for increases in funding for District Attorney's Offices is important because efforts to substantially increase one office while neglecting others will obviously not gain widespread support within the legislature. Such support could be increased through efforts by the local Chamber to enlist the assistance of Chambers in other areas of the state as well as through the many contacts that exist with legislators from Mecklenburg County. Those are the types of efforts that the District Attorney is requesting from the Chamber in order to help convince the legislature that increased funding for prosecutors is needed now.

THE DISTRICT ATTORNEY'S OFFICE IN MECKLENBURG COUNTY

DUTIES OF THE OFFICE

- Prosecution of criminal cases
- Advise law enforcement officers
- Enforcement of specific statutes (e.g. Uniform Reciprocal Enforcement of Support Act)

CURRENT SITUATION

- Assistant district attorneys (ADAs) divided into teams to handle specific types of cases

<u>Team</u>	<u># of ADAs</u>	<u># of cases presented per year</u>
Child Sexual Abuse/ Juvenile Court	3	300 (sexually abused children) 2,600 (juvenile petitions)
Homicide	3	85
Crimes against persons	5	1,200
Crimes against property	6	4,600
Drugs	5	3,000
Misdemeanor	7	approximately 100,000

RECENT STUDY BY JEFFERSON INSTITUTE

- Nationally recognized justice system experts commissioned by the N.C. Conference of District Attorney's (all N.C. elected District Attorney's)

- Conclusions of the study:

To return N.C. prosecutors offices to 1985 caseload levels (cases per prosecutor)

- one hundred sixteen (116) additional prosecutors needed statewide
- seventeen (17) of those additional prosecutors should be in Mecklenburg

SUMMARY

- Staffing of the District Attorney's Office in Mecklenburg County has not kept up with the increasing volume of criminal cases
- Caseloads prevent prosecutors from spending time on weak or difficult cases to make them prosecutable
- Caseloads allow too little time for prosecutors to properly prepare the cases that are prosecuted
- Prosecution resources continue to fall behind as the number of law enforcement officers increases and public demand for vigorous prosecution grows
- "Rationing of justice" by prosecutors has negative impact on victims, on the community's perception of safety, on the community's confidence in the justice system, and the community's overall satisfaction with quality of life

THE DISTRICT ATTORNEYS OFFICE IN MECKLENBURG COUNTY

The Current Situation in Mecklenburg County

As one of the fastest growing and successful urban areas in the United States, Mecklenburg County has suffered disproportionately from crime and particularly violent crime. Law enforcement has for over fifteen years presented to the District Attorney's Office in Mecklenburg County significantly more cases than the office has had the capacity to assimilate and process. The office has used a variety of management techniques increasingly and necessarily being dictated by available resources. Assistant district attorneys are being forced to ask not whether they ought to prosecute but whether resources permit. In spite of measures taken to control caseloads, the staff size and experience level of many of the assistant district attorneys are making compliance with the Rules of Professional Conduct problematic. It is not unusual for assistant district attorneys to handle legal matters without the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation of the State. Other cases are declined for prosecution because assistant district attorneys do not have time to provide advise and assistance to law enforcement officers who need attorney assistance to adequately develop cases for prosecution. Other cases are routinely being reduced from felonies to misdemeanors in an effort to manage attorney caseloads. It should be a matter of concern to the Mecklenburg County Bar that the District Attorney's Office does not have the attorneys, staff, equipment and training to properly carry out the statutory duties of the office.

Statutes and Procedures That Affect District Attorneys

The Office of the District Attorney is established by the Constitution of North Carolina. The District Attorney is charged by law with broad responsibility for advising the officers of justice in his district and prosecuting criminal actions, as well as enforcing numerous specific statutes. The operating expenses of the office are to be paid from State funds. The majority of law enforcement resources in Mecklenburg County come from local sources.

Police are permitted to make lawful arrests of defendants based on less evidence than the law requires the district attorney to present to convict the same defendants. In all but a minority of jurisdictions *nationwide* police bring to either the district attorney or to court cases that cannot and will not result in convictions. North Carolina has traditionally had cases filed with the court first and later the district attorney reviews the case and makes a decision of whether or not to prosecute and if so at what level. This procedure evolved and later became law because the State was once entirely rural and law

enforcement officers rarely had access to a district attorney before the case was filed. Today in some urban areas of the state, depending upon the consent of the district attorney, police may have the ability to bring certain cases to the district attorney before filing charges.

The benefits of a pre-filing review of a case by a district attorney are significant. The district attorney can advise the police (one of the district attorney's duties under the Constitution) how to improve the case. Cases with insufficient evidence are never filed and arrests are not required where convictions cannot be obtained. When weak cases are not filed, criminal justice costs are avoided. Public defenders and appointed lawyers are not required, jail beds are not used and arrest processing costs are avoided on cases that will be dismissed. Early screening or review of cases is the preferable standard for prosecution and is recommended by both the National Prosecution Standards of the National District Attorneys Association and by the American Bar Association. Pre-warrant screening has not been widely utilized in North Carolina and one of the important reasons is that filings of cases is a key measurement of district attorney workload utilized by the Administrative Office of the Courts to allocate personnel to district attorney offices. To the extent that cases are screened out before filing the workload is understated and so the apparent need for assistant district attorneys, support staff and other resources.

Steps Currently Being Taken to Improve Office Performance

The District Attorney's Office in Mecklenburg County is now engaged in a felony staff reorganization that has two parts--internal and external. The internal portion to be implemented January 2, 1996, will consist of assigning the felony lawyers to one of five teams (Homicide, Crimes Against Property, Crimes Against Persons, Child Sex Abuse/Juvenile and Drugs). The teams will organize their work with law enforcement officers, victims, witnesses, and district attorney staff to facilitate case and defendant handling. The external portion projected to be implemented in the late Spring or Summer of 1996 will consist of developing case handling procedures with judges, defense attorneys, court administrators' office, and district attorneys' personnel that establish timeliness for completion of necessary steps in processing cases that will reduce delay and efficiently utilize available court time.

The combination of both reorganizations is expected to improve efficiency. However, anticipated efficiency will not replace the need for sufficient assistant district attorneys and staff to deal with cases and defendants currently being presented for prosecution. The following details District Attorney needs.

Assistant District Attorneys

Child Sex Abuse/Juvenile Team

The Office will annually receive approximately 300 cases evolving investigations of sexually abused children. The cases are time consuming to review, discuss with law enforcement officers and other professionals, and to handle. The current backlog is 90 defendants and over 200 cases. It is important to deal with these cases quickly because of the tender age of victims and their need to resolve cases that may have a significant impact on their lives. An additional ADA is required for these cases. There are two ADAs handling juvenile cases. The caseload consists of approximately 600 felonies and 2,000 misdemeanor petitions per year. Increasingly juveniles are becoming involved in violent felonies and these cases are also time consuming to handle. A portion of the juvenile cases must be transferred to superior court for disposition as adults and these require substantial additional time.

The laws, procedures, problems and issues involving juveniles are such that a degree of specialization is needed to improve the district attorney response to the substantial increase in juvenile crime. The ADAs working in juvenile court need to become a separate team with their own supervisor. The laws, procedures, problems and issues involving juveniles are such that specialization will improve the district attorney response to the current juvenile caseload. An additional ADA is needed for juvenile court to supervise and coordinate prosecution efforts. It is worth noting that defending approximately 75 percent of these juveniles require three attorneys from the Children's Law Center.

Homicide Team

The Team has the task of reviewing with investigating officers the investigative files for all homicide cases (88 in 1994 and 89 in 1995) and making requests for additional information needed for prosecution decision making. If the case is accepted as a first degree murder prosecution, the Team will handle the case. If the case will not be prosecuted as first degree, the Team will make the decision as to the appropriate level of charge and, when the file is complete, either retain the case for prosecution or transfer the case to a member of the Crimes Against Person Team. If transferred, the Homicide Team will assist as needed in explanations to the victims family and developing of a disposition strategy for the case. The Team will have three ADAs and one more is needed.

Crimes Against Persons Team

The team will be presented by police with approximately 1,200 cases evolving violent crimes against persons in addition to the homicide cases not handled by the Homicide team. Many of the cases involve drugs, and people using, possessing or selling drugs. Witnesses often are afraid or hostile, and lie about facts. Much time is spent trying to determine if cases can be successfully prosecuted and often at the time of trial witnesses refuse to cooperate and/or come to court. This is particularly true of cases charging armed robbery, felonious assault, and firing into occupied property. There is an important need to retain certain defendants in jail pending disposition to prevent further violence and to protect witnesses. Time to disposition for defendants in jail needs to be minimized and caseloads for ADAs handling these cases must be smaller. The Team will have five ADAs and should have two more.

Crimes Against Property Team

This team with six ADAs will be referred in excess of 4,600 felony cases including arsons, burglaries, frauds, larcenies and dumpings. The team members carry the largest caseloads in the office. At present, too many of the crimes against property cases are not prosecuted either because ADAs do not have time to develop the cases with the investigating officers and witnesses and these cases are plea bargained as misdemeanors or dismissed to reduce caseloads. The Team handles a wide variety of cases. Many are routine and well investigated by the police and can proceed routinely to guilty pleas. Other cases are unique and require considerable time by an ADA for review of the investigative file and consultation with investigators and victims to determine whether the case can or should be prosecuted. This Team needs a minimum of three more ADAs to address the workload.

Drug Team

The Drug team has done an excellent job in dealing with approximately 3,000 drug felonies annually. The Charlotte-Mecklenburg Police Department has decentralized the Street Drug Interdiction Unit and has moved much of the drug effort to the Service Areas and to team policing officers. As a result, there are many groups of officers and supervisors who need access to members of the Drug Team to discuss strategies and do joint planning. The District Attorney's Office has been in the forefront of the development of a Drug Treatment Court to support the expedited case management in the Drug Court. Implementation of this program in 1996 will be an additional duty for team members. An additional ADA is needed to permit ADAs to deal with officers and police

administrators and to allow the Team Supervisor to train team members.

Misdemeanor Section

The Misdemeanor section currently has seven ADAs including the supervisor. The Section is responsible for staffing six district courts and one superior court. In spite of the fact that one ADA covers two district courts and the Misdemeanor Appeals ADA is not in superior court every day the staffing of the team too often requires that the supervisor handle a courtroom when an ADA is unavailable. There are a number of important responsibilities that are not being met. ADAs are not available to meet with Police Service Area administrators and community police officers to develop strategies and to deal with specific problems that the officers and citizens are facing. The supervisor does not have time to deal with Section problems and to observe and train her assigned ADAs. At present, with the exception of the supervisor, all of the ADAs have joined the office since July 31, 1995. Two additional ADAs in the Section are needed to solve these problems and to allow time for individual ADAs to be assigned to important cases and to have out-of-court time to prepare the cases, and to then both handle the case in District Court and, if necessary, follow it onto Superior Court.

Existing Needs for Support Personnel

Paralegals can be used in a variety of situations to reduce the need for more Assistant District Attorneys and yet can be trained to perform work that attorneys would otherwise have to do. This includes calling witnesses to set up interviews with the ADAs and in some cases even conduction certain interviews or at least finding out specific information and verifying information needed to draft proper charges. Paralegals can locate criminal records, prepare exhibits, contact witnesses who are on stand-by and have them in court when needed and generally do a variety of routine tasks that are necessary in processing cases.. All of these are tasks which ADAs are currently frequently doing and which reduce the number of cases that the ADAs could handle if not so encumbered.

Paralegals are needed as follows:

- Juvenile (1)
- Child Sex Abuse (1)
- Homicide (1)
- Crimes Against Persons Team (2)
- Crimes Against Property Team (3)
- Drug Team (1)

Other needs

Automation of Subpoena Service Status

Notification of witnesses to be in court is a major problem for the District Attorney and the Sheriff. Hundreds of paper subpoenas are generated and must be served each day criminal courts are in session. The importance of witness appearance in court cannot be overstated. If a necessary witness is not present, the case at best must be continued and at worst is dismissed. The prioritizing of the service of the subpoenas and returning the served or unserved subpoenas to the Clerk of Court for filing in the case file is a most important but labor intensive task. If the subpoena process were automated many witnesses could be notified by telephone utilizing a computer screen rather than a paper copy and the service or non-service status could immediately be recorded in the Clerk's computer without the necessity of handling the paper copy. Additional benefits are that the computer could prioritize unserved subpoenas and permit the Sheriff to work first on the subpoenas for the earliest cases and then on those where timeliness was not so critical. A further benefit would be that the computer would immediately reveal those cases where witnesses had not been served and decisions could be made pretrial as to whether to attempt further efforts to locate unserved witnesses or whether the case should be dismissed because of inability to locate a necessary witness and the remaining witnesses recalled and notified not to come to court unnecessarily.

Training

Specialized training is needed for both the assistant district attorneys and the support staff. The attorneys need supplemental education and training not only in trial skills but in special areas that their teams deal with such as arson, fraud and white collar crimes, rape, sexual abuse of children, drug prosecution, nonsupport enforcement, domestic violence, capital litigation, and juvenile prosecution. Too few of the felony attorneys now on staff have had specialized prosecution training in the areas where they are assigned and none of the misdemeanor attorneys with the exception of that provided by the Administrative Office of the Courts and the Institute of Government. The office handles a large number of cases where specialized training is required for effective prosecution.

The support staff also needs additional training in office management, computer skills, personnel management, and victim/witness management. The support staff is becoming increasingly specialized in their jobs and technical training is necessary to

advance and improve their skills.

The personnel needs described are the minimum for the immediate needs of the office and these needs have existed for a number of years. The intermediate and long term needs are greater. There are practical limits on the ability of the office to assimilate and train additional staff in a short time period and the personnel needs described are a realistic number for assimilation in the immediate future. Considering the internal changes underway within the District Attorney's Office and the external changes to be undertaken later in the year, consideration of additional staffing should be deferred until after an assessment is made of the current changes and the impact of these increases.

Solid Waste Act Amendments - House Bill 859

The proposal for changes to the 1989 Solid Waste Act came from local governments who support the aims of the 1989 legislation but recognize that changes in conditions demand different approaches to achieve the general aims adopted in 1989.

The State House of Representatives approved HB 859 (Solid Waste Act Amendments) and sent the bill to the Senate prior to the adjournment of the 1995 Session. The House bill is eligible for consideration during the 1996 Short Session.

Important highlights of HB 859 are:

Solid Waste Reduction Goals

The statewide goal of 40 percent reduction by 2001 is retained. However, each county can adopt its own goal in line with local conditions.

Local Government Solid Waste Plans

Counties still will be required to prepare 10-year plans that are designed to meet the locally-adopted waste reduction goal and to address, to the maximum extent feasible, the statewide 40 percent goal. However, the format for the plan will not be set by the state department and approval by the state department is not required.

Responsibilities of Private Solid Waste Management Collectors and Management of Facilities

Private collectors and facility owners must comply with local ordinances banning the disposal or requiring the recycling of specified types of solid waste.

Financial Assurance

The Health Services Commission must adopt rules regarding the provision of financial assurance (letter of credit, insurance surety, or trust agreement, or, for local governments a financial test) by all owners of solid waste facilities to cover closure and post closure costs.

1 through a public or private solid waste management service. Municipal solid
2 waste does not include hazardous waste, sludge, industrial waste managed in
3 a solid waste management facility owned and operated by the generator of
4 the industrial waste for management of that waste, or solid waste from mining
5 or agricultural operations."

6 Sec. 4. G.S. 130A-290(a)(24) reads as rewritten:

7 "(24) 'Recovered ^{materials'} means those materials which have material' means a material that has
8 known recycling potential, can be feasibly recycled, and ^{have} has been diverted
9 or removed from the solid waste stream for sale, use, or ^{reuse by separation, collection, or}
10 reuse. ^{processing.} In order to qualify as a recovered material, a material must
11 meet the requirements of G.S. 130A-309.05(c)."

12 Sec. 5. G.S. 130A-290(a)(35) reads as rewritten:

13 "(35) 'Solid waste' means any hazardous or nonhazardous garbage, refuse or sludge
14 from a waste treatment plant, water supply treatment plant or air pollution
15 control facility, domestic sewage and sludges generated by the treatment
16 thereof in sanitary sewage collection, treatment and disposal systems, and
17 other material that is either discarded or is being accumulated, stored or treated
18 prior to being discarded, or has served its original intended use and is
19 generally discarded, including solid, liquid, semisolid or contained gaseous
20 material resulting from industrial, institutional, commercial and agricultural
21 operations, and from community activities. The term does not include:

- 22 a. Fecal waste from fowls and animals other than ^{humans;} humans.
23 b. Solid or dissolved material in:
24 1. Domestic sewage and sludges generated by treatment thereof
25 in sanitary sewage collection, treatment and disposal systems
26 which are designed to discharge effluents to the surface ^{waters;}
27 waters.
28 2. Irrigation return ^{flows;} and flows.
29 3. Wastewater discharges and the sludges incidental to and
30 generated by treatment which are point sources subject to
31 permits granted under Section 402 of the Water Pollution
32 Control Act, as amended (P.L. 92-500), and permits granted
33 under G.S. 143-215.1 by the Environmental Management
34 Commission. However, any sludges that meet the criteria for
35 hazardous waste under RCRA shall also be a solid waste for
36 the purposes of this ^{Article;} Article.
37 c. Oils and other liquid hydrocarbons controlled under Article 21A of
38 Chapter 143 of the General Statutes. However, any oils or other liquid

1 hydrocarbons that meet the criteria for hazardous waste under RCRA
2 shall also be a solid waste for the purposes of this ^{Article} ~~Article~~.

3 d. Any source, special nuclear or byproduct material as defined by the
4 Atomic Energy Act of 1954, as amended (42 U.S.C. § 2011).

5 e. Mining refuse covered by the North Carolina Mining Act, G.S. 74-46
6 through 74-68 and regulated by the North Carolina Mining
7 Commission (as defined under G.S. 143B-290). However, any
8 specific mining waste that meets the criteria for hazardous waste under
9 RCRA shall also be a solid waste for the purposes of this Article.

10 f. Recovered material."

11 Sec. 6. G.S. 130A-294(a)(3) reads as rewritten:

12 "(3) Develop and adopt rules to establish standards for qualification as a ^{waste}
13 'recycling, reduction or resource recovering facility' or as ^{waste} 'recycling,
14 reduction or resource recovering equipment' for the purpose of special tax
15 classifications or treatment, and to certify as qualifying those applicants which
16 meet the established standards. The standards shall be developed to qualify
17 only those facilities and equipment exclusively used in the actual waste
18 recycling, reduction or resource recovering process and shall exclude any
19 incidental or supportive facilities and equipment;"

20 Sec. 6.1. G.S. 130A-294(b) reads as rewritten:

21 "(b) The Commission shall adopt and the Department shall enforce rules to implement a
22 comprehensive statewide solid waste management program. The rules shall be consistent with
23 applicable State and federal law; and shall be designed to protect the public health, safety, and
24 welfare; preserve the environment; and provide for the greatest possible conservation of cultural and
25 natural resources. Rules for the establishment, location, operation, maintenance, use, discontinuance,
26 recordation, post-closure care of solid waste management facilities also shall be based upon
27 recognized public health practices and procedures, including applicable epidemiological research
28 and studies; hydrogeological research and studies; sanitary engineering research and studies; and
29 current technological development in equipment and methods. The rules shall not apply to the
30 management of solid waste that is generated by an individual or individual family or household unit
31 on the individual's property and is disposed of on the individual's property.

32 The Commission ~~may shall~~ adopt rules for financial responsibility to ensure the availability of
33 sufficient funds for closure and post-closure maintenance and monitoring at solid waste management
34 facilities, and for any corrective action the Department may require during the active life of a
35 facility or during the closure and post-closure periods. The rules may permit demonstration of
36 financial responsibility through the use of a letter of credit, insurance, surety, trust agreement, ^{financial}
37 ~~test, or guarantee by corporate parents or third parties who can pass the financial test.~~ or, for a unit of local government, a financial
38 test."

1 Sec. 7. G.S. 130A-309.04 reads as rewritten:

2 "**§ 130A-309.04. State solid waste management policy and goals.**

3 (a) It is the policy of the State to promote methods of solid waste management that are
4 alternatives to disposal in landfills and to assist units of local government with solid waste
5 management. In furtherance of this State policy, there is established a hierarchy of methods of
6 managing solid waste, in descending order of preference:

- 7 (1) Waste reduction at the source;
8 (2) Recycling and reuse;
9 (3) Composting;
10 (4) Incineration with energy production; ~~recovery~~;
11 (5) Incineration ~~for volume reduction~~; ~~without energy recovery~~;
12 (6) Disposal in landfills.

13 (b) It is the policy of the State to encourage research into innovative solid waste management
14 methods and products and to encourage regional solid waste management projects.

15 (c) It is the goal of this State to reduce the municipal solid waste stream, primarily through
16 source reduction, reuse, recycling, and composting, on a per capita basis, on the following schedule: by forty percent
17 (40%) on a per capita basis by 30 June 2001.

- 18 (1) Twenty-five percent (25%) by 30 June 1993.
19 (2) Forty percent (40%) by 30 June 2001.

20 (c1) To measure progress toward the municipal solid waste reduction ~~goal~~ goal in a given year,
21 comparison shall be made between the amount by weight of the municipal solid waste that, during
22 the baseline year and the given year, is received at municipal solid waste management facilities and
23 is:

- 24 (1) Disposed of in a landfill;
25 (2) Incinerated;
26 (3) Converted to tire-derived fuel; or
27 (4) Converted to refuse-derived fuel.

28 (c2) Comparison shall be between baseline and given years beginning on 1 July and ending on
29 30 June of the following year. The baseline year shall be the year beginning 1 July 1991 and ending
30 30 June 1992. However, a unit of local government may use an earlier baseline year if it
31 demonstrates to the satisfaction of the Department that it has sufficient data to support the use of the
32 earlier baseline year.

33 (c3) If a unit of local government is unable to meet the municipal solid waste reduction goal established in subdivision (2) of subsection (c) of this section and
34 if the unit of local government demonstrates to the satisfaction of the Department that it has considered all reasonably available options to reduce its municipal solid
35 waste stream through source reduction, reuse, recycling, and composting and that it has made a good faith effort and done everything technologically and
36 economically feasible to meet the goal, for the purpose of calculating progress of the unit of local government toward the goal, ten percent (10%) of the amount
37 by weight of the municipal solid waste stream that is converted to tire-derived fuel or refuse-derived fuel may be added to the amount that is diverted from the
38 municipal solid waste stream through source reduction, reuse, recycling, and composting.

39 (d) In furtherance of the State's solid waste management policy, each State agency shall develop

1 a solid waste management plan ~~which that~~ is consistent with the solid waste management policy of the
2 State.

3 (d1) It is the policy of the State to obtain, to the extent practicable, economic benefits from the
4 recovery from solid waste and reuse of material and energy resources. In furtherance of this
5 policy, it is the goal of the State to foster partnerships between the public and private sectors that
6 strengthen the supply of, and demand for, recyclable and reusable materials and that foster
7 opportunities for economic development from the recovery and reuse of materials.

8 (e) Each county, either individually or in cooperation with others, shall, in cooperation with its municipalities, develop a comprehensive county solid waste
9 management plan and submit the plan to the Department for approval. County solid waste management plans shall be updated and submitted for approval at least
10 once every two years. A county solid waste management plan shall be consistent with the State's comprehensive solid waste plan. In counties where a municipality
11 operates the major solid waste disposal facility, the comprehensive solid waste plan may be prepared by the municipality, with the approval of the county and in
12 cooperation with the other municipalities. Each county's comprehensive solid waste management plan shall include provisions which address the State's waste
13 reduction goals. Each county's plan shall take into consideration facilities and other resources for management of solid waste which may be available through private
14 enterprise. This section shall be construed to encourage the involvement and participation of private enterprise in solid waste management. The Department shall
15 develop a form designed to elicit pertinent information regarding a county's solid waste management plan. The Department shall provide assistance in the preparation
16 of county plans upon request.

17 (f) Any unit of local government that does not participate in a county solid waste management plan shall prepare a plan in accordance with the provisions of
18 subsection (e) of this section."

19 Sec. 8. G.S. 130A-309.05 reads as rewritten:

20 "§ 130A-309.05. Regulated wastes; certain exclusions.

21 (a) Notwithstanding other provisions of this Article, the following waste shall be regulated
22 pursuant to this Part:

- 23 (1) Medical waste; and
24 (2) Ash generated by a solid waste management facility from the burning of solid
25 waste.

26 (b) Ash generated by a solid waste management facility from the burning of solid waste shall
27 be disposed of in a properly designed solid waste disposal area that complies with standards
28 developed by the Department for the disposal of the ash. The Department shall work with solid
29 waste management facilities ~~which that~~ burn solid waste to identify and develop methods for recycling
30 and reusing incinerator ash or treated ash.

31 (c) Recovered ~~materials are~~ material is not subject to the provisions of this Part if: regulation as solid waste
32 under this Article. In order for a material that would otherwise be regulated as solid waste to
33 qualify as a recovered material, the Department may require any person who owns or has control
34 over the material to demonstrate that the material meets the requirements of this subsection. In
35 order to protect public health and the environment, the Commission may adopt rules to implement
36 this subsection. In order to qualify as a recovered material:

- 37 (1) A majority of the recovered ~~materials~~ material at a facility ~~are~~ shall be sold, used,
38 or reused within one year;

- 1 (2) The recovered ~~materials~~ material or the products or by-products of operations that
2 process recovered ~~materials are~~ material shall not be discharged, deposited, injected,
3 dumped, spilled, leaked, or placed into or upon any land or water so that the
4 products or by-products or any constituent thereof may enter other lands or be
5 emitted into the air or discharged into any waters including groundwaters, or
6 otherwise enter the environment or pose a threat to public health and safety;
7 and
8 (3) The recovered ~~materials are~~ material shall not be a hazardous waste ~~and or~~ have not
9 been recovered from ~~solid waste which is defined as hazardous waste under G.S. 130A-290.~~ a hazardous
10 waste."

11 Sec. 9. G.S. 130A-309.06 reads as rewritten:

12 **"§ 130A-309.06. Additional powers and duties of the Department.**

13 (a) In addition to other powers and duties set forth in this Part, the Department shall:

- 14 (1) Develop a comprehensive solid waste management plan consistent with this
15 ~~Part by 1 March 1991.~~ Part. The plan shall be developed in consultation with units of
16 local government and shall be updated at least every three years. In
17 developing the State solid waste management plan, the Department shall hold
18 public hearings around the State and shall give notice of these public hearings
19 to all units of local government and regional planning agencies.
20 (2) Provide guidance for the orderly collection, transportation, storage, separation,
21 processing, recovery, recycling, and disposal of solid waste throughout the
22 State.
23 (3) Encourage coordinated local activity for solid waste management within a
24 common geographical area.
25 (4) Provide planning, technical, and financial assistance to units of local
26 government and State agencies for reduction, recycling, reuse, and processing
27 of solid waste and for safe and environmentally sound solid waste
28 management and disposal.
29 (5) Cooperate with appropriate federal ~~agencies~~ agencies, local governments, and
30 private organizations in carrying out the provisions of this Part.
31 (6) Promote and assist the development of solid waste reduction, recycling, and
32 resource recovery programs ~~which~~ that preserve and enhance the quality of the
33 air, water, and other natural resources of the State.
34 (7) Maintain a directory of recycling and resource recovery systems in the State
35 and provide assistance with matching recovered materials with markets.
36 (8) Manage a program of grants for programs for recycling and special waste
37 management, and for programs ~~which~~ that provide for the safe and proper
38 management of solid waste.

- 1 (9) Provide for the education of the general public and the training of solid waste
 2 management professionals to reduce the production of solid waste, to ensure
 3 proper processing and disposal of solid waste, and to encourage recycling and
 4 solid waste reduction.
- 5 (10) Develop descriptive literature to inform units of local government of their
 6 solid waste management responsibilities and opportunities.
- 7 (11) *Conduct at least one workshop each year in each region served by a council of governments.*
- 8 (12) Provide and maintain recycling bins for the collection and recycling of
 9 newspaper, aluminum cans, glass containers, and recyclable plastic beverage
 10 containers at the North Carolina Zoological Park.
- 11 (13) Identify, based on reports required under G.S. 130A-309.14 and any other
 12 relevant information, those materials in the municipal solid waste stream that
 13 are marketable in the State or any portion thereof and that should be recovered
 14 from the waste stream prior to treatment or disposal.
- 15 (14) Identify and analyze, with assistance from the Department of Commerce
 16 pursuant to G.S. 130A-309.14, components of the State's recycling industry
 17 and present and potential markets for recyclable materials in this State, other
 18 states, and foreign countries.

19 (b) The Department may refuse to issue a permit to an applicant who by past conduct in this
 20 State has repeatedly violated related statutes, rules, orders, or permit terms or conditions relating to
 21 any solid waste management facility and who is deemed by the Department to be responsible for
 22 the violations. For the purpose of this subdivision, an applicant includes the owner or operator of
 23 the facility, or, if the owner or operator is a business entity, the parent of the subsidiary corporation,
 24 a partner, a corporate officer or director, or a stockholder holding more than fifty percent (50%) of
 25 the stock of the corporation.

26 (c) The Department shall prepare by 1 ^{May} March of each year a report on the status of solid
 27 waste management efforts in the State. The scope of the report shall be determined by the resources
 28 available to the Department for its preparation and, to the extent possible, shall include:

- 29 (1) A comprehensive analysis, to be updated in each report, of solid waste
 30 generation and disposal in the State projected for the 20-year period beginning
 31 on 1 July 1991.
- 32 (2) The total amounts of solid waste ~~generated, recycled,~~ recycled and disposed of and
 33 the methods of solid waste recycling and disposal used during the calendar
 34 year prior to the year in which the report is published.
- 35 (3) An evaluation of the development and implementation of local solid waste
 36 management programs and county and municipal recycling programs.
- 37 (4) An evaluation of the success of each county or group of counties in meeting
 38 the municipal solid waste reduction goal established in G.S. 130A-309.04.

- 1 (5) Recommendations concerning existing and potential programs for solid waste
- 2 reduction and recycling that would be appropriate for units of local
- 3 government and State agencies to implement to meet the requirements of this
- 4 Part.
- 5 (6) An evaluation of the markets for recycled materials and the success of State,
- 6 local, and private industry efforts to enhance the markets for ~~such~~ these
- 7 materials.
- 8 (7) Recommendations to the Governor and the ~~General Assembly~~ Environmental Review
- 9 Commission to improve the management and recycling of solid waste in the
- 10 ~~State.~~ State, including any proposed legislation to implement the
- 11 recommendations.

12 (d) The Department of Environment, Health, and Natural Resources shall prepare by March 1, 1994, and every other year thereafter,

13 a report assessing the recycling industry and recyclable materials markets in the ~~State.~~ State every two

14 years, and shall submit the report to the Environmental Review Commission on or before 1 March

15 of even-numbered years. The report shall include a report on the progress of polystyrene recycling

16 in North Carolina, giving a year-to-year comparison."

17 Sec. 10. G.S. 130A-309.07 reads as rewritten:

18 **"§ 130A-309.07. State solid waste management plan.**

19 The State solid waste management plan shall include, at a minimum:

- 20 (1) Procedures ~~and requirements to ensure~~ encourage cooperative efforts in solid waste
- 21 management by counties and municipalities and groups of counties and
- 22 municipalities where appropriate, including the establishment of joint agencies
- 23 pursuant to G.S. 160A-462.
- 24 (2) Provisions for the continuation of existing effective regional resource
- 25 recovery, recycling, and solid waste management facilities and programs.
- 26 (3) Planning guidance and technical assistance to counties and municipalities to
- 27 aid in meeting the municipal solid waste reduction goals established in G.S.
- 28 130A-309.04.
- 29 (4) Planning guidance and technical assistance to counties and municipalities to
- 30 assist the development and implementation of ~~recycling~~ solid waste reduction
- 31 programs.
- 32 (5) Technical assistance to counties and municipalities in determining the full cost
- 33 for solid waste management as required in G.S. 130A-309.08.
- 34 (6) Planning guidance and technical assistance to counties and municipalities to
- 35 assist the development and implementation of programs for alternative
- 36 disposal, processing, or recycling of the solid wastes prohibited from disposal
- 37 in landfills pursuant to G.S. 130A-309.10 and for special wastes.
- 38 (7) A public education program, to be developed in cooperation with the

1 Department of Public Instruction, units of local government, other State
2 agencies, and business and industry organizations, to inform the public of the
3 need for and the benefits of recycling solid waste and reducing the amounts of
4 solid and hazardous waste generated and disposed of in the State. The public
5 education program shall be implemented through public workshops and
6 through the use of brochures, reports, public service announcements, and other
7 materials.

8 (8) Provisions to encourage partnerships between the public and private sectors
9 that strengthen the supply of, and demand for, recyclable materials and that
10 foster opportunities for economic development from the recovery and reuse
11 of materials."

12 Sec. 11. G.S. 130A-309.08 reads as rewritten:

13 "§ 130A-309.08. Determination of cost for solid waste management; local solid waste
14 management fees.

15 (a) Within one year of the effective date of this section or within one year after rules are adopted by the Commission, whichever occurs later, each Each
16 county and each municipality shall annually determine the full cost for solid waste management
17 within the service area of the county or municipality for ~~a one-~~ year period as specified by rules adopted by the Commission,
18 and shall update the full cost determination every year thereafter. the preceding year. The Commission shall establish by rule
19 the method for units of local government to use in calculating full cost. ~~Rule making shall be initiated and at least~~
20 ~~one public hearing shall be held by 1 March 1990. In developing the rule, the Commission shall examine the feasibility of the use of an enterprise fund process~~
21 ~~by units of local government in operating their solid waste management systems.~~

22 (b) Within one year after the completion of the cost determination required by subsection (a) of this section, each Each municipality shall
23 establish a system to inform, no less than once a year, residential and nonresidential users of solid
24 waste management services within the municipality's service area of the user's share, on an average
25 or individual basis, of the full cost for solid waste management as determined pursuant to subsection
26 (a) of this section. Counties shall provide the information required of municipalities only to
27 residential and nonresidential users of solid waste management services within the county's service
28 area that are not served by a municipality. Municipalities shall include costs ~~charges~~ charged to them
29 or ~~to~~ persons contracting with them for disposal of solid waste in the full cost information provided
30 to residential and nonresidential users of solid waste management services. Counties and
31 municipalities are encouraged to operate their solid waste management systems through use of an
32 enterprise fund.

33 (c) For purposes of this section, 'service area' means the area in which the county or municipality
34 provides, directly or by contract, solid waste management services. The provisions of this section
35 shall not be construed to require a person operating under a franchise contract or other agreement
36 to collect or dispose of solid waste within the service area of a county or municipality to make the
37 calculations or to establish a system to provide the information required under this section, unless
38 such person agrees to do so as part of such franchise contract or other agreement.

1 (d) In order to assist in achieving the municipal solid waste reduction goal and the recycling provisions of G.S. 130A-309.09B, a county or a municipality
2 which owns or operates a solid waste management facility may charge solid waste disposal fees which may vary based on a number of factors, including the amount,
3 characteristics, and form of recyclable materials present in the solid waste that is brought to the county's or the municipality's facility for processing or disposal.
4 A county may charge fees for the collection, processing, or disposal of solid waste as provided in
5 Article 15 of Chapter 153A of the General Statutes. A city may charge fees for the collection,
6 processing, or disposal of solid waste as provided in Article 16 of Chapter 160A of the General
7 Statutes.

8 (e) In addition to all other fees required or allowed by law, a county or a municipality, at the discretion of its governing board, may impose a fee for the services
9 the county or municipality provides with regard to the collection, processing, or disposal of solid waste, to be used for developing and implementing a recycling
10 program.

11 (f) This section does not prohibit a county, municipality, or other person from providing grants, loans, or other aid to low-income persons to pay part or all
12 of the costs of such persons' solid waste management services."

13 Sec. 12. G.S. 130A-309.09A reads as rewritten:

14 "§ 130A-309.09A. Local government solid waste responsibilities.

15 (a) The governing board of a designated local government shall provide for the operation of solid waste disposal facilities to meet the needs
16 of all incorporated and unincorporated areas designated to be served by the facility. each unit of local government shall assess local
17 solid waste collection services and disposal capacity and shall determine the adequacy of collection
18 services and disposal capacity to meet local needs and to protect human health and the environment.
19 Each unit of local government shall implement programs and take other actions that it determines
20 are necessary to address deficiencies in service or capacity required to meet local needs and to
21 protect human health and the environment. Pursuant to this section and notwithstanding any other provision of this Chapter, designated
22 local governments A unit of local government may adopt ordinances governing the disposal in
23 facilities which they operate that it operates, of solid waste generated outside of the area designated to be
24 served by such the facility. Such ordinances shall not be construed to apply to privately operated
25 disposal facilities located within the boundaries of a designated the unit of local government. In accordance
26 with this section, municipalities are responsible for collecting and transporting solid waste from their jurisdictions to a solid waste disposal facility operated by the
27 municipality or county, any other municipality or county, or by any other person. Counties and municipalities may charge reasonable fees for the handling and
28 disposal of solid waste at their facilities. The fees charged to municipalities without facilities at a solid waste management facility specified by the county shall not
29 be greater than the fees charged to other users of the facility except as provided in G.S. 130A-309.04(d). Solid waste management fees collected on a countywide
30 basis shall be used to fund solid waste management services provided throughout the county.

31 (b) Each unit of local government, either individually or in cooperation with one or more other units of local government, shall participate in the development
32 and implementation of a solid waste management plan designed to meet the waste reduction goals set out in G.S. 130A-309.04 within the geographic area covered
33 by the plan.

34 Each unit of local government, either individually or in cooperation with other units of local
35 government, shall develop a 10-year comprehensive solid waste management plan. Units of local
36 government shall make a good-faith effort to achieve the State's forty percent (40%) municipal
37 solid waste reduction goal, and to comply with the State's comprehensive solid waste management
38 plan. Each unit of local government shall develop its solid waste management plan with public
39 participation, including, at a minimum, one advertised public meeting. The Department shall assist

1 units of local government in the preparation of the plan required by this subsection if the unit of
2 local government requests assistance. Each plan shall be updated at least every three years. In
3 order to assure compliance with this subsection, each unit of local government shall provide the
4 Department with a copy of its current plan upon request by the Department. Each plan shall:

- 5 (1) Evaluate the solid waste stream in the geographic area covered by the plan.
6 (2) Include a goal for the reduction of municipal solid waste on a per capita basis
7 by 30 June 2001 and a goal for the further reduction of municipal solid waste
8 by 30 June 2006. The solid waste reduction goals shall be determined by the
9 unit or units of local government that prepare the plan, and shall be
10 determined so as to assist the State, to the maximum extent practical, to
11 achieve the State's forty percent (40%) municipal solid waste reduction goal
12 as set out in G.S. 130A-309.04(c).
13 (3) Be designed to achieve the solid waste reduction goals established by the plan.
14 (4) Include a description of the process by which the plan was developed,
15 including provisions for public participation in the development of the plan.
16 (5) Include a description and assessment of intended actions with respect to the
17 following solid waste management methods:
18 a. Reduction at the source.
19 b. Collection.
20 c. Recycling and reuse.
21 d. Composting and mulching.
22 e. Incineration with energy recovery.
23 f. Incineration without energy recovery.
24 g. Transfer outside the geographic area covered by the plan.
25 h. Disposal.
26 (6) Include a description and assessment of intended actions with respect to:
27 a. Education with the community and through the schools.
28 b. Management of special wastes.
29 c. Prevention of illegal disposal and management of litter.
30 d. Purchase of recycled materials and products manufactured with
31 recycled materials.
32 (7) Include a description and assessment of the full cost of solid waste
33 management, including the costs of collection, disposal, waste reduction, and
34 other programs, and of the methods of financing those costs.
35 (8) Consider the use of facilities and other resources for management of solid
36 waste that may be available through private enterprise.

37 (c) The Department may reduce or modify the municipal solid waste reduction goal that a unit of local government is required to attempt to achieve pursuant
38 to subsection (b) of this section if the unit of local government demonstrates to the Department that:

- (1) The achievement of the goal would have an adverse effect on the financial obligations of the unit of local government incurred prior to 1 October 1989 that are directly related to a waste-to-energy facility owned or operated by or on behalf of a unit of local government; and
- (2) The unit of local government cannot remove normally combustible materials from solid waste that is to be processed at a waste-to-energy facility permitted prior to 1 July 1991 because of the need to maintain a sufficient amount of solid waste to ensure the financial viability of the facility. The goal may not be waived entirely and may be reduced or modified only to the extent necessary to alleviate the adverse effects of achieving the goal on the financial viability of a unit of local government's waste-to-energy facility. Nothing in this subsection shall exempt a unit of local government from developing and implementing a recycling program pursuant to this Part.

(d) In order to assess the progress in meeting the ~~goal~~ goal set out in G.S. 130A-309.04, each county, either individually or in cooperation with one or more other counties, shall, by 1 December 1991 and each year thereafter, unit of local government shall report to the Department on the solid waste management programs and recycling waste reduction activities within the county or the geographic area covered by the county's solid waste management plan. within the unit of local government by 1 September of each year. This report by the county must At a minimum, the report shall include:

- (1) A description of public education programs on ~~recycling~~ recycling.
- (2) The amount of solid waste received at municipal solid waste management facilities, by type of solid ~~waste~~ waste.
- (3) The amount and type of materials from the solid waste stream that were ~~recycled~~ recycled.
- (4) The percentage of the population participating in various types of recycling activities ~~instituted~~ instituted.
- (5) The annual reduction in municipal solid waste, measured as provided in G.S. 130A-309.04; 130A-309.04.
- (6) A description of the recycling activities attempted, their success rates, the perceived reasons for failure or success, and the recycling activities which are ongoing and most successful; and Information regarding programs and other actions implemented as part of the local comprehensive solid waste management plan.
- (7) In its first report, a description of any recycling activities implemented prior to 1 July 1991. A statement of the costs of solid waste management programs implemented by the unit of local government and the methods of financing those costs.

(e) Any municipality that does not participate in the preparation of a county report shall prepare its own report in accordance with the provisions of subsection (d) of this section.

(f) On and after 1 July 1991, each ~~operator~~ Each operator of a municipal solid waste management facility shall weigh all solid waste when it is received.

(g) A unit of local government that is a collector of municipal solid waste shall not knowingly collect for disposal, and the owner or operator of a municipal solid waste management facility that is owned or operated by a unit of local government shall not knowingly dispose of, any type or form of municipal solid waste that is generated within the boundaries of a unit of local government

that by ordinance:

- (1) Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
- (2) Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste."

Sec. 13. G.S. 130A-309.09B reads as rewritten:

"§ 130A-309.09B. Local government ~~recycling~~ **waste reduction** programs.

(a) Each ~~designated~~ **unit of local government** shall ~~initiate a recyclable materials recycling program by 1 July 1991. Counties and municipalities are encouraged to form cooperative arrangements for implementing recycling programs.~~ **establish and maintain a solid waste reduction program that will enable the unit of local government to meet the local solid waste reduction goals established pursuant to G.S. 130A-309.09A(b)(2).** The following requirements shall apply:

- (1) Construction and demolition debris must be separated from the solid waste stream and segregated in separate locations at a solid waste disposal facility or other permitted site. Demolition debris consisting of used asphalt or used asphalt mixed with dirt, sand, gravel, rock, concrete, or similar nonhazardous material may be used as fill and need not be disposed of in a permitted landfill or solid waste disposal facility, provided that such demolition debris may not be placed in the waters of the State or at or below the seasonal high water table.
- (2) Repealed by Session Laws 1991, c. 621, s. 8.
- (3) Units of local government are encouraged to separate marketable plastics, glass, metal, and all grades of paper for recycling prior to final disposal and are further encouraged to recycle yard trash and other organic solid waste into compost available for agricultural and other acceptable uses.

(b) To the maximum extent practicable, units of local government should participate in the preparation and implementation of joint ~~recycling~~ **waste reduction** and solid waste management programs, whether through joint agencies established pursuant to G.S. 153A-421, G.S. 160A-462, or any other means provided by law. Nothing in a county's solid waste management or ~~recycling~~ **waste reduction** program shall affect the authority of a municipality to franchise or otherwise provide for the collection of solid waste generated within the boundaries of the municipality.

(c) In the development and implementation of a curbside ~~recyclable materials~~ collection program, a county or municipality shall enter into negotiations with a franchisee who is operating to exclusively collect solid waste within a service area of a county or municipality to undertake curbside ~~recyclable materials~~ collection responsibilities for a county or municipality. If the county or municipality and the franchisee fail to reach an agreement within 60 days from the initiation of negotiations, the county or municipality may solicit proposals from other persons to undertake curbside ~~recyclable materials~~ collection responsibilities for the county or municipality as it may require. Upon the determination of the lowest responsible proposals, the county or municipality may undertake, or enter into a written agreement with the person who submitted the lowest responsible proposal to undertake, the curbside ~~recyclable materials~~ collection responsibilities for the county or municipality, notwithstanding the exclusivity of any franchise agreement for the collection of solid waste within a service area of the county or municipality.

(d) In developing and implementing recycling programs, counties and municipalities shall give consideration to the collection, marketing, and disposition of

1 recyclable materials by persons engaged in the business of recycling on either a for-profit or nonprofit basis. Counties and municipalities are encouraged to use
2 for-profit and nonprofit organizations in fulfilling their responsibilities under this Part.

3 (e) A county or county and the municipalities within the county's or counties' boundaries may jointly develop a recycling program, provided that the county
4 and each municipality must enter into a written agreement to jointly develop a recycling program. If a municipality does not participate in jointly developing a
5 recycling program with the county within which it is located, the county may require the municipality to provide information on recycling efforts undertaken within
6 the boundaries of the municipality in order to determine whether the goals for municipal solid waste reduction are being achieved.

7 (f) A county or counties and its or their municipalities may jointly determine, through a joint
8 agency established pursuant to G.S. 153A-421 or G.S. 160A-462, which local governmental agency
9 shall administer a solid waste management or recycling waste reduction program.

10 (g) A unit of local government that enters into an agreement with one or more other units of local government to develop and operate a recycling program shall
11 provide periodic written progress reports to the units of local government concerning the implementation of the recycling program."

12 Sec. 14. G.S. 130A-309.09C(g) reads as rewritten:

13 "(g) In addition to any other penalties provided by law, a unit of local government that does not
14 comply with the requirements of G.S. 130A-309.09A(b) and G.S. 130A-309.09B(a) shall not be
15 eligible for grants from the Solid Waste Management Trust Fund, the Scrap Tire Disposal Account,
16 or the White Goods Management Account and the Department may notify the State Treasurer to withhold payment of all or a portion
17 of funds payable to the unit of local government by the Department from the General Fund or by the Department from any other State fund, to the extent not pledged
18 to retire bonded indebtedness, unless the unit of local government demonstrates that good faith efforts to meet the requirements of G.S. 130A-309.09A(b) and G.S.
19 130A-309.09B(a) have been made or that the funds are being or will be used to finance the correction of a pollution control problem that spans jurisdictional
20 boundaries. shall not receive the proceeds of the scrap tire disposal tax imposed by Article 5B of
21 Chapter 105 of the General Statutes or the proceeds of the white goods disposal tax imposed by
22 Article 5C of Chapter 105 of the General Statutes to which the unit of local government would
23 otherwise be entitled. The Secretary shall notify the Secretary of Revenue to withhold payment of
24 these funds to any unit of local government that fails to comply with the requirements of G.S.
25 130A-309.09A(b) and G.S. 130A-309.09B(a). Proceeds of the scrap tire disposal tax that are
26 withheld pursuant to this subsection shall be credited to the Scrap Tire Disposal Account and may
27 be used as provided in G.S. 130A-309.63. Proceeds of the white goods disposal tax that are
28 withheld pursuant to this subsection shall be credited to the White Goods Management Account
29 and may be used as provided in G.S. 130A-309.83."

30 Sec. 15. G.S. 130A-309.09D reads as rewritten:

31 "§ 130A-309.09D. Responsibilities of owners and operators of privately owned ^{municipal} solid
32 waste management ~~facilities~~ facilities and collectors of municipal solid waste.

33 (a) The A collector of municipal solid waste shall not knowingly collect for disposal, and the
34 owner or operator of a privately owned or operated municipal solid waste management facility shall
35 operate the facility in a manner which is consistent with the State solid waste management plan and with the solid waste management plans that have been adopted
36 by those units of local government served by the facility and approved by the Department. not knowingly dispose of any type or form
37 of municipal solid waste that is generated within the boundaries of a unit of local government that
38 by ordinance:

- (1) Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
- (2) Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.

(b) On or before 1 ^{August 1992 and each year thereafter,} ~~August~~, the owner or operator of a privately owned ~~municipal~~ solid waste management facility shall report to the Department, for the previous year beginning 1 July and ending 30 June, the amount by weight of the solid waste that was received at the facility and disposed of in a landfill, incinerated, or converted to fuel. To the maximum extent practicable, ~~such~~ the reports shall indicate by weight the county of origin of all solid waste. The owner or operator shall transmit a copy of the report to the county in which the facility is located and to each county from which solid waste originated.

(c) A generator of industrial solid waste that owns and operates an industrial solid waste facility for the management of industrial solid waste generated by that generator shall develop a 10-year waste management plan. The plan shall be updated at least every three years. In order to assure compliance with this subsection, each generator to which this subsection applies shall provide the Department with a copy of its current plan upon request by the Department. Each generator to which this subsection applies shall file a report on its implementation of the plan required by this subsection with the Department by 1 August of each year. The plan shall have the following components:

- (1) A waste reduction goal established by the generator.
- (2) Options for the management and reduction of wastes evaluated by the generator.
- (3) A waste management strategy, including plans for waste reduction and waste disposal, for the 10-year period covered by the plan."

Sec. 16. G.S. 130A-309.10 reads as rewritten:

"§ 130A-309.10. Prohibited acts relating to packaging; coded labeling of plastic containers required; disposal of certain solid wastes in landfills or by incineration prohibited.

(a) No beverage shall be sold or offered for sale within the State in a beverage container designed and constructed so that the container is opened by detaching a metal ring or tab.

(b) No person shall distribute, sell, or offer for sale in this State, any product packaged in a container or packing material manufactured with fully halogenated chlorofluorocarbons (CFC). Producers of containers or packing material manufactured with chlorofluorocarbons (CFC) are urged to introduce alternative packaging materials ~~which that~~ are environmentally compatible.

- (c)
 - (1) No plastic bag shall be provided at any retail outlet to any retail customer to use for the purpose of carrying items purchased by that customer unless the bag is composed of material ~~which that~~ is recyclable. Notice of recyclability shall be printed on each bag purchased by the retailer.
 - (2) It is the goal of the State that at least twenty-five percent (25%) of the plastic

1 bags provided at retail outlets in the State to retail customers for carrying items
2 purchased by the customer be recycled.

3 (d) (1) No person shall distribute, sell, or offer for sale in this State any polystyrene
4 foam product ~~which that~~ is to be used in conjunction with food for human
5 consumption unless ~~such the~~ product is composed of material ~~which~~ that is
6 recyclable.

7 (2) After October 1, 1997, no person shall distribute, sell, or offer for sale in this State any polystyrene foam product that is to be
8 used in conjunction with food for human consumption unless the Secretary certifies that at least twenty-five percent (25%) of
9 such products are being recycled. This subdivision does not apply to any polystyrene foam product containing at least twenty-
10 five percent (25%) polystyrene derived from products that have been collected for recycling after those products have served
11 the purpose for which they were manufactured.

12 (e) No person shall distribute, sell, or offer for sale in this State any plastic container product
13 unless the product has a molded label indicating the plastic resin used to produce the plastic
14 container product. The code shall consist of a number placed within three triangulated arrows and
15 letters placed below the triangulated arrows. The three arrows shall form an equilateral triangle with
16 the common point of each line forming each angle of the triangle at the midpoint of each arrow and
17 rounded with a short radius. The arrowhead of each arrow shall be at the midpoint of each side of
18 the triangle with a short gap separating the arrowhead from the base of the adjacent arrow. The
19 triangle formed by the three arrows curved at their midpoints shall depict a clockwise path around
20 the code number. The label shall appear on the bottom of the plastic container product and be
21 clearly visible. Plastic beverage containers having a capacity of less than 16 fluid ounces, nonsolid
22 food liquid containers having a capacity of less than 16 fluid ounces, and rigid plastic containers
23 having a capacity of less than eight fluid ounces are exempt from the requirements of this
24 subsection. The numbers and letters shall be as follows:

- 25 (1) For polyethylene terephthalate, the letters 'PETE' and the number 1.
26 (2) For high density polyethylene, the letters 'HDPE' and the number 2.
27 (3) For vinyl, the letter 'V' and the number 3.
28 (4) For low density polyethylene, the letters 'LDPE' and the number 4.
29 (5) For polypropylene, the letters 'PP' and the number 5.
30 (6) For polystyrene, the letters 'PS' and the number 6.
31 (7) For any other, including multi-material containers, the letters 'OTHER' and
32 the number 7.

33 (f) In accordance with the following schedule, no ~~No~~ person shall knowingly dispose of the following solid wastes
34 in landfills:

- 35 (1) Repealed by Session Laws 1991, c. 375, s. 1.
36 (2) Used oil.
37 (3) Yard trash, except in landfills ~~classified for such use~~ approved for the disposal of yard
38 trash under rules adopted by the Commission. Yard trash that is source

separated from solid waste may be accepted at a solid waste disposal area where the area provides and maintains separate yard trash composting facilities.

- (4) White goods.
- (5) Antifreeze (ethylene glycol).
- (6) Aluminum ~~cans, after July 1, 1994.~~ cans.
- (7) Whole scrap tires, as provided in G.S. 130A-309.58(b). The prohibition against landfilling whole tires applies to all whole pneumatic rubber coverings, but does not apply to whole solid rubber coverings.
- (8) Lead-acid batteries, as provided in G.S. 130A-309.70.

(f1) ~~In accordance with the following schedule, no~~ No person shall knowingly dispose of the following solid wastes by incineration in an incinerator for which a permit is required under this Article:

- (1) Antifreeze (ethylene glycol) used solely in motor ~~vehicles, after July 1, 1994.~~ vehicles.
- (2) Aluminum ~~cans, after July 1, 1994.~~ cans.
- (3) Steel cans, unless the steel is recoverable at the end of the incineration ~~process, after July 1, 1994.~~ PROCESS.
- (4) White ~~goods, after July 1, 1994.~~ goods.
- (5) Lead-acid batteries, as provided in G.S. 130A-309.70.

(f2) ~~Provided that this subsection~~ Subsection (f1) of this section shall not apply to solid waste incinerated in an incinerator solely owned and operated by the generator of the solid waste, and provided further that this subsection waste. Subsection (f1) of this section shall not apply to antifreeze (ethylene glycol) which that cannot be recycled or reclaimed to make it usable as antifreeze in a motor vehicle.

(g) ~~Prior to the effective dates specified in this section, the Department shall identify and assist in developing alternative disposal, processing, or recycling options for the solid waste identified in this section.~~

(h) The accidental or occasional disposal of small amounts of prohibited solid waste by landfill or incineration shall not be construed as a violation of subsections (f) or (f1) of this section."

Sec. 17. G.S. 130A-309.25(c) reads as rewritten:

"(c) A person may not perform the duties of an operator of a solid waste management facility after 1 January ~~1996, 1998,~~ unless he has completed an operator training course approved by the Department. An owner of a solid waste management facility may not employ any person to perform the duties of an operator unless ~~such~~ the person has completed an approved solid waste management facility operator training course."

Sec. 18. G.S. 130A-309.26(b) reads as rewritten:

"(b) It is the intent of the General Assembly to protect the public health by establishing standards for the safe packaging, storage, treatment, and disposal of medical waste. The Commission shall adopt and the Department shall enforce rules for the packaging, storage, treatment, and disposal of:

- (1) Medical waste at facilities where medical waste is generated;
- (2) Medical waste from the point at which the waste is transported from the

1 facility where it was generated;

2 (3) On-site and off-site ~~incineration~~ treatment of medical waste; and

3 (4) The off-site transport, storage, treatment or disposal of medical waste."

4 Sec. 19. G.S. 130A-309.53(7) reads as rewritten:

5 "(7) 'Tire' means a continuous solid or pneumatic rubber covering that encircles the
6 wheel of a ~~vehicle and is subject to the tax imposed by Article 5B of Chapter 105~~ vehicle. Bicycle tires
7 and other tires for vehicles propelled by human power are not subject to the
8 provisions of this Part."

9 Sec. 20. G.S. 130A-309.58(b) reads as rewritten:

10 "(b) The Commission may adopt rules approving other permissible methods of scrap tire
11 disposal. Landfilling of whole scrap tires is prohibited. The prohibition against landfilling whole
12 tires applies to all whole pneumatic rubber coverings, but does not apply to whole solid rubber
13 coverings."

14 Sec. 21. G.S. 130A-309.63(e) reads as rewritten:

15 "(e) Reports. -- The Department shall ~~make quarterly reports~~ report annually on the Scrap Tire Disposal
16 Account to the Environmental Review Commission. The report shall be submitted by 1 October
17 of each year for the fiscal year ending the preceding 30 June. The report shall show the beginning
18 and ending balances in the Account for the reporting period, the amount credited to the Account
19 during the ~~quarter,~~ reporting period, and the amount of revenue used for grants and to clean up
20 nuisance tire collection sites. A quarterly report shall be filed within 60 days after the end of a calendar quarter."

21 Sec. 22. G.S. 130A-309.85 reads as rewritten:

22 "**§ 130A-309.85. (Effective until July 1, 1999) Department to submit annual report on the**
23 **management of white goods.**

24 The Department shall ~~make an annual~~ report annually to the Environmental Review Commission
25 concerning the management of white goods. The report shall be submitted by 1 October, of each
26 ~~year, shall cover year for~~ the fiscal year ending on the preceding ~~June 30, and~~ 30 June. The report shall include
27 the following information:

- 28 (1) The amount of taxes collected and distributed under G.S. 105-187.24 during
29 the period covered by the report.
- 30 (2) The cost to each county of managing white goods during the period covered
31 by the report.
- 32 (3) The beginning and ending balances of the White Goods Management Account
33 for the period covered by the report and a list of grants made from the Account
34 for the period.
- 35 (4) Any other information the Department considers helpful in understanding the
36 problem of managing white goods."

37 Sec. 23. G.S. 130A-309.85 reads as rewritten:

38 "**§ 130A-309.85. (Effective July 1, 1999) Department to submit annual report on the**

management of white goods.

The Department shall ~~make an annual~~ report ~~annually~~ to the Environmental Review Commission concerning the management of white goods. The report shall be submitted by ~~1~~ October, of each ~~year, shall cover year for~~ the fiscal year ending on the preceding ~~June 30, and~~ ~~30 June.~~ ~~The report shall include~~ the cost to each county of managing white goods during the period covered by the report, the additional fees on white goods collected by each county during the period covered by the report, and any other information the Department considers helpful in understanding the problem of managing white goods."

Sec. 24. G.S. 153A-292 reads as rewritten:

"§ 153A-292. County collection and disposal facilities.

(a) The board of county commissioners of any county may establish and operate solid waste collection and disposal facilities in areas outside the corporate limits of a city. The board may by ordinance regulate the use of a disposal facility provided by the county, the nature of the solid wastes disposed of in a facility, and the method of disposal. The board may contract with any city, individual, or privately owned corporation to collect and dispose of solid waste in the area. Counties and cities may establish and operate joint collection and disposal facilities. A joint agreement shall be in writing and executed by the governing bodies of the participating units of local government.

(b) The board of county commissioners may impose a fee for the collection of solid waste. The fee may not exceed the costs of collection.

The board of county commissioners may impose a fee for the use of a disposal facility provided by the county. The fee for use may not exceed the cost of operating the facility and may be imposed only on those who use the facility. The fee for use may vary based on the amount, characteristics, and form of recyclable materials present in solid waste brought to the facility for disposal. A county may not impose a fee for the use of a disposal facility on a city located in the county or a contractor or resident of the city unless the fee is based on a schedule that applies uniformly throughout the county.

The board of county commissioners may impose a fee for the availability of a disposal facility provided by the county. A fee for availability may not exceed the cost of providing the facility and may be imposed on all improved property in the county that benefits from the availability of the facility. A county may not impose an availability fee on property whose solid waste is collected by a county, a city, or a private contractor for a fee if the fee imposed by a county, a city, or a private contractor for the collection of solid waste includes a charge for the availability and use of a disposal facility provided by the county. Property served by a private contractor who disposes of solid waste collected from the property in a disposal facility provided by a private contractor is not considered to benefit from a disposal facility provided by the county and is not subject to a fee imposed by the county for the availability of a disposal facility provided by the county.

In determining the costs of providing and operating a disposal facility, a county may consider solid waste management costs incidental to a county's handling and disposal of solid waste at its

1 disposal facility, including the costs of the methods of solid waste management specified in G.S.
2 130A-309.04(a) of the Solid Waste Management Act of 1989. A fee for the availability or use of
3 a disposal facility may be based on the combined costs of the different disposal facilities provided
4 by the county.

5 (c) The board of county commissioners may use any suitable vacant land owned by the county
6 for the site of a disposal facility, subject to the permit requirements of Article 9 of Chapter 130A
7 of the General Statutes. If the county does not own suitable vacant land for a disposal facility, it
8 may acquire suitable land by purchase or condemnation. The board may erect a gate across a
9 highway that leads directly to a disposal facility operated by the county. The gate may be erected
10 at or in close proximity to the boundary of the disposal facility. The county shall pay the cost of
11 erecting and maintaining the gate.

12 (d), (e) Repealed by Session Laws 1991, c. 652, s. 1.

13 (f) This section does not prohibit a county from providing aid to low-income persons to pay all
14 or part of the cost of solid waste management services for those persons."

15 Sec. 25. G.S. 160A-314 is amended by adding a new subsection to read:

16 "(a2) A fee for the use of a disposal facility provided by the city may vary based on the amount,
17 characteristics, and form of recyclable materials present in solid waste brought to the facility for
18 disposal. This section does not prohibit a city from providing aid to low-income persons to pay all
19 or part of the cost of solid waste management services for those persons."

20 Sec. 26. (a) Each unit of local government shall adopt a resolution approving the
21 comprehensive solid waste management plan required by G.S. 130A-309.09A(b), as amended by
22 Section 12 of this act, and shall begin implementation of the plan, by 1 July 1996. Units of local
23 government that prepared a solid waste management plan pursuant to G.S. 130A-309.09A(b) prior
24 to the date this act becomes effective may, in lieu of developing a new plan, update their existing
25 plan to meet the requirements of G.S. 130A-309.09A(b), as amended by Section 12 of this act.

26 (b) A generator of industrial waste who is required to develop a solid waste
27 management plan by G.S. 130A-309.09D(c), as enacted by Section 15 of this act, is not required
28 to complete the plan until 1 July 1996, and is not required to file a report on the implementation of
29 the plan with the Department of Environment, Health, and Natural Resources until 1 August 1997.

30 Sec. 27. Notwithstanding any rule to the contrary, upon request of the board of
31 commissioners of a county that operates a sanitary landfill, the Department of Environment, Health,
32 and Natural Resources may grant a variance in the geographic area served by the sanitary landfill,
33 as specified in the permit for the sanitary landfill, to allow the disposal of municipal solid waste
34 generated in a county adjacent to the county in which the sanitary landfill is located. This section
35 shall not be construed to authorize the disposal of municipal solid waste in excess of the permitted
36 capacity of the sanitary landfill.

37 Sec. 28. Sections 27 and 28 of this act become effective 1 July 1995. Section 27 of
38 this act expires 31 December 1996. All other sections of this act become effective 1 October 1995.

EXECUTIVE SUMMARY

TV/VIDEO TASK TEAM

Charge: To review existing television production, broadcasting, communication and cable access resources and determine the future community needs. The focus will include the City of Charlotte, Mecklenburg County, Charlotte-Mecklenburg Schools, Central Piedmont Community College, University of North Carolina at Charlotte and WTVI.

TV/VIDEO TASK TEAM MEMBERS

Beverly Mitzel	UNC-Charlotte Media Services
John McGillicuddy	Mecklenburg County Public Service & Information
John Carter	Mecklenburg County Public Service & Information
David Cooke	City of Charlotte
Bill Guerrant	City of Charlotte Public Service & Information
Mike Davis	City of Charlotte Public Service & Information
Doris Boris	City/County Cable Television Division
Dennis Cudd	Central Piedmont Community College
Jim Bailey	Central Piedmont Community College
Hal Bouton	WTVI
Elliot Sanderson	WTVI
Wray Ware	WTVI
Don Hambridge	Charlotte-Mecklenburg Schools Television Services
Pam Youngblood	Time Warner Cable
Ron Sumrow	Time Warner Cable
Rusty Page	NationsBank

Section 1: CABLECASTING & BROADCASTING IN CHARLOTTE-MECKLENBURG (timeline provided in attachment 1)

Any discussion of educational and governmental cablecasting and broadcasting in Charlotte-Mecklenburg must begin with a review of the original mandates that created our current infrastructure, and the tremendous investment that has been made in this television and cable technology.

Many years ago, the founding principle for creating the Public Broadcasting System was to support teachers and education. WTVI, Charlotte-Mecklenburg's PBS affiliate, grew out of an educational mandate created and owned by the Charlotte-Mecklenburg Board of Education. In 1982, the School Board transferred its license to the Charlotte-Mecklenburg Public Broadcast Authority.

In the late 1960s, the City of Charlotte and Mecklenburg County governments decided this community would be well served by cable. By the mid-1970s, the cable system being operated in this community originated a public access channel for use by local residents. In 1977, CPCC began offering recorded courses-for-credit over the channel.

About a decade later, Time Warner, in its service to the community and as a result of a franchise renewal agreement with the City of Charlotte, increased its community service by adding two more access channels, totaling three channels: one for public access, one for educational access, and one for government access -- the so-called P-E-G access channels. As a result, the City of Charlotte began programming the government access channel and continues to program that channel today. CPCC moved its expanded instructional programming to the newly created educational access channel.

In 1985, a federal education grant to CPCC equipped a classroom to originate live, interactive classes via cable to students across the County. It continues to provide programming on that channel today -- sharing the channel with UNCC.

In 1987, the City of Charlotte, with the completion of the Charlotte-Mecklenburg Government Center, provided space dedicated to video production and to operating the government access channel as a means to increase the flow of information from government to the community. Shortly thereafter, Mecklenburg County began using the same distribution system via the government access channel, managed by the City of Charlotte. In fact, the production studio and government access channel facility within the government center were purposefully constructed as one facility to be used by both city and county governments to avoid duplication. This was the first example of cooperation between governments as it relates to the process of distributing government information to the community via television and video. As the County and City governments worked together to communicate information, this new facility became the citizens' link to local government.

This investment in government cablecasting and video technology by the two local governments allowed the two governments to provide programming materials (e.g., public affairs shows, videos, etc.) for the government access channel. It also began the investment in technology to produce educational and informational videotape materials for internal and external communications and training through other means than the government access channel.

In 1990, Charlotte-Mecklenburg Schools decided to switch from broadcasts to cablecasts

on the public access channel, originating from WTVI. About a year later, UNCC joined CPCC in utilizing the educational access channel. Also at this time, the City of Charlotte and the local cable operator negotiated to provide Charlotte-Mecklenburg Schools programming on the public access channel. That year, a fully interactive distance learning pilot program called Vision Carolina established a link between UNCC, the Charlotte-Mecklenburg Schools and CPCC.

Most recently, Time Warner, the local cable operator for the City of Charlotte and most of Mecklenburg County, completed a \$45 million investment to install fiber optic technology to provide improved and updated cable capacity that will result in two additional access channels, as well as a back-up access channel, bringing the total access channels in this community to five (not including the a back-up access channel). These additions provide CPCC, UNCC and CMS with 24-hour cable programming availability.

Based on the above history of public cablecasting and broadcasting in Charlotte-Mecklenburg, two reminders come forward:

First: The City of Charlotte, Mecklenburg County, the community's educational institutions and its cable operator have long regarded television, cable and video technology as an important tool in providing government and educational information to the residents of Charlotte-Mecklenburg. Also, residents are using these channels. CPCC will enroll 3,000 students in regular curriculum courses on the educational access channel this year. A recent survey of Charlotte residents conducted by MarketWise reveals that 78% of residents are familiar with the Government Channel and that 58% of those viewers watch this channel regularly.

Secondly: There exists an important public/private partnership investment in cable as a communications medium, and this investment has resulted in a multi-million dollar, state-of-the-art cable infrastructure in this community that includes public, educational and government access channels.

Section 2: WHAT'S NEXT?

The world of television, video and information accessibility is in its infancy and is changing rapidly. Recently, President Clinton signed the new Telecommunications Act that is intended to eliminate the barriers to competition in the field of information technology. The ability to communicate in interactive, PC-based, wireless technologies already exists. During the upcoming year, telephone companies will be competing with cable companies to provide video services and cable companies will begin competing to provided telephone services. In some instances these two groups will form mergers and partnerships designed to provide the most user-friendly, accessible, interactive information tool we have ever seen - almost beyond our current ability to conceive. Two of the country's largest telecommunications companies - BELLSOUTH and TIMEWARNER CABLE - are already positioned to compete head-to-head in providing these services to Charlotte-Mecklenburg. TimeWarner Cable is already in the telephone business, serving numerous Charlotte-Mecklenburg businesses with voice, video and data via its interactive fiber network.

Soon, all our lives will be transformed by the ability to reach more people, more quickly, more conveniently -- and for them to reach back to us. This includes government's ability to electronically interact with its constituents. Local governments and educational institutions need to pay close attention to this emerging trend in communications technology. Otherwise,

governments' and schools' ability to communicate with their audiences and constituents, including the people who elect community leaders -- will pass us by

Section 3: FINDINGS

METHODOLOGY: The TV/Video Task Team developed its findings through several methods. First, the Task Team created a survey that each organization completed. (The survey summary and these individual surveys are provided as attachments 2 and 3). The survey standardized the questions regarding the resources and operations of each organization. Second, the Task Team toured each organization's facility and viewed samples of the products and programming that are created within each facility. Finally, the Task Team used the Internet to survey other communities in the U.S. seeking details on how these communities are funding governmental and educational cable access channels and programming (see attachment 4).

MISSIONS: In some cases, some of these organizations share missions and audiences. In these cases, much collaboration and partnering exists (see Existing Partnership below). However, for the most part, each organization is dedicated to a distinct mission and delivers distinct messages, with overall direction from distinct authorities. This is one of the main reasons each organization operates out of separate facilities with separate management and staff.

CURRENT FUNDING: Currently, annual local public funding for TV and video operations totals \$1.611 million. This excludes the operating costs of both UNCC and CPCC because no local public funding is directly provided to these operations, though CPCC does receive funds from the County for infrastructure needs. The \$1.611 million is spent with WTVI, the City of Charlotte Public Service & Information Department, Mecklenburg County Public Service & Information Department, and the Charlotte-Mecklenburg Schools' Television Services. Of the \$1.611 million, all but \$330,600 comes from the County. The \$330,600 comes from the City of Charlotte to fund the City PS&I's TV/video operations.

Of the \$1.280 million spent by the County, nearly 74% is allotted to WTVI with current funding at \$942,943, which does not include cable franchise fees that are passed on to WTVI. Nineteen percent is allotted to the Charlotte-Mecklenburg Schools by the School Board from the School Board's total budget, with current funding at \$236,510. Finally, County PS&I's TV/video operation is funded at \$101,500, representing only 8% of the County's total TV/video spending.

For this funding of facilities and operations, local governments and educational institutions are reaching 154,274 cable households in Mecklenburg County, equating to about 70% of the homes in the County. Programming on WTVI is available to all homes in the County with televisions (220,350 homes). WTVI viewership Monday through Friday is estimated at 326,000 TV households watching at least once a week. (For a summary of the above costs, see attachment 3).

CURRENT CAPITAL PROJECTS: Three of the organizations have capital projects underway or funded. Below are brief descriptions of these projects, costs, funding source and justifications provided.

- CPCC

CPCC recently received a Title III grant from the Department of Education. The primary focus of the grant is to train faculty in the development and use of multimedia in the classroom. The grant will provide \$400,000 to revamp the CPCC video studio.

- **Charlotte-Mecklenburg Schools**

background: Since 1966, the CMS Instructional Television Department has provided cost-effective programming to the CMS Instructional Services Division. Television Services' mission is to support instruction through television programming produced in the studio and out in the schools. Television Services is also used to educate and inform the public through various videos produced for the CMS Public Information Department and the Superintendent's Office.

history: In 1992, CMS Television Services facilities were split into two locations. A 2,500 square-foot auditorium at the Staff Development Center was used as a studio and approximately 1,200 square feet of space at the Marie G. Davis/Kennedy Center was used for post production. In 1993, a \$192 million bond was passed by Mecklenburg County voters that included \$5.1 million to renovate the Marie G. Davis/Kennedy Center. In 1994, Superintendent Dr. John Murphy proposed that CMS Television Services stay at the Marie G. Davis/Kennedy Center complex and share instructional resources with the Communications Arts Magnet Program students. Shook Design Group, Inc. Developed a feasibility study that included CMS Television Services' facilities within the \$5.1 million budget.

proposed plan: As a result of the feasibility study, 4,034 square feet of space at Marie G. Davis/Kennedy Center would be renovated to accommodate CMS Television Services. Shook Design Group, Inc. estimated the cost at approximately \$50 per square foot, or \$201,700. This amounts to 4% of the \$5.1 million to renovate Marie G. Davis/Kennedy Center. According to Shook Design Group, Inc., bids for Marie G. Davis/Kennedy Center came in under budget. Marie G. Davis Middle School was provided all its academic needs including extras placed on alternate bids. CMS Television Services is not displacing any of Marie G. Davis Middle School needs.

cost effectiveness: For the 1996-97 school year, CMS will need to use a television studio for 116 days. The cost for CMS to operate a television studio is minimal. The projected cost to rent a television studio per year would be:

- City of Charlotte studio = \$145,000 annually
- WTVI studio = \$279,880 annually

To further illustrate cost-effectiveness and cooperative partnerships, it has been proposed by CMS that CMS Television Services will extend to the Mecklenburg County Public Service and Information Department use and access to CMS television studio and production facilities, as available, at no cost.

Section 4: EXISTING PARTNERSHIPS

Existing partnerships are identified in attachment 5. The TV/Video Task Team found that there exists a comprehensive network of both formal (contractual) and informal partnerships between and among these organizations. These partnerships include sharing of resources (staff, equipment and facilities), sharing of access channels, and sharing of information and knowledge. The TV/Video Task Team also identified barriers to increased partnerships and sharing of resources. These barriers include a general lack of resources among the organizations, current maximum utility of current resources, and lack of sufficient equipment maintenance funding.

Essentially it was found that the TV and video productions and facilities supported by public funds are operating at maximum productivity within virtually every organization. (See Section 8 for additional partnership opportunities identified.)

Section 5: CRITICAL NEEDS

Each individual organization has its own critical needs in the television and video area. These individual needs should be specified and addressed separately with each appropriate elected body that provides funding. However, as a result of its investigation, the TV/Video Task Team identified several critical needs that are consistent with nearly every organization. As part of this report, the TV/Video Task Team has identified several critical needs that should be addressed by elected officials.

Attachment 6 provides the list of critical needs identified that should be met to continue to satisfy the existing mandate and objective of using television and video to education and inform the public.

Section 6: NEEDS GREATER THAN RESOURCES

Currently, the needs in TV/Video operations for local government and local educational systems are greater than the resources allocated. Of course, the decisions about resource allocation have to be balanced with the other funding needs identified within this community. However, it's important to point out that these television and video operations are linked to those other needs as well. Funding of interactive distance learning, and educational access channel programming allows schools to extend the school day and bring education into the home.

City, County and WTVI programming focus on police services, ambulance services, health care services, crime and punishment and much more. What the TV/Video Task Team has learned from viewing the programming produced from these facilities is that they work hand-in-hand to support the priority funding decisions made by elected officials. As priority services receive added emphasis and added resources from elected officials, increased communications needs through television and video also occur, often with no increase in funding.

Section 7: FUNDING IN OTHER COMMUNITIES -- A NATIONAL SURVEY

How to meet the critical needs outlined in this report while also trying to meet the needs of other priorities was an issue of much discussion and debate among the TV/Video Task Team members. One of the areas investigated was how other communities were funding educational and government television. Through the services of the City/County Cable Television Division, the TV/Video Task Team was able to access such information, and it is provided in attachment 8.

To summarize the survey results, many communities are using the revenues from cable franchise fees -- or a percentage of those fees -- to fund educational and governmental cable operations and programming. Currently, the City of Charlotte receives \$2.5 million annually in cable franchise fees, while the County receives approximately \$250,000 annually. These fees are paid for by cable subscribers, billed by the cable operator.

Several members of the TV/Video Task Team advocated recommending tying cable

franchise fees to TV/video expenses for government and educational access programming. Opposing views on the TV/Video Task Team stressed that cable franchise fee revenues are not related to TV/video expenses and that no link should be indicated. These arguments contend that franchise fees are revenues to the City of Charlotte in recognition of (and compensation for) the use of the City's rights of way and local regulation due to the "monopoly status" of cable operators. Also, it was pointed out that dedicating all or portions of the franchise fees to cable programming and TV/video operations didn't solve the funding problem -- that it wasn't adding revenues, just trying to shift priorities.

Without concensus on this issue, the TV/Video Task Team decided not to present recommendations on this issue. Rather, it was agreed that the survey information merely should be provided to illustrate how other municipalities are dealing with critical needs.

Section 8: CONCLUSIONS & RECOMMENDATIONS

1. PRESERVE AND MAINTAIN CURRENT PRODUCTIVITY

The use of television and video is the most cost-effective method of delivering governmental and educational information directly to members of this community. TV as a medium is one of the most pervasive in our society, and will continue to play a major role in the information age. For this reason, the TV/Video Task Team believes local government should preserve and maintain its current investment in this medium, and in the current productivity resulting from the use of this technology.

Recommendations

Specific recommendations regarding this preservation and maintenance are:

- Increased funding of TV/Video equipment maintenance for existing equipment investment
- Adoption of a capital replacement plan policy specific to TV/Video equipment and technology. This plan should be based on industry standards for replacing various types of video equipment. Because of the high volume of use at which this equipment is currently operating, both maintenance and replacement is essential to remaining on the air.
- Ensuring that educational and governmental access channels have sufficient resources to be programmed for 24-hour use. By law, any access channel provided by the cable operator that is not programmed, can be removed from access by the cable operator for another use (e.g., commercial use) by the cable operator.

2. ADDITIONAL PARTNERSHIP OPPORTUNITIES

As mentioned in Section 4, the community's network of cablecast and broadcast facilities, operations and services for governmental and educational information is characterized by extensive formal and informal partnerships. It also has been mentioned that each organization is operating independently and cooperatively at a level of maximum productivity based on current resources.

However, this process undertaken by the TV/Video Task Team has helped to identify a few additional partnerships. For example, CMS Television Services and Mecklenburg County

PS&I have expanded their partnership to share additional resources. The City of Charlotte PS&I Department has offered use of its TV/video facilities when available, if additional equipment maintenance can be allocated to compensate for additional equipment use. And because UNC-Charlotte has delved into numerous alternative technologies, the UNCC Media Services has offered to share knowledge and information about these alternative technologies.

Notwithstanding these initiatives at expanding relationships, the evidence is clear that substantive expansion of partnerships or sharing of resources cannot be accomplished with current resource allocation. There simply are not enough resources to serve all the needs, even by pooling those resources.

Recommendations

Despite the limitations that exist in exploring additional partnerships or consolidation of services, the TV/Video Task Team believes the below recommendations are worth further discussion and investigation:

1. Maintaining the TV/Video Task Team as an ongoing work team for the following purposes:
 - Continuing to seek innovative funding methods that can be dedicated to investing in television, video and emerging technologies as communications tools for governmental and educational institutions.
 - Ongoing sharing of information on technology, industry standards, as well as resource sharing.
 - Serving as elected officials' community resource on emerging technology in the field of cablecasting, broadcasting, communications and interactive access to governmental and educational information.

3. CONTINUED INVESTMENT IN TV/VIDEO

Any infrastructure that is not maintained and improved will eventually reach its demise. Local government's investment in TV and video technology as a communications medium has been significant -- and the payoff has been worth the investment. However, with added short-term resources, and a long-term plan to continue to invest in the medium, the return on investment could be even greater.

This community has not begun to realize nor maximize the use and potential of its cable or public broadcast infrastructure to deliver information that meets the needs of citizens. Much of that infrastructure currently exists, yet the means to effectively manage and operate within that infrastructure already is lacking. As technology continues to change and as more information brokers invest in information delivery systems, local governments and educational institutions increasingly risk being quickly passed by with newer, more pervasive and interactive technology. Already, TV and video is moving to digital format. Soon, businesses will be rolling out interactive TV and video options for consumers and customers. If government and educational institutions do not keep pace, the result will be a diminished ability or complete inability to deliver information via direct access to constituents.

Recommendation

1. Adoption of a capital equipment investment plan for TV/Video and other similar communications and information delivery technology.

TIMELINE

Public, Government, Educational Cable Access and Broadcasting

- 1960s:** • City and County decided community would be well served by cable
- 1970s:** • public access cable channel created for use by local residents
• CPCC for-credit courses offered on the channel
- 1980s:** • two additional cable access channels added: one each for educational access and governmental access
• City of Charlotte began programming the government access channel
• CPCC moved its expanded instructional programming to educational access channel
- 1982:** • Board of Education transferred license to Charlotte–Mecklenburg Public Broadcast Authority
- 1985:** • federal grant allows CPCC to equip classroom to originate live, interactive classes via cable to students across the county
- 1987:** • Completion of Charlotte–Mecklenburg Government Center provides dedicated space for City of Charlotte to produce videos and operate the government access channel. County began using same distribution system, managed by the City
- 1990s:** • Charlotte–Mecklenburg Schools switched from broadcasts to cablecasts on the public access channels, originating from WTVI
• UNC–Charlotte joined CPCC in utilizing the educational access channel
• City of Charlotte and cable operator negotiated to provide Charlotte–Mecklenburg Schools programming on the public access channel
• *Vision Carolina* established a link between UNC–Charlotte, Charlotte–Mecklenburg Schools and CPCC
- 1995:** • TimeWarner (cable operator) completed \$45 million installation of fiber optic technology resulting in two additional access channels (and a back-up channel) bringing the total access channels in the community to five, providing CPCC, UNC–Charlotte and Charlotte–Mecklenburg Schools with 24-hour cable programming availability

attachment 2

SURVEY SUMMARY

CATEGORY	CMS	CPCC	CityPS&I	UNCC	County PS&I	WTVI
Annual Public Funding	\$236,000 (MC)	\$140,000 (NC)	\$330,600 (CHAR)	\$8 - 10,000 (NC)	\$101,500 (MC)	\$942,923 (MC)
Facilities:						
* broadcast signal						X
* cablecast channel						
operator/programmer	X (partial)	X (50%)	X	X (50%)		X (partial)
* video postpro suites	2	1	2	1	1	3
* on line	X	X	X	X		X
* off line	X	X	X	X	X	X
* non-linear	X	X		X		
* digital		X				
* CD-ROM		X		X		
* video graphics	X	X	X	X	X	X
* film postpro suite						X
* editing suites sq.ft.	250	100	800	400	80	1429
* production studio sq.ft		600	1250	900	None	4800
* sound studio		X	X			X
* studio cameras	4	3	3	4	None	3
* videofield camera/deck	2	1	3	1	2	4
* TV interactive rooms		1		4		
Five-year Investment Plan:						
* cablecast channel						
operator/programmer	X(100%)	X(100%)		X(100%)		
* video postpro suites	X					
* non-linear	X		X		X	X
* digital			X	X	X	X
* CD-ROM					X	X
* production studio	X	X		X		
* studio cameras	X	X				
Five-Year Capital Investment Plan	None	\$400,000 grant	\$1.52 million requested	None	None	\$13 million

attachment 2 (continued)

CATEGORY	CMS	CPCC	CityPS&I	UNCC	County PS&I	WTVI
Annual Equipment Maintenance Budget	\$3,090	request as needed	\$18,000	\$1,100	\$2,000	\$183,255
Free-lance budget	\$10,146	None	\$68,890	None	\$6,000	\$16,000
# video staff	3 FT	6 FT	5 FT	4 FT	1.6 FT	10 FT
FT Engineer	No	YES	YES	YES	No	YES
Age of equipment	1-10 years	1-10+ years	1-10 years	2-10 years	1-10+ years	5 years
Contracts With	WTVI		County			City CMS Time Warner
Revenues from contracts			County (\$15,385) (to City's general fund)			City (\$3000) CMS (\$80,000) TW (\$20,000)
# videos/month	5	None	Varies	5	9	Varies
videos produced not for TV	X	X	X	X	X	X
Video/programming	pub info 25% Instruc. 65% staff dev. 10%	pub info 5% staff dev. 5% adult ed. 5%	pub info 80% staff dev. 20%	pub info 20% staff dev. 2% adult ed. 13% student ed. 65% NTN: campus info 90% student trng. 10%	pub info 85% training 15%	Arts 6% Other 3% Pub. Affairs 20% Education 68% Entertainment 3%

attachment 2 (continued)

Audiences:

- CMS: 85,000 students/10,000 employes/County taxpayers
- CPCC: enrolled distance learners, college community, general public
- City PS&I: Charlotte-Mecklenburg residents
- UNC-Charlotte: UNCC faculty, staff, students, alumni, and general public
- County PS&I: Charlotte-Mecklenburg residents
- WTVI: TV in the greater Charlotte region (1.4 million)

Original Government or Educational TV programming:

- CMS: Quick Study (on WTVI), School Board roll-ins
- CPCC: Live interactive TV classes, telcourses, arts, public affairs/information
- City PS&I: Police Beat Live (on WTVI & Govt. Channel), Ask the Mayor (on WTVI), Faces of Hope, Charlotte Behind the Scenes, City Beat, Agenda Charlotte, City Council meetings, public service announcements, various documentaries (all on Govt. Channel)
- UNC-Charlotte: Campus Events, 49er Focus, Jeff Mullins Show, Knight Lines
- County PS&I: County Commission meetings (on Govt. Channel & WTVI), Mecklenburg On-line (on WTVI), Mecklenburg Forum, public service announcement and various documentaries (all on Govt. Channel)

Broadcasting or cablecasting shows produced by other public entities:

- CMS: various educational/instructional videos
- CPCC: various educational/instructional documentaries & videos
- City PS&I: County Commission meetings (County produced), Mecklenburg Forum (County produced), various documentaries and public affairs programs, public service announcements (produced by County, CMS, WTVI)
- WTVI: Police Beat Live (City produced), Quick Study (CMS produced), Mecklenburg On-line (County produced), Ask the Mayor (City produced)

TV/VIDEO TASK TEAM

SURVEY RESPONSES

Charlotte-Mecklenburg Schools Television Services

TV/Video Production Task Team Survey

1. What is the name of your organization: **Charlotte-Mecklenburg Schools**

2. Please list the following:
 - a. The names of the shows/programming your organization produces for TV broadcast.
Quick Study, School Board meeting roll-in's
 - b. The names of the shows/programming your organization produces for cablecast.
See attached list
 - c. The shows/programming your organization broadcasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC or WTVI (please list by producing organization). **None**
 - d. The shows/programming your organization cablecasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC or WTVI (please list by producing organization). **None**
 - e. The shows/programming your organization provides resources for that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC or WTVI (please list by producing organization and include cost and brief description of resources provided). **None**
 - f. Please list the videos your organization produces that are not used for broadcast or cablecast? _X_ yes _no (if yes, please list uses below)
See attached list

3. What is the total current annual funding provided to your organization from:
 - a. Mecklenburg County: **\$125,958,000.00**
 - b. City of Charlotte: **None**
 - c. Other public taxpayer sources:
State \$268,809,973.00 Federal \$16,939,2228.00

4. What is the total current annual funding provided to your organization that is dedicated to TV/cable programming or other video productions ?
 - a. Mecklenburg County: **\$236,510.00**
 - b. City of Charlotte: **None**
 - c. Other public taxpayer sources: **\$68,000.00 TEAMS Grant**

CMS Television Services Budget Breakout (does not include grant)

Salaries: \$120,026.00 (51%)
WTVI Contract: \$80,000.00 (34%)
Supplies: \$23,248.00 (10%)
Freelance Contracts: \$10,146.00 (04%)
Repair: \$3,090.00 (01%)

5. What is the total annual dollars your organization is contracted to receive this fiscal year as the result of production agreements or contracts your organizations has with:

- a. Mecklenburg County: **None**
- b. City of Charlotte: **None**
- c. Other public taxpayer sources: **None**

Due to internal billing procedures CMS Television Services will accumulate annual revenue between \$15,000.00 - \$20,000.00.

6. What are the characteristics of your TV/Cable/Production facility (check all that apply)

- originating broadcasting signal via airwaves
- manage/program cablecasting via cable channel /
- video post production suites, How many suites **2**
- a. on-line yes no
- b. off-line yes no
- c. non-linear yes no
- d. digital yes no
- e. CD-ROM yes no

- video graphics
- film production and/or post production capabilities
- editing suites, How many square feet **approximately 250 square feet**
- production studios **None**
- sound recording studios or booths **None**
- video studio cameras, How many **4** What types, **JVC 3 Tube and 3 Chip**
- video taping field camera/deck packages, How many **2** What type **Sony and JVC cameras with Sony Betacam SP dockable recorders.**

7. Regarding your equipment listed above, when was this equipment purchased (please provide year) ? **CMS Television Services has purchased video equipment in increments between 1985 and 1995.**

8. What capabilities does your organization plan to invest in during the next five years (check all that apply that are not currently in operation).

- originating broadcasting signal via airwaves
- manage/program cablecasting via cable channel
- video post production suites, How many suites **2**
- a. on-line yes no
- b. off-line yes no
- c. non-linear yes no
- d. digital yes no
- film production and/or post production capabilities
- production studios, How many square feet **1,800 square feet**
- sound recording studios or booths, How many **1**
- video studio cameras, How many **2**
- video taping field camera/deck packages, How many **2**

9. What is your capital investment/improvement budget for the next three to five years ? **Television Services has never had a capital investment/improvement budget in the past and it is very doubtful we would have one in the future.**
10. What is your current equipment maintenance budget ? **\$3,090.00**
11. What are your primary audiences for your broadcast/cablecast/video production, etc **85,000 students, 10,000 employees, parents and community taxpayers.**
12. What anticipated changes in programming are planned over the next five years ? **CMS will change from a part-time cablecast service to a full-time cablecast service in 6-12 months.**
13. How many videos do you produce a month ? **5 videos per month**
14. What is the average length of the video playing time ? **10:00**
15. Do you produce video graphics in house ? **YES** If so, what equipment do you use ? **486/50mhz IBM compatible with Truevision Vista graphics boards, TIPS paint software and TOPAS 3D animation software. Bernoulli removable 90MB storage and Sony Betacam SP for recording animation. Apple Power Macintosh computer.**
16. How many total staff members are dedicated to video production and/or video engineering ? **3 staff members who are Television Producer-Directors.**
17. What percentage of your organization's video production budget goes to hire freelance staff? **04%**
- 17a. What will you spend on freelancers this fiscal year ? **\$10,146.00**
- 17b. How many total freelance hours will you be billed for this fiscal year ? **Unavailable**
18. Does any of your full-time staff have a commercial broadcast experience ? If so, please elaborate. **All 3 Television Producer-Directors have worked in the commercial broadcast arena in 1 or more roles.**
19. At what percentage of facility and staffing capacity are you operating with regard to video production ?
20. Do you employ a full-time engineer ? **NO**
b. If no, how is your equipment maintained ? **Repairs performed at Clark-Powell and Associates in Charlotte.**
21. What is the total amount of cable franchise fees provided directly to your organization this fiscal year ? **None**
22. Please provide a breakdown by percentage (to equal 100%) the purposes of your video production /programming:
public information **25%**
instruction **65%**
staff development **10%**

Completed Projects - Television Services 1994-95

Teachers/Employees/Staff Development

Date	Project	Program Area	Producer
7/94	Camp Murphy	Instructional Services	Joel/Phil
8/94	Technology Plan Video	Educational Technology	Joel
8/15/94	Internet Workshop	Educational Technology	Don/Phil/Joel
09/04	Human Resources Video	Human Resources	Phil
9/27/94	Tech Talk	Instructional Services/Hal Gardner	Joel
9/94	Sexual Harassment Awareness	EEO/Norm Walsh	Joel
10/25/94	Tech Talk (live 330-400)	Instructional Services/Hal Gardner	Phil
11/29/94	Tech Talk (live 330-400) (taping in Nov)	Instructional Services/Hal Gardner	Phil
11/94	Blood Borne Pathogens Update (editing in Nov)	Instructional Services/John Stoner	Phil
11/94	Textbooks Orientation	Textbook /Brandon Kincaid	
12/94	Elementary Science Textbook Review	Instructional Services/Brandon Kincaid	Phil
12/94	Secondary Spanish Textbook Review	Instructional Services/Brandon Kincaid	Phil
12/94	Secondary French Textbook Review	Instructional Services/Brandon Kincaid	Phil
1/95	ECTV #1	Exceptional Children/Paige Collins	Joel
1/12/95	Special TEAMS Satellite Downlink	Curriculum Design/Hal Gardner	Joel/Phil
1/31/95	Tech Talk (live 330-400)	Curriculum Design/Hal Gardner	Joel/Phil
2/03/95	CMS 1995 Proposed Bond Referendum	Dan Saltrick	Don
2/07/95	Satellite Downlink 1:30PM-3:15PM SDC Aud	PBE/Denise Heame	Phil
3/28/95	Tech Talk (live ? 330-400)	Curriculum Design/Hal Gardner	
3/8/95	Satellite Downlink 4-6 pm SDC Aud	Cynthia Woods/Violence Prevention	
3/28/95	Satellite Downlink 4-6 pm SDC Aud	Cynthia Woods/Violence Prevention	
3/95	Salary and Benefits	Human Resources/Carl Ghigliotty	Phil
4/25/95	Tech Talk (live 330-400)	Curriculum Design/Hal Gardner	Don
4/26/95	Satellite Downlink 4-6 pm SDC Aud	Cynthia Woods/Violence Prevention	Don
5/30/95	Tech Talk (live 330-400)	Technology/Hal Gardner	Phil
35	ECTV #2	Instructional Services/Jane Rhyne	Joel

Parents/Community

Date	Project	Program Area	Producer
9/9/94	QuickStudy	Superintendent	Don
09/14/94	IBM/CMS Education Village Press Conference	Public Information/David Hains	Joel/Phil
10/11/95	School Board Meeting Segment "Privatization"	Superintendent	Joel
10/25/94	School Board Meeting "Crowded Schools"	Superintendent	Phil/Joel
10/94	Chapter 1 Video	Chapter 1/Tony Bucci	Don
10/26/94	Chapter 1 Annual Parent Meeting (live 6-7pm)	Chapter 1/Tony Bucci	Don
12/12/94	Quick Study (taping in Nov)	Superintendent	Don
1/95	Magnet Schools Promo	Magnet Schools	Don
2/14/95	CMS Health Curriculum/School Board Meeting	Dr. Murphy/Dan Saltrick	Joel
2/14/95	Break the Mold Teacher (February)	Dr. Murphy	Don
3/95	Break the Mold Teacher (March)	Dr. Murphy	Don
3/95	Arts/Science Council Airport Art Video	Dr. Murphy	Phil
4/95	Break the Mold Teacher (April)	Dr. Murphy	Don
4/95	Right Moves for Youth PSA	Curriculum Design/Dan Saltrick	Don
5/95	A Child's Place	Dr. Murphy/Queens College	Freelance
5/22/95	QuickStudy	Dr. Murphy	Don
5/95	CMS/First Union Teacher of the Year Awards	Dr. Murphy/First Union	Phil
5/95	Break the Mold Teacher (May)	Dr. Murphy	Phil
5/95	1st Union Phil Hughston Awards (taping-editing)	1st Union/CMS	Phil

Students/Curriculum

Date	Project	Program Area	Producer
8/94	How to play Chess Video	Instructional Services/Dan Saltrick	Phil
9/94	Discovering Chess Program Tapes 1-2	Instructional Services/Will Wharton	Phil
10/94	Discovering Chess Program Tapes 3-8	Instructional Services/Will Wharton	Phil
11/94	Discovering Chess Program Tapes 9-12	Instructional Services/Will Wharton	Phil
12/94	Discovering Chess Program Tapes 13-16	Instructional Services/Will Wharton	Phil
2/95	Discovering Chess Programs Tapes 17-22	Instructional Services/Will Wharton	Phil
4/27/95	Math Extra	Curriculum Design/Sue Cantrell	Don
05/95	Neighborhood Walking Tours (6 tapes) (Plaza-Midwood, Biddleville, Dilworth, Elizabeth, Myers Park, 4th Ward)	Instructional Services/Betsy Williamson	Joel
5/4/95	Math Extra	Curriculum Design/Sue Cantrell	Don
5/11/95	Math Extra	Curriculum Design/Sue Cantrell	Don
5/18/95	Math Extra	Curriculum Design/Sue Cantrell	Don
5/25/95	Math Extra	Curriculum Design/Sue Cantrell	Don

Other

Date	Project	Program Area	Producer
7/94	Early Childhood Education (classroom taping)	Instructional Services	Don
7/94	Child Nutrition POS Marketing Video	Child Nutrition	Don
7/94	Pacesetter Conference at J.C. Smith	Instructional Services	Don
1/95	Academic Enrichment Program	AG/Gail Dionne	Phil

Television Services Project List

Version: January 1996

Completed Projects - Television Services 1995-96

Date	Project	Program Area	Producer
July	Arts/Science Council Blumenthal Performance	Dan Saltrick/Arts and Science Council	Phil
8/14/95	New Teacher Orientation	Curriculum Design/Dan Saltrick	Freelance
8/15/95	Dr. Murphy Address to Employees	Curriculum Design/Dan Saltrick	Phil
8/95	Math Lessons July 17-28	Curriculum Design/Sue Cantrell	Joel
8/95	Youth Apprenticeship	Vocational Education/Ron Hare	Joel
8/95	New Sex Ed. Curriculum Overview	Instruction/Health	Phil
9/12/95	Break the Mold Award	Dr. Murphy	
9/21/95	Math Extra	Curriculum Design/Dan Saltrick	Don
9/21/95	Women/Minority Business Enterprise	Bridget Wall/Hilton L'Orange	Phil
9/28/95	Math Extra	Curriculum Design/Dan Saltrick	Don
10/10/95	Break the Mold	Superintendent	Phil/Joel
10/5-6/95	Vocational Education Conference	Karen Eisenberg/Instruction	Freddie/Erin
10/6/95	AP Physics downlink	Curriculum	
10/11/95	Quick Study	Dr. Murphy	Don
10/5/95	Math Extra	Curriculum Design/Dan Saltrick	Don
10/12/95	Math Extra	Curriculum Design/Dan Saltrick	Don
10/19/95	Math Extra	Curriculum Design/Dan Saltrick	Don
10/26/95	Math Extra	Curriculum Design/Dan Saltrick	Don
10/20/95	AP History downlink	Curriculum	Phil
10/27/95	AP English downlink	Curriculum	Phil
11/95	Exit Essay Introduction Video	Genie Ball/Dan Saltrick	Joel
11/2/95	Math Extra	Curriculum Design/Dan Saltrick	Don
11/9/95	Teleconference	Hal Gardner	Phil
11/9/95	Math Extra	Curriculum Design/Dan Saltrick	Joel
11/14/95	Break The Mold	Superintendent	Phil/Erin
11/16/95	Math Extra	Curriculum Design/Dan Saltrick	Joel
11/30 /95	Math Extra	Curriculum Design/Dan Saltrick	Don
11/95	Blood Borne Pathogens Update	Instruction/Health/Safety	Joel
12/07/95	Math Extra	Curriculum Design/Dan Saltrick	Joel
12/8/95	Shamu TV (c-band 401-16 1030 test, 1100 feed)		
12/18/95	QuickStudy	Dr. Murphy/Public Information	Don
12/95	Education Village Overview/Documentation	Charles Kent/Dr. Murphy	Phil

TV/VIDEO TASK TEAM

SURVEY RESPONSES

**Central Piedmont
Community College
Distance Learning Services**

TV/VIDEO PRODUCTION TASK TEAM SURVEY

1. **What is the name of your organization?** *Distance Learning Services Central Piedmont Community College*
2. **Please list the following:**
 - a. **The names of the shows/programs your organization produces for TV broadcast.**
N/A
 - b. **The names of the shows/ programs your organization produces for cablecast.**
See separate sheet
 - c. **The shows/programs your organization broadcasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC, or WTVL.**
N/A
 - d. **The shows/programs your organization cablecasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC, or WTVL.**
CPCC Update WTVL
 - e. **The shows/programming your organization provides resources for that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC, or WTVL.**
N/A
 - f. **Please list the videos your organization produces that are not used for broadcast or cablecast.**
See attached sheet
3. **What is the total current funding provided to your organization from:**
 - a. **Mecklenburg County** N/A
 - b. **City of Charlotte** N/A
 - c. **Other public (taxpayer) sources** State of NC \$399,301
4. **What is the total current funding provided to your organization that is dedicated to TV/cable programming, or other video production?**
 - a. **Mecklenburg County**
 - b. **City of Charlotte**
 - c. **Other public sources** State of NC \$135,000 personnel
5,000 supplies
5. **What is the total annual dollars your organization is contracted to receive this fiscal year as the result of production agreements or contracts your organization has with:**
 - a. **Mecklenburg County** N/A
 - b. **City of Charlotte** N/A
 - c. **Other public sources** N/A

6. What are the characteristics of your TV/Cable/production facility:

originating broadcast signal via airwaves N/A

manage/program cablecasting via cable channel Channel 12 shared with UNCC

video post production suites ... how many? 1

a. on-line yes

b. off-line

c. non-linear yes

d. digital yes

e. CD-ROM yes

video graphics yes

film production and/or post production capabilities

editing suites How many square feet 100 sq ft

production studio How many square feet 600 sq ft

sound recording How many 1

video studio cameras ...How many... What type 3 Hitachi fp21, fp22, z31

video taping field camera/deck package ... How many... What type 1 Sony Betacam/hi 8

7. Regarding your equipment listed above; when was the equipment purchased

IMIX Video Cube editing system and Betacam purchased 1994

All other Video Studio and Live Interactive TV equipment is more than 10 years old. ITV equipment originally purchased with Department of Education Title III grant; supplemented 1990 with Southern Bell and Northern Telecom donations.

8. What capabilities does your organization plan to invest in during the next five years

originating broadcasting signal via airwaves

manage/program cablecasting via cable channel

video post production suites

a. on-line

b. off-line

c. Non-linear

d. Digital

film production or post production capabilities

production studio ... how many square feet

sound recording studio

video studio cameras

video taping field camera/deck package

CPCC has received a Title III grant that will provide funding in the amount of \$400,000 over three years to revamp the Video studio.

9. What is your capital investment/improvement budget for the next three-five years?

\$400,000 title III Grant

10. What is your current equipment maintenance budget?

No funds are allocated to the department for equipment maintenance. All maintenance funds are requested from the area Vice-president on an as needs basis.

11. **What are your primary audiences for your broadcast/cablecast/video production?**
 Cablecast programming is primarily targeted for enrolled students at Area Centers, businesses and at home. Video taped production is generally for student information or supplements to instruction.
12. **What anticipated changes in programming are planned over the next five years?**
 Increase the amount of instruction available via cable and other delivery systems.
13. **How many videos do you produce per month?**
 N/A
14. **What is the average length of the video playing time?**
 N/A
15. **Do you produce video graphics in house?**
 Yes
16. **How many total staff members are dedicated to video production and/or video engineering?**
What are their roles/positions? 6
 Live Interactive TV 1 Senior Production Specialist
 2 Production Specialists

 Video Studio 1 Senior Production Specialist (producer)
 1 Production Specialist (camera, audio)
 1 Production Specialist (camera, lighting, editing)
17. **What percentage of your organization's video production budget goes to hire freelance staff?**
 N/A
- 17a. **What will you spend on freelancers this fiscal year?**
 N/A
- 17b. **How many total freelance hours will you be billed for this fiscal year?**
 N/A
18. **Does any of your full-time staff have commercial broadcast experience?**
 no
19. **At what percentage of facility and staffing capacity are you operating with regard to video production?**
 Live Interactive TV 95%
 Video Studio 95%
20. **Do you employ a full-time engineer?**
 Yes One engineer is dedicated 70% to Video Studio and Live Interactive TV and 30% to other media equipment mainenance.
- a. **How many engineer positions are staffed?**
 b. **If no, how is your equipment maintained?**

21. What is the total amount of cable franchise fees provided directly to your organization this fiscal year?

N/A

22. Please provide a breakdown by percentage the purposes of your video production/programming:

public information	5%
internal training	5%
adult education	5%
student education	85%

Question 2 - b.

The following classes were offered in 1995 as Live Interactive TV courses over Cable Channel 12.

Insurance: Ethics
Insurance: Introduction to Law
Insurance Law I
Business Law I
Computer Literacy
NC History
Developmental Algebra I
Developmental Algebra II
Statistics
Philosophy
Marketing
Editing, Proofreading, Reference Skills
Accounting I
Accounting II
College Algebra I
College Algebra II
Career Exploration
Principles of Management
Introduction to Selling
The Civil War
Mythology

These classes comprised 1,990 hours of Live Interactive TV classes via Cable with 1612 students enrolled in 1995.

The following video taped Telecourses were cablecast in 1995

Accounting I
Accounting II
Intro To Business
Economics I
Economics II
Computer Literacy
Living With Health
Principles of Management
Philosophy

These video taped Telecourses were cablecast in 1995 with 803 students enrolled.

Question 2 - f.

The following video tapes were prepared for use as instructional support / information for students; documentation of historical college events, or Public Information during 1995.

Advisement Career Exploration Services	10 minutes
The Great Chefs of Charlotte Part I	10
The Great chefs of Charlotte Part II	10
The Great Chefs of Charlotte Part III	10
Community Leadership IBM Grant Proposal	10
NISOD Awards	5
Jail Intake Procedures	20
Administrative Office Technology Curriculum Tape	4
Author , Author excerpts	15
Hotel Restuarant Management Curriculum Tape	3
Marketing, Retail, and Fashion Merchandising	3
Human Services Curriculum Tape	4
Health Technology Curriculum Tape	3
Auto Body Repair Curriculum Tape	3
Brick Masonry Training	12
Labeling Library Materials Part I	14
Labeling Library Materials Part II	17
Basic Studies - High School Completion	12
CPCC Community Career Counseling	4
Becoming a Master Student	7
Faculty Award Winners	7
Your CPCC Library	18
Fall Conference Presentation	6
CPCC and Charlotte: In Partnership For Economic Development	11
Snowbirds	38
Science Building Dedication	
Law Enforcement Dedication	
Ryder Dedication	
Acting For The Camera	70 hours
Special student presentations, guest lecturers	60 hours
Accounting I (for use in student labs and possible Telecourse)	20 hours

TV/VIDEO TASK TEAM

SURVEY RESPONSES

**City of Charlotte
Public Service &
Information Department
Video Division**

TV/Video Production Task Team Survey

To develop a baseline of information on current operations and future plans, the following format has been created to allow consistency of data. Please come to the next meeting of the Task Team with your revisions, additions, deletions, etc. to this format. Thank you.

1. What is the name of your organization:

City of Charlotte - Public Service & Information Video Division

2. Please list the following:

a. The names of the shows/programming your organization produces for TV broadcast.
Police Beat Live, Ask the Mayor (both coproductions with WTVI)

b. The names of the shows/programming your organization produces for cablecast.
Police Beat, Faces of Hope, Charlotte Behind the Scenes, CityBeat, various "stand alone" documentaries and PSAs, candidate forums, etc.
Meetings Coverage: City Council Regular & Zoning
Radio: City Report (weekly 60 sec. PSA)

c. The shows/programming your organization broadcasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC or WTVI (please list by producing organization).

N/A

d. The shows/programming your organization cablecasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC, or WTVI (please list by producing organization).

BOCC regular meetings (County), Mecklenburg Forum (County), various "stand alone" documentaries produced by County, WTVI and CMS

e. The shows/programming your organization provides resources for that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC or WTVI (please list by producing organization and include cost and brief description of resources provided).

BOCC regular meetings (studio time charged to County at \$125/hr.), various County "stand alone" documentaries and public affairs shows (usually provide equipment, personnel or video inserts at no cost), Police Beat Live (City supplies video packages which are coproduced with County at approx. \$600-700/each, County supplies producer/host at average cost of \$300/show, City and CMPD oversee content and supply guests, City produces promos & provides simulcast on Gov't Channel, WTVI assists with final edit & graphics, provides crew, studio & air time and promotes program at a cost to City of approx. \$3000/yr.)

F. Does your organization produce videos that are not used for broadcast or cablecast?

yes no (if yes, please list uses below):

Various training & informational videos for all City Departments

3. What is the total current annual funding provided to your organization from:

- a. Mecklenburg County 0
- b. City of Charlotte \$330,600
- c. Other public (taxpayer) sources 0

4. What is the total current annual funding provided to your organization that is dedicated to TV/cable programming, or other video productions?

- a. From Mecklenburg County 0
- b. From City of Charlotte \$330,600
- c. From other public (taxpayer) sources _____

5. What is the total annual dollars your organization is contracted to receive this fiscal year as the result of production agreements or contracts your organizations has with:

- a. Mecklenburg County approx. \$15,385 to City's General Fund
- b. City of Charlotte 0
- c. Other public (taxpayer) sources 0

6. What are the characteristics of your TV/Cable/Production facility (check all that apply):

- originating broadcasting signal via airwaves
- manage/program cablecasting via cable channel
- video post production suite(s)...How many suites 2
 - a. on-line yes no
 - b. Offline yes no
 - c. Non-linear yes no
 - d. Digital yes no
 - e. CD-ROM yes no

- video graphics
- film production and/or post production capabilities
- editing suite(s)...How many square feet approx. 800
- production studio(s)...How many square feet 1250
- sound recording studio(s) or booth(s)...How many 1
- video studio camera(s)...How many 3 What type(s): **Ikegami HL 43**
- video taping field camera/deck package(s)...How many 3 What type(s):
 - (2) Sony UVW 100
 - (1) Sony BVW 35

7. Regarding your equipment listed above (or other pertinent information), when was this equipment purchased (please provide year)? **1984-1995**

8. What capabilities does your organization plan to invest in during the next five years (check all that apply that are not currently in operation).

- originating broadcasting signal via airwaves
- manage/program cablecasting via cable channel
- video post production suite(s)...How many suites _____
 - a. on-line yes no
 - b. Offline yes no
 - c. Non-linear yes no
 - d. Digital yes no

- film production and/or post production capabilities
- production studio(s)...How many square feet _____
- sound recording studio(s) or booth(s)...How many _____
- video studio camera(s)...How many _____
- video taping field camera/deck package(s)...How many _____

9. What is your capital investment/improvement budget for the next three - five years?

Request attached, currently unfunded

10. What is your current equipment maintenance budget?

Approx. \$18,000/yr

11. What are your primary audiences for your broadcast/cablecast/video production, etc
General public audience of Charlotte & Mecklenburg County residents

12. What anticipated changes in programming are planned over the next five years?

More joint production with other outlets & independent producers

More programming purchased from providers such as PBS

Increase production values of in house produced programs

13. How many videos (if any) do you produce a month?

Varies

14. What is the average length of the video playing time?

Varies

15. Do you produce video graphics in-house? If so, what equipment do you use?

Yes, Targa platform with Painter 3, Correl 5 & Hijack Software

16. How many staff members are dedicated to video production? What are their roles/positions?

(1) Video Manager

(2) Producer/Videographers

(1) Post Production Assistant

(1) Video Engineer

17. Do you employ free-lance video production staff? **Yes, 21%**

17a. If so, how much do you spend on this item per year? **\$68,890**

17b. How many total free-lance hours will you be billed for this fiscal year?

Approx. 3,444 hours

18. Does any of your full-time staff have commercial broadcast experience? If so, please elaborate.

Yes. Various staff members have backgrounds in commercial film /video as well as broadcast experience at local outlets.

19. At what percentage of facility and staffing capacity are you operating with regard to video production?

In excess of 100% as evidenced by substantial use of free-lancers and outsourcing of production needs.

20. Do you employ a full-time engineer? Yes

a. If yes, how many engineer positions are staffed? 1

b. If no, how is your equipment maintained?

Also send substantial amount of equipment out of house for repair.

21. What is the total amount of cable franchise fees provided directly to your organization this fiscal year? 0

22. Please provide a breakdown by percentage (equal to 100%) the purposes of your video production/programming (see below but add your own):

public information 80%

internal training 20%

adult education _____

student education _____

Thank you for taking the time to review and revise this survey. Please have this information available at the next Task Team meeting. For questions, call John McGillicuddy, 336-2597.

See critical needs attachment

Category GOVERNMENT FACILITIES

Submitted By BUSINESS SUPPORT SERVICES

Project Government Channel (Maintenance and Support Equipment)

This project provides for the replacement of aging and unreliable production, playback and distribution equipment needed to continue to support the City's three video networks that offer training and public affairs programming to employees and the public.

Approximately 8 to 10 years ago, the City purchased the necessary equipment to operate three video networks: a training channel connecting 100 City buildings; the Institutional Network providing two-way communications to approximately 20 City-County locations; and the Government Channel that broadcasts into 140,000 community locations wired for cable television. Considering an industry depreciation standard of 5 to 8 years, approximately 65% to 70% of the City's equipment will soon be obsolete with the exception of three cameras that have recently been replaced.

This project will allow the City to purchase replacement equipment to continue video efforts at the level performed in the past and to maintain compatibility with current technical standards.

FY 1995 - 2004 Project Request \$1,520,000

(Includes 4% annual inflation)

Costs	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2001-04
Planning/Design	15,000	14,000	16,000	11,000	15,000	5,000	22,000
Acquisition							
Construction	213,000	209,000	229,000	157,000	213,000	75,000	328,000
Other							
Total	228,000	223,000	245,000	168,000	228,000	80,000	348,000

Planning Staff Assessment Overall Rating: M-1 (Medium Priority - First Year Scheduling)

This project will be necessary if the City is to maintain its video operations, which serve an important customer service.

**CITY OF CHARLOTTE VIDEO DIVISION
CRITICAL NEEDS**

The most critical need faced by the City's Video Division is **funding of capital improvements**. Although the Division has a 10 year capital needs request in place, it is currently unfunded. Without a sustainable capital improvement budget in place, the Division cannot replace nonfunctional or obsolete equipment. This is a major problem, as several older essential components are becoming unreliable and failing on a regular basis.

A reliable source for **funding of production budgets** is also a critical need. All funds currently budgeted for production are presently allocated to existing programs and are woefully low given our current production demands. An increased and more reliable source of production funding would allow us to create more programs with much higher quality than we are currently able to produce.

A third critical need is that of **marketing and creating community awareness of Government Channel programming**. Currently, we have no budget for promoting our programming, soliciting public input, or measuring community awareness of the Government Channel through surveys, focus groups, etc. Such a budget would allow us to build interest in Government Channel programming, create credibility for the Channel, and help us determine what the community's needs are in regard to government and local programming.

Many of these needs could be filled by allocating a portion of the City's cable franchise fees to Government Channel operations.

In addition to building community awareness, we also need to educate public officials- both City and County- about the purpose and programming of the Government Channel. The only aspect of Government Channel programming that most elected officials are aware of is *live meetings coverage- even though we currently air approximately fourteen hours of programming seven days a week*. There is also much confusion about the difference between public, educational and government access as well as public television. Educating our elected officials is the first and most important step we must take if we hope to satisfy our list of critical needs.

CITY VIDEO PROGRAM

1. Operate and Produce Programming for the Government Channel (Cable 16)

- Operate government access channel cablecast into 150,000 homes (350,000 people)
- Program 400 hours of live, satellite and taped programming monthly
- Regular programming includes:

City Council and County Commission Meetings (Live and rebroadcast)

Agenda: Charlotte (City Issues, live call-in)

Police Beat Live (Community Safety, simulcast live by WTVI)

Charlotte Behind the Scenes (City Customer Service)

City Beat (City Public Information)

Faces of Hope (City Minority Affairs)

Ask the Mayor (City Issues, live call-in, co-produced with WTVI)

SafeWise (Community Safety)

Dead Beat Parents (Community Safety)

Mecklenburg's Wanted (Community Safety)

City 16 Bulletin Board (City Public Information)

Mecklenburg Forum (County Public Information)

State to State, Open Net (State Public Information)

NASA Select (Federal Public Information)

2. Produce Departmental Public Information Videos

- Write, shoot, and edit video programs requested by City departments
- Programs produced in the last year include *Rollout Garbage, Business West, City Budget Overview, City Government Overview, Police Athletic League, Charlotte/N.C. Legislative Visit, Neighborhood Matching Grants, North Charlotte Revitalization, South Boulevard Corridor Project, Storm Water Services, Family Leave Act, City Drug Policy, etc.*

3. Operate and Program City Training Channel

- Operate closed circuit video channel cablecast into 100 City buildings (40 Police & Fire)
- Program taped, satellite and live programming for Police and Fire Training Academy
- Originate live call-in programs for City Manager's Office employee information program

4. Provide Technical Support for City Departments

- Operate video news clipping service
- Provide audio-visual services for meetings and events in Government Center
- Coordinate satellite downlinks for training programs
- Manage video channels on Institutional Network linking government facilities
- Coordinate use of Government Center in-building channels

City of Charlotte Video Production Budget

Salaries	\$161,625
Maintenance & Repair	18,000
Misc. contractual (includes freelance camera operators, producers, grips etc.)	94,375
Rent of space	28,000
Supplies (includes electronic and video tape)	12,750
Other misc. expenses (includes telephone, postage, advertising, data processing, office supplies, dues & subscriptions etc.)	15,850
Total Operating Budget	\$330,600



CHARLOTTE.

**Guidelines For
Government Access Channel**

Revised August 1995

CITY OF CHARLOTTE GUIDELINES FOR GOVERNMENT ACCESS CHANNEL

1. CHANNEL DESIGNATION:

The Government Access Channel shall operate on Time Warner Cable on channel 16.

2. TYPES OF PROGRAMS:

- a. **Live cablecast** - Live coverage of selected meetings and events will be provided. This will consist of City Council meetings, County Commission meetings, live call-in shows and other special programmed events.
- b. **Taped-delayed cablecast** - Taped meetings, shows and events videotaped in advance for cablecast at a later time. Note, some events will be cablecast live and will also be taped for later playback.
- c. **Staff-originated programming** - Programs produced by the City of Charlotte Video Operations Facility to include programs for City departments, issues related to City government or with or about groups/committees/boards etc. that are affiliated with City government or which use public dollars. These programs could be either live or taped-delayed cablecast.
- d. **Outside-originated programming** - Material that is related to municipal, state or federal government that is produced by an outside source that can be purchased, rented or borrowed for cablecast. Also, programs disseminated through satellite downlink that are related to municipal, state or federal issues may be cablecast.
- e. **Bulletin-board information** - Character generated messages related to City activities, programs, services and events. This service will operate 24-hours a day when programming is not scheduled.

3. ACCESS POLICY:

All programming cablecast over the Government Access Channel must be government related. Programs may include meetings, activities, programs, services and events of City departments and services, or other government entities.

Final approval of all requests will be made by the director of the Public Service and Information Department who administers the Video program for the City of Charlotte.

The Government Access Channel is not to be utilized for announcements from the general public. Access to the channel shall be limited to City, government or quasi-government functions and operations. Utilization of the channel for personal gain will not be permitted.

4. ACCESS PRIORITIES:

Following is a list of general priorities that will apply to the Government Access Channel. The priorities may be altered on a case by case basis by the director of the Public Service and Information Department.

- a. Programming of an emergency nature involving public safety or health matters.
- b. Programming of or about meetings of policy making bodies such as the City Council, etc.
- c. Programming of various departments and their services.
- d. Programming of county, state, federal government and/or City boards, commissions and authorities and/or agencies that use public dollars.
- e. Programming produced by outside sources that is relevant to local government.

5. MANAGEMENT OF THE CITY OF CHARLOTTE GOVERNMENT ACCESS CHANNEL:

Management and programming of the Government Access Channel is provided by the Video Operations Facility administered by the Public Service and Information Department. Decisions regarding programs or schedules may be appealed to the director of the Public Service and Information Department.

6. POLITICAL PROGRAMMING:

No political programming will be permitted on the Government Access Channel with the exception of providing factual information on any ballot issue affecting City or County government services.

Direct access to the Government Access Channel for political programming by individual candidates, or supporters of any candidate or issue, except as provided in the preceding paragraph, will not be provided.

Political programming related to political candidate forums (where all candidates for a particular office have equal opportunity to participate) or public forums on a ballot issue (where all sides have equal opportunity to participate) may be cablecast.

7. EDITING POLICY:

- a. **City or County Meetings** - Any City or County meeting cablecast shall not be edited nor subjected to editorial comment. Meetings coverage shall be from gavel to gavel. Meetings may be videotaped for later re-cablecast.
- b. **Department Programs** - Any program video taped by the City of Charlotte Video Operations Facility or on City of Charlotte equipment may be modified or edited as appropriate by the Video Operations Facility. Editing will be based upon an approved script dictated by scheduling and staffing requirements.
- c. **Bulletin Board** - Messages programmed into the bulletin board portion of the Government Access Channel should be submitted by user departments, agencies etc., of City government. Editing by the Video Operations Facility staff to provide clarity and maximum utilization of pages available may be required.
- d. The City of Charlotte, and/or the Video Operations Facility shall not be responsible for the accuracy of any information cablecast over the channel that was submitted by outside sources.

8. ENDORSEMENTS:

At no time will the Government Access Channel be utilized to endorse an issue, candidate, specific person, company or brand name of a product for consumer use.

9. PROMOTIONS:

Promotional announcements for City-sponsored events will be permitted over the Government Access Channel. Promotional announcements for events, charities or outside organizations in which the City has no official interest or sponsorship shall not be permitted.

10. USE OF CITY-OWNED EQUIPMENT:

City-owned video equipment shall be restricted to authorized city activities, and its use shall be restricted to employees of the Video Operations Facility or trained personnel under the direction of the Video Operations Facility. Loaning of equipment for personal or outside use shall not be permitted.

Utilization of City-operated media production facilities shall be limited to Video Operations Facility personnel or others trained and under direct supervision of the Facility's qualified personnel.

11. RETENTION AND OWNERSHIP OF TAPES:

All videotapes shall be the property of the City of Charlotte's Video Operations Facility. It shall be a general policy to retain video tapes of staff produced programs, meetings and events for a six-week period. At the end of that time, the tapes may be reused and the original material erased, at the discretion of the Video Operations Facility. Requests for longer retention should be made in advance of the six-week limit.

The tapes shall not be considered an official record of any meeting and there shall be no liability for inadvertent erasure or omissions.

City of Charlotte
Public Service and Information Department
8/95

TV/VIDEO TASK TEAM

SURVEY RESPONSES

**University of North Carolina -
Charlotte
Media Services**

TV/ Video Production Task Team Survey

1. What is the name of your organization:

The University of North Carolina at Charlotte

2. Please list the following:

a. N/A

b. The names of the shows/programming your organization produces for cablecast.

- Campus events via Campus Event Information Office (Niner Telecommunications Network *videotext)

- Event promotion videos produced by CEIO including:

- 1995 International Festival
- Palooza '95
- A Cone Affair
- Hootie and the Blowfish on NET
- Holiday Craft Fair

- Regularly scheduled and recurring programming produced by Media Services including:

- 49er Focus
- The Jeff Mullins Show
- Knight Lines

c. N/A

d. N/A

e. The shows/programming your organization provides resources for that are produced by Mecklenburg County, or the City of Charlotte, or CMS, or CPCC or UNCC or WTVI.

Media Services facilitates/coordinates and/or originates distance learning programming in excess of 60 hours per week over two separate interactive networks. (microwave and fiber). A new cable initiative with Time Warner has also been tested, and programming is likely to initiate soon. We are also an ITFS license holder.

f. Does your organization produce videos that are not used for broadcast or cablecast?

Yes. Media Services produces a variety of instructional and promotional programming that are used in classrooms, seminars and workshops, kiosks, CD-ROMS, Internet publication, Blockbuster Pavilion etc. Additionally, individual colleges and departments may produce programming independently if it is directly related to the academic process, or in support of research activities. The Cone University Center Fall Student Workshop Video was produced for student employee training by CEIO.

3. What is your total current annual funding provided to your organization from:

a. Mecklenburg County: N/A

b. City of Charlotte: N/A

c. Other public (taxpayer) sources:

The annual budget for ALL of Media Services is \$58,406. Funding must cover all operating/equipment expenditures associated with graphics, equipment distribution, multimedia design, production and network activities. \$26,000 is allocated for equipment, with approximately \$8-10,000 directly supporting production and network activities.

Additionally, Media Services has received annual funding from MCNC for the operation and upkeep of the NC-REN network in the amount of \$25,000. This funding will be discontinued at the end of the current academic year.

Annual line charges to connect to the North Carolina Information Highway are \$48,000. This fee is paid directly from the University's Operating Budget.

4. What is the total annual funding provided to your organization that is dedicated to TV/cable programming and other video productions?

(see item 3c.)

5. What is the total annual dollars your organization is contracted to receive this fiscal year as the result of production agreements or contracts your organization has with:

a. Mecklenburg County: N/A

b. City of Charlotte: N/A

c. Other public (taxpayer) sources: approximately \$10-15,000 in revenue generating activities, depending on the amount of programming contracted.

6. What are the characteristics of your TV/cable/production facility?

Media Services

- One video post-production suite on-line and off-line
- In house multimedia (allows for CD-ROM production) and graphics capabilities (Mac, PC, Video Toaster, character generation)
- One 20 x 20 3/4 inch editing suite
- One 30 x 30 production studio
- Three interactive classrooms
- One interactive conference room
- Four studio cameras ; JVC KY-320
- One JVC-320 and One Sony U-Matic for field recording

NTN (Niner Network)

NTN is broadcast on campus on channels 47/60 and off campus on Time Warner Cable 12. Video promotion is produced in a Sony off line Hi8 suite:

- Sony RM 440 edit controller
- VO-9850 Rec/Play 3/4 SP
- Sony Hi8 9800 A Rec/Play
- NewTek Toaster 2.0
- Sony Hi8 camera DXC 327K

7. Regarding your equipment listed above (or other pertinent information), when was this equipment purchased?

Media Services equipment was purchased incrementally between 1985 and 1993. Interesting enough, the majority of production equipment in use has been "acquired" as it was removed from network service. There is no replacement funding for capital equipment. Production equipment for the NTN was purchased between 1990 and 1992.

8. What capabilities does your organization plan to invest in during the next 5 years? (check all that apply that are not currently in operation)

- manage programming cable casting via cable channel
- 3 post production suites which will include digital capabilities
- additional production studio
- additional sound/digital audio studio

9. What is your capital investment/improvement budget for the next three to five years?

Media Services budget shows no increase, however, additional funds have been requested as part of the Library Expansion project. The majority of the equipment in Media Services is well past its useful life span. The most recent estimate shows that our Production facility needs approximately \$414,000 spread out over five years for replacement of outdated equipment and new initiatives. The interactive network needs and additional \$447,300 over the next five years if it is to remain operational.

The CEIO (NTN network) is totally funded through student fees. Capital investment budget will vary depending on the availability of this funding.

10. What is your current maintenance budget?

Approximately \$800 for Media Services annually. (NC-REN equipment is currently under contract) \$300 is spent annually for NTN

11. What are your primary audiences for your broadcast/cable cast/video production etc.?

Faculty, staff, students, alumni and general public

12. What anticipated changes in programming are planned over the next five years?

Increased use and need for programming via the new cable channel.
Fiber link with the Mint Museum and other expanded venues
Cable link with school districts, Uptown Center etc.

13. How many videos are produced each month?

Media Services' production schedule varies. Typically, around 35 programs are produced each year. NTN produces 2-3 videos per month for air.

14. What is the average length of the video playing time?

It varies. Typically, programs produced by Media Services run 28-30 minutes, Some promotional spots, PSA's, and instructional programs run shorter or longer depending on the audience. NTN programs run 30-60 seconds.

15. Do you produce graphics in house? If so, what equipment do you use?

Graphics are produced in house in both facilities (for video production) using a NewTek Video Toaster 2.0. Additionally, Media Services often accesses our Power Mac's or Power PC's to acquire and manipulate images. We also use an Elmo Visual Presenter.

16. How many staff members are dedicated to video production?

Media Services has three full-time positions (Instructional Production Supervisor, Production Assistant and Video Engineer) for network and production activities. Staff time is split between these two activities. We also typically employ 4-5 part-time student assistants to assist with the facilitation of interactive network courses and seminars.

NTN has one full time position. The Campus Event Information Coordinator produces and edits videos as well as trains student staff in shooting video and editing.

17. N/A

18. Do any of your full-time staff have commercial broadcast experience?

Yes. Both the Head of Media Services and the Campus Event Information Coordinator have worked with Public Television, with independent and network TV stations and post production houses. The Production Assistant for Media Services has worked for a local commercial broadcast station.

19. At what percentage of facility and staffing capacity are you operating with regard to video production?

Media Services is unique in that staff time must be split as necessary between network activity and Production. These activities can not be done simultaneously. We are at 100% of our capacity now. The Campus Events and Information Coordinator is also operating at 100% capacity.

20. Do you employ a full-time engineer?

Media Services: Yes.

NTN: No. The CEIO seeks assistance from an on campus technician in the Cone University Center Tech Services and/or from Media Services.

21. N/A

22. Please provide a breakdown by percentage (to equal 100%) the purposes of your video production/programming.

Media Services:
20% Public Information
2% Internal training

13% Adult Education
65% Student Education

NTN:
90% Campus Event Promotion
10% Student Training

TV/VIDEO TASK TEAM

SURVEY RESPONSES

**Mecklenburg County
Public Service &
Information Department
Video Division**

TV/Video Production Task Team Survey

Direction: Please complete the following survey and provide the completed survey to the Task Team facilitator by January 2, 1996. Thank you.

1. What is the name of your organization:

Mecklenburg County Public Service & Information Department.

2. Please list the following:

a. The names of the shows/programming your organization produces for TV broadcast.

- 1. Board of County Commissioners meeting taped-delayed broadcast on WTVI twice a month.*
- 2. Mecklenburg On-line broadcast live on WTVI four times a year.*

b. The names of the shows/programming your organization produces for cablecast.

- 1. Board of County Commissioners meeting cablecast live on Government Channel twice a month and recablecast two additional times during that month.*
- 2. Mecklenburg Forum cablecast on Government Channel several times each month.*
- 3. Various public information/education videos and public service announcements cablecast on Government Channel several times each month as programming is developed via customer request.*

c. The shows/programming your organization broadcasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC or WTVI (please list by producing organization).

Mecklenburg County and the County's Public Service & Information Department do not originate a broadcast signal.

d. The shows/programming your organization cablecasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC, or WTVI (please list by producing organization).

Mecklenburg County and the County's Public Service & Information Department do not operate or manage a cablecast facility or operation.

E. The shows/programming your organization provides resources for that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC, or UNCC or WTVI (please list by producing organization and include cost and brief description of resources provided).

- 1. Mecklenburg County produces for the City of Charlotte a 3-5 minute video news package each month that is aired as part of Police Beat Live (simulcast on WTVI and Government Channel). Services are provided in return for reduction in payment for use of cablecast facility/equipment in cablecasting the Board of County Commissioners meetings.*

(more)

2. Mecklenburg County produces for the City of Charlotte various video packages upon request in return for reduction in payment for use of cablecast facility/equipment in cablecasting the Board of County Commissioners meetings.

F. Does your organization produce videos that are not used for broadcast or cablecast?
 X yes no (if yes, please list uses below):

1. Employee training (used by County management and by County departments as employee training aids)

2. Public information/education (used by County management and by County department to provide information/education on County services; shown to civic groups, advisory boards, elected officials, clients, school children, etc.)

3. What is the total current annual funding provided to your organization from:

a. Mecklenburg County: \$411,476 (total department budget)

b. City of Charlotte: No funding received

c. Other public (taxpayer) sources: No funding received

4. What is the total current annual funding provided to your organization that is dedicated to TV/cable programming, or other video productions?

a. From Mecklenburg County:

Supplies	=	\$ 1,500	
Production Costs	=	\$32,000	
<i>(primarily payment to City of Charlotte for use of cablecast facility/equipment for cablecast of Board of County Commissioners meeting)</i>			
Equipment maintenance	=	<u>\$ 2,000</u>	
PRODUCTION SUBTOTAL	=		\$35,500
Employee salaries/benefits	=	\$66,000	
PERSONNEL SUBTOTAL	=		<u>\$66,000</u>
GRAND TOTAL	=		<u>\$101,500</u>

b. From City of Charlotte: NA

c. From other public (taxpayer) sources: NA.

What is the total annual dollars your organization is contracted to receive this fiscal year as the result of production agreements or contracts your organizations has with:

a. Mecklenburg County: NA

b. City of Charlotte: NA

c. Other public (taxpayer) sources: NA

6. What are the characteristics of your TV/Cable/Production facility (check all that apply):

originating broadcasting signal via airwaves

manage/program cablecasting via cable channel

video post production suite(s)...How many suites: 1

- a. on-line yes no
- b. Offline yes no
- c. Non-linear yes no
- d. Digital yes no
- e. CD-ROM yes no

video graphics

film production and/or post production capabilities

editing suite(s)...How many square feet: 80 square feet

production studio(s)...How many square feet _____

sound recording studio(s) or booth(s)...How many _____

video studio camera(s)...How many _____ What type(s):

video taping field camera/deck package(s)...How many: 2

What type(s):

1. Sony Betacam UVW 100 (one-piece unit)
2. Ikegami 735 + Sony BVW (two-piece unit)
3. Sony VO8800 (3/4" field deck)

7. Regarding your equipment listed above (or other pertinent information), when was this equipment purchased (please provide year)?

1. Sony Betacam UVW 100 purchased in 1994
2. Ikegami 735 purchased in 1982
3. Sony VO8800 (3/4" field deck) purchased in 1982

8. What capabilities does your organization plan to invest in during the next five years (check all that apply that are not currently in operation).

NOTE: County PS&I has no "plans" to invest in any of the following, though does have the desire to keep current with technology by investigating possible investments in non-linear post

(more)

production, digital video production and the use of CD-ROM in video production. However, no budgets have been developed in this regard.

originating broadcasting signal via airwaves

manage/program cablecasting via cable channel

video post production suite(s)...How many suites _____

a. on-line yes no

b. Offline yes no

c. Non-linear yes no

d. Digital yes no

film production and/or post production capabilities

production studio(s)...How many square feet _____

sound recording studio(s) or booth(s)...How many _____

video studio camera(s)...How many _____

video taping field camera/deck package(s)...How many _____

9. What is your capital investment/improvement budget for the next three - five years?

Currently, there is no capital investment/improvement budget for video production. Current plans call for upgrades and replacements as necessary.

10. What is your current equipment maintenance budget? *\$2,000/year*

11. What are your primary audiences for your broadcast/cablecast/video production, etc

All residents of Mecklenburg County, including those residents in the City of Charlotte and in the other towns in Mecklenburg County.

12. What anticipated changes in programming are planned over the next five years?

1. *Expansion of Mecklenburg On-line to monthly show*

2. *Development of City/County government news cast (not yet proposed)*

13. How many videos (if any) do you produce a month?

Including news packages for various shows, PSAs, and other client-driven projects, County PS&I produces approximately 8-9 video products per month.

14. What is the average length of the video playing time?

5-8 minutes for each video.

15. Do you produce video graphics in-house? If so, what equipment do you use?

Yes, using a Video Toaster running on an Amiga 2000 PC platform.

16. How many staff members are dedicated to video production? What are their roles/positions?

*One full-time videographer/editor
One 60% full-time writer/producer/talent*

17. Do you employ free-lance video production staff? If so, how much do you spend on this item per year?

Yes. \$6,000 is budgeted annually to hire free-lancers for the following:

- 1. Engineer for Board of County Commissioners meeting cablecast*
- 2. Booth operator for Board of County Commissioners meeting cablecast*

18. Does your full-time staff have commercial broadcast experience? If so, please elaborate.

Yes. Both staff members working in video production have experience working in local news production broadcast as videographer/editor and as writer/producer/talent

19. At what percentage of facility and staffing capacity are you operating with regard to video production?

Currently, our facility is bursting at the seams for lack of space and resources. Also, staff is working beyond expected capacity to fill customer needs.

20. Do you employ a full-time engineer? *No*

a. If yes, how many engineer positions are staffed?

b. If no, how is your equipment maintained?

- 1. Basic maintenance performed by videographer/editor*
- 2. Small budget exists (\$2,000) to fix minor problems*
- 3. City video engineer cooperates with County staff whenever possible*

21. What is the total amount of cable franchise fees provided directly to your organization this fiscal year?

A total of \$219,740 is provided to Mecklenburg County. The revenues are placed in the non-departmental general fund.

22. Please provide a breakdown by percentage the purposes of your video production/programming:

<i>TV/Video programming:</i>	<i>100% public information</i>
<i>Video production:</i>	<i>85% public information</i>
	<i>15% client/customer/employee training & education</i>

I N T E R

O F F I C E

MEMO

To: JOHN MCGILLICUDDY
From: JOHN CARTER
Subject: CRITICAL NEEDS/VIDEO
Date: February 2, 1996

We have three areas that we consider critical needs at this time:

- Maintenance
- New Equipment
- Advertising

MAINTENANCE: The dollar value of the equipment we are using regularly is approximately \$112,564. It only makes sense that we should maintain this equipment as replacing it can be very costly. Industry standards suggest that approximately 5% of the value of the equipment should be allotted to maintenance, which would amount to \$5,628 per year. Without proper maintenance, we run the risk of losing our equipment at any time. Because of budget restrictions, it might not be possible to replace equipment, which in turn, could devastate our video production ability. Currently we are spending \$2,000 per year on maintenance. Also, equipment simply wears out because of use. We can expect our equipment to remain in good working order for about five years under current maintenance conditions. Given a better maintenance budget, we can almost double the life of our equipment.

NEW EQUIPMENT: Video equipment is constantly being updated and improved. New formats (i.e., non-linear) are appearing regularly. The ease and speed of editing is becoming greater all the time. For us to be as effective as possible, we should seriously consider allotting more budget money for acquisition of new equipment. This can improve our performance and allow us to provide a much better product for our customers.

ADVERTISING: Through our programming (Mecklenburg On-Line, Mecklenburg Forum), we are providing Mecklenburg County residents the best and most complete coverage of the most important issues and events that shape this county. You can't find as in-depth, and uncensored coverage anywhere else. Yet we do no advertising to let residents know of our programming. Mecklenburg On-Line, which airs four times a year, is a great show that allows viewers to talk back to the policy makers and movers and shakers. But unless they happen to be channel surfing during the time the show is on, chances are they're not going to watch. Even the most popular television shows on today advertise. We should be doing the same.



MECKLENBURG COUNTY Public Service and Information Department

List of major equipment maintenance and replacement values:

- Sony VO-9800 3/4" U-Matic VTR - replacement value: \$7,600.00
Full overhaul of rubber parts, brushes, etc. every 2 years: \$500.00
Replace heads at 1500 to 2000 hours (extreme estimate): \$500 - \$1000
Replace drum motor as needed: \$1000 - \$1500
Sony VO-9850 3/4" U-Matic VTR - replacement value: \$11,600.00
Full overhaul of rubber parts, brushes, etc. every 2 years: \$500.00
Replace heads at 1500 to 2000 hours (extreme estimate): \$500 - \$1000
Replace drum motor as needed: \$1000 - \$1500
(2) Sony UVW-1600 BetacamSP VTRs - replacement value: \$8,650.00(each)
Full overhaul of rubber parts, brushes, etc. every 2 years: \$500.00
Replace heads at 1500 to 2000 hours (extreme estimate): \$500 - \$1000
Replace drum motor as needed: \$1000 - \$1500
Sony PVW-2800 BetacamSP VTR - replacement value: \$20,000.00
Full overhaul of rubber parts, brushes, etc. every 2 years: \$500.00
Replace heads at 1500 to 2000 hours (extreme estimate): \$500 - \$1000
Replace drum motor as needed: \$1000 - \$1500
Commodore/AMIGA 2000HD computer (Video Toaster 3.1) -
replacement value - with upgrades added to base unit: \$10,000 - \$12,000
Maintenance determined by failure.
Sony PVE-500 Edit Controller - replacement value: \$3,725.00
Springs for shuttle controls: approx. \$20.00 for a bag of springs or \$50 - \$100 to send unit out.
- need determined by impact of use.
Sony CDP-2700 (Compact Disc Player) - replacement value: \$1,445.00
Maintenance determined by failure.
Sony UVW-100 BetacamSP Camcorder - \$14,300.00
Full overhaul of rubber parts, brushes, etc. every 2 years: \$500.00
Replace heads at 1500 to 2000 hours (extreme estimate): \$500 - \$1000
Replace drum motor as needed: \$1000 - \$1500
Audio Technica AT-RMX64 (audio mixer) - (not listed)
TASCAM 488MKII(similar in function to AT-RMX64) - value: \$1,799.00
- (2) Panasonic BT-S1300N color video monitors - (not listed)
(2) Panasonic BT-S1360Y color video monitors - (similar updated model)value: \$1165.00(ea)
- Panasonic AG-450 SVHS camcorder - (not listed)
Panasonic AG-456U SVHS camcorder - (similar updated model) value: \$2495.00
Full overhaul of rubber parts, brushes, etc. every 2 years: \$500.00
Replace heads at 1500 to 2000 hours (extreme estimate): \$500 - \$1000
- Ikegami ITC-735 video camera - (not listed)
Ikegami HC-390 video camera - (new video camera) value: \$12,760.00

Lighting Systems -

- Lowell Solo TO-96 - replacement value: \$2,750.00
- Lowell Intro-Kit VP-98 - replacement value: \$885.00
- Lowell Triple Soft S2-93 - replacement value: \$1575.00

Note: As recommended by David S. "Doc" Russell, an adequate maintenance budget should be approximately 5% of the value of the equipment. The replacement value of the listed equipment is \$112,564.00. Therefore a recommended maintenance budget would be \$5,628.20/year.

Note: Older equipment uses more belt driven mechanisms and rubber parts than current models.

Note: This list is specific only to equipment over \$500 or \$1000 in replacement value. Tape stock, cleaning materials, etc. have not been figured in to the replacement value total.

PEOPLE • PRIDE • PROGRESS

TV/VIDEO TASK TEAM

SURVEY RESPONSES

WTVI

To develop a baseline of information on current operations and future plans, the following format has been created to allow consistency of data. Please come to the next meeting of the Task Team with your revisions, additions, deletions, etc. to this format. Thank you.

1. What is the name of your organization: **WTVI**

2. Please list the following:
 - a. The names of the shows/programming your organization produces for TV broadcast. **(See attachment)**
 - b. The names of the shows/programming your organization produces for cablecast. **N/A**
 - c. The shows/programming your organization broadcasts that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC or UNCC or WTVI (please list by producing organization). **Police Beat Live!, Quick Study, Mecklenburg On Line, Ask the Mayor**
 - d. The shows/programming your organization cablecasts that are produced by Mecklenburg County, or the City of Charlotte, or the Charlotte-Mecklenburg Schools, or CPCC or WTVI. (please list by producing organization). **N/A**
 - e. The shows/programming your organization provides resources for that are produced by Mecklenburg County, or the City of Charlotte, or Charlotte-Mecklenburg Schools, or CPCC or UNCC or WTVI (please list by producing organization and include cost and brief description of resources provided). **Mecklenburg Forum and United Way and You**
 - f. Does your organization produce videos that are not used for broadcast or cablecast? **X yes no** (If yes, please list below).
Homestretch exercise videos are marketed and sold nationally

3. What is the total current annual funding provided to your organization from:
 - a. Mecklenburg County **\$ 942,923**
 - b. City of Charlotte **0**
 - c. Other public (taxpayer) sources **\$ 612,956 Corporation for Public Broadcasting Community Service Grant (Federal)**

4. What is the total current annual funding provided to your organization that is dedicated to TV/cable programming or other video productions?
 - a. From Mecklenburg County **-0-**
 - b. From City of Charlotte **-0-**
 - c. From other public (taxpayer) sources **-0-**

5. What is the total annual dollars your organization is contracted to receive this fiscal year as the result of production agreements or contracts your organization has with:

- a. ~~Mecklenburg County -0-~~
- b. City of Charlotte \$3,000 Police Beat Live!
- c. Other public (taxpayer) sources \$80,000 ITV service for CMS.
- d. Time Warner \$20,000 to produce two access programs

6. What are the characteristics of your TV/Cable/Production facility (check all that apply):

originating broadcasting signal via airwaves

manage/program cablecasting via cable channel. Program WTVI overnight service and originate CMS ITV service

_____ video post production suites(s)...How many suites 3

- a. on-line yes ___ no
- b. offline yes ___ no
- c. non-linear ___ yes no
- d. digital ___ yes no
- e. CD-ROM ___ yes no

video graphics

film production and/or post production capabilities

production studio(s)...How many square feet 4,800

sound recording studio(s) or booth(s).. How many 1

video studio cameras(s) ..How many 3 What types Ikegami HK 355

video taping field camera deck packages(s) What types Ikegami 4-K-53, HK-55.4/HL-79.2/Soney BVV-5

7. Regarding your equipment listed above (or other pertinent information), when was this equipment purchased (please provide year)? 1990

8. What capabilities does your organization plan to invest in during the next five years (check all that apply that are not currently in operation).

_____ originating broadcasting signal via airwaves

_____ manage program cablecasting via cable channel

_____ video post production suite(s) How many suites _____

- a. on-line ___ yes ___ no
- b. off-line ___ yes ___ no
- c. non-linear yes ___ no
- d. digital yes ___ no

_____ film production and or post production capabilities

_____ production studio(s) or booths(s) How many _____

_____ sound recording studio(s) or booth(s) How many _____

_____ video studio camera(s) How many _____

_____ video taping field camera/deck packages(s) How many _____

9. What is your capital investment/improvement budget for the next three-five years?
\$13 million for 5 years (See attached)
10. What is your current equipment maintenance budget? **\$183,255**
11. What are your primary audiences for your broadcast/cablecast/video production, etc.
General population in the greater Charlotte area. Population is 1.4 million people
12. What anticipated changes in programming are planned over the next five years?
To diversify the national program service to include programming from other than PBS.
13. How many videos (if any) do you produce a month? **It varies**
14. What is the average length of the video playing time? **It varies**
15. Do you produce video graphics in-house? If so, what equipment do you use?
Yes, Dubner Paint Box + 2 Abekas character generators
16. How many staff members are dedicated to video production? What are their roles/positions?
- | | | |
|-------------------------------|----------------------|----------------------------|
| 1- Sr. Vice President | 1- Studio Supervisor | 1- Director of Photography |
| 1-Director of Production Svcs | 1- Cameraman | 1- Secretary |
| 1-Producer | 1- Editor | |
| 1-Director | 1- Production Tech | |
17. Do you employ free-lance production staff? If so, how much do you spend on this item per year? **Yes, \$16,000**
18. Does any of your full-time staff have commercial broadcast experience? If so, please elaborate. **Yes, WTVI is a broadcast facility.**
19. At what percentage of facility and staffing capacity are you operating with regard to video production?
20. Do you employ a full-time engineer? **Yes**
- a. If yes, how many engineer positions are staffed? **3**
- b. If no, how is your equipment maintained?

1995-1996
 LOCAL PRODUCTION OPERATING BUDGET
 DEPT 0300

	FY'96 SALARIES	FY'96 BENEFITS	FY'96 SUPPLIES	FY'96 TOTAL	FY'95 BUDGET COMPARISON	FY'95 ACTUALS
	-----	-----	-----	-----	-----	-----
PERSONNEL						
5010 CURRENT STAFF	319,550	82,771		402,321	388,842	375,202
5020 P-T FREELANCE (IN	30,000	2,295		32,295	33,137	46,044
5030 OVERTIME	3,000	504		3,504	0	9,051
5040 LONGEVITY	5,151	866		6,017	4,348	4,348
S&B SUB-TOTAL	<u>357,701</u>	<u>86,436</u>		<u>444,137</u>	<u>426,327</u>	<u>434,645</u>
SUPPLY						
6220 LEGAL FEES			1,000	1,000	1,000	0
6290 PROF SERVICES			50,260	50,260	103,018	96,176
6410 STAFF DEVEL			4,840	4,840	0	1,893
6420 LOCAL TRAVEL			300	300	300	282
6430 ON LOCATION			0	0	0	119
6810 POSTAGE METER			648	648	1,300	1,100
6820 SHIPPING			300	300	300	781
7010 PRINTING			500	500	500	520
7210 VIDEO TAPE			0	0	1,400	4,976
7220 MISC SUPPLIES			1,000	1,000	1,000	1,831
7240 STUDIO SUPPLIES			9,470	9,470	5,050	8,949
7490 MISC FEES/DUES			100	100	100	0
8070 RENTAL OF FACILITIES			0	0	0	400
8090 EQUIP MAINT			500	500	500	1,491
8440 TELEPHONE			9,000	9,000	9,900	12,815
9010 ENTRY FEES			500	500	500	230
9020 HOSPITALITY			100	100	100	661
9015 ADVERTISING			0	0	0	502
9030 PURCH PUB			276	276	276	0
9080 BAD DEBT			0	0	0	543
9090 MISC EXPENSES			0	0	0	1,060
SUPPLY SUB-TOTAL			<u>78,794</u>	<u>78,794</u>	<u>125,244</u>	<u>134,329</u>
GRAND TOTAL	<u>357,701</u>	<u>86,436</u>	<u>78,794</u>	<u>522,931</u>	<u>551,571</u>	<u>568,974</u>
				=====	=====	=====

	FY'96 SALARIES	FY'96 BENEFITS	FY'96 SUPPLIES	FY'96 TOTAL	FY'95 BUDGET COMPARISON	FY'95 ACTUALS
	-----	-----	-----	-----	-----	-----
PERSONNEL						
5010 CURRENT STAFF	222,014	60,258		282,272	501,140	302,175
5025 PART-TIME	3,000	230		3,230	10,765	11,711
5030 OVERTIME	5,000	840		5,840	2,920	13,447
5031 HOLIDAY	2,500	420		2,920	3,503	1,572
5040 LONGEVITY	2,715	457		3,172	2,750	2,555
S&B SUB-TOTAL	<u>235,229</u>	<u>62,205</u>		<u>297,434</u>	<u>321,078</u>	<u>331,460</u>
SUPPLY						
6290 PROF. SERVICES			5,496	5,496	5,496	3,684
6410 STAFF DEVELOPMENT			3,000	3,000	2,200	2,378
6420 LOCAL TRAVEL			0	0	0	73
6810 POSTAGE NET			25	25	25	40
6820 SHIPPING			2,855	2,855	3,000	8,860
7220 SUPPLIES			673	673	703	672
8010 TRANSMITTER R&M			34,300	34,300	37,000	44,030
8020 TOWER R&M			8,700	8,700	3,000	825
8030 VTR R&M			26,996	26,996	44,600	39,330
8035 KLYSTRON TUBE EXP			0	0	15,717	13,335
8040 VECH MAINT			3,000	3,000	3,400	2,674
8080 TRANS BLDG MAINT			3,960	3,960	3,960	1,380
8085 TRANS GROUNDS MAINT			1,600	1,600	1,600	800
8090 EQUIP MAINT			15,000	15,000	15,000	3,546
8420 ELECT POWER			70,000	70,000	68,715	73,458
8440 TELEPHONE			7,000	7,000	7,000	6,245
9030 PUR PUB			400	400	1,330	488
9090 MISCELLANEDUS			250	250	250	168
SUPPLY SUB-TOTAL			<u>183,255</u>	<u>183,255</u>	<u>212,996</u>	<u>201,986</u>
GRAND TOTAL	<u>235,229</u>	<u>62,205</u>	<u>183,255</u>	<u>480,689</u>	<u>534,074</u>	<u>533,446</u>
				=====	=====	=====

Replacement and HDTV Conversion

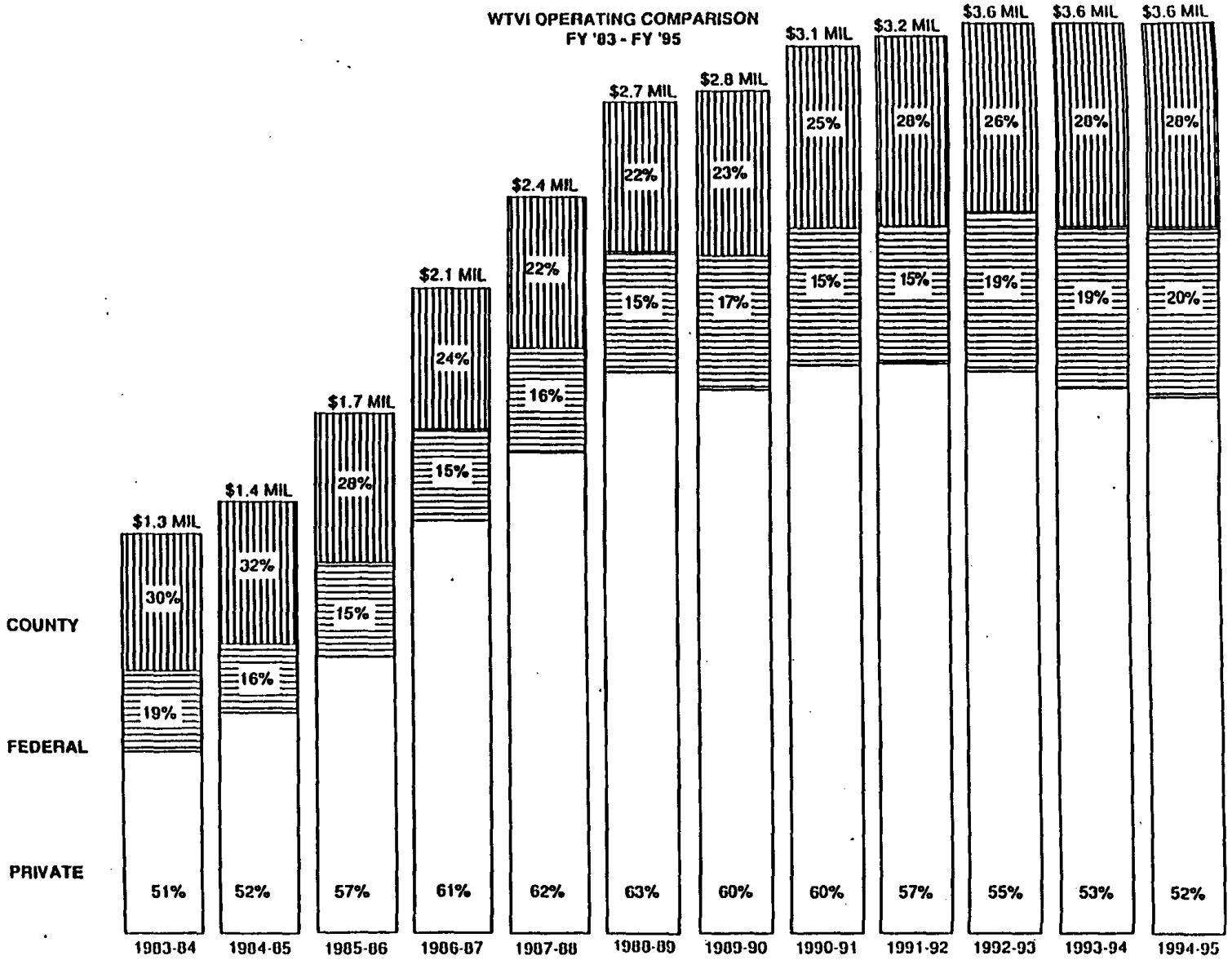
roadcast and production
 expectancy, provide for the
 ace computer equipment in
 usiness departments.
 s broadcast equipment is
 (VI) to maintain Federal
 ission standards set for broadcast
 ded is conversion from analog to
 (VI). This will be the new American
 e set by the FCC which will change the
 vision in this country. The initial impact on
 industry is that within the deadline set by
 dy six years from the date the new HDTV
 set) we will have to change out to simulcast
 V along with our current television broadcast
 hose stations that do not comply will be taken

Note: To reflect the BOCC position paper Capital Funding and Debt; to encourage WTVI to raise money for capital facilities through private funds/foundations.

	1994-95	1995-96	1996-97	1997-98	1998-99	Total
Costs						
Planning/Design						
Administration/Legal						
Land & Right of Way						
Construction						
Equipment & Furnishings			13,192,000			13,192,000
Contingency						
Total			13,192,000			13,192,000
Revenues						
G. O. Bonds			6,596,000			6,596,000
Private Funds			6,596,000			6,596,000
Total			13,192,000			13,192,000

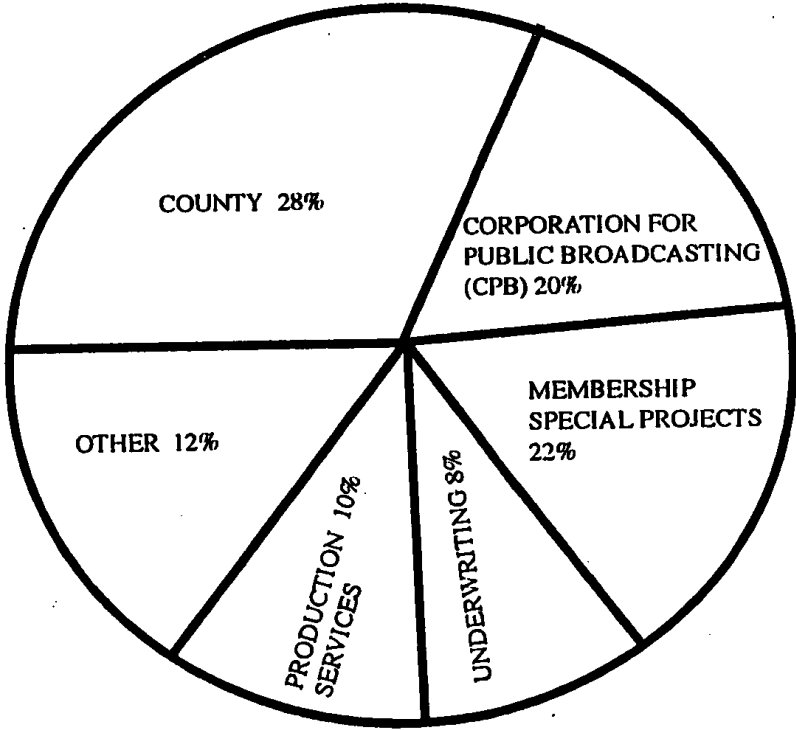
Operating Impact
 No operating budget impact.

WTVI OPERATING COMPARISON
FY '83 - FY '95



Total Revenue Fiscal Year 1995

3.6 M



Projected Hours of Original Broadcast for FY '96

Title	#Prog/ Time	Approx. Original Broadcast Hours
Final Edition	52/30	26.0
Carolina Business Review	52/30	26.0
HomeStretch	65/30	32.5
County Commission	20/2:00	40.0
School Board Meeting	10/2:00	20.0
Quick Study	4/60	4.0
Ask The Mayor	3/60	3.0
Meck-On-Line	4/60	4.0
CPCC Update	2/60	2.0
9th Congressional Update	2/60	2.0
Police Beat Live	12/60	12.0
Frankly Speaking	2/30	1.0
Textiles	1/60	1.0
Sisters Act	1/60	1.0
Growing A Region	1/60	1.0
Spotlight	3/60	3.0
A Region at Work	1/60	1.0
High Q	3/30	1.5
City Council Debate	1/60	1.0
Mayorial Debate	1/30	.5
School Board Debate	1/60	1.0
Charlotte's Web	1/30	.5
Mother Continent - Sister City	1/30	.5
		184.5

CABLE TELEVISION FRANCHISE FEES UTILIZATION SURVEY¹ DECEMBER 1995 - JANUARY 1996

REPORT DATE: 29 January 1996

CITY - STATE	FRANCHISE FEES UTILIZATION ²	COMMENTS
Albuquerque, New Mexico	<ul style="list-style-type: none"> ▶ General Fund - 5% ▶ Community Access - \$200,000 appropriated from General Fund 	<ul style="list-style-type: none"> ▶ Cable operator provided initial access equipment and studio. ▶ Access Corp. also receives private grants.
Arlington, Virginia	<ul style="list-style-type: none"> ▶ General Fund - 4% ▶ Public Access Corp - 1% 	<ul style="list-style-type: none"> ▶ Government Access gets less than 1/3 the amount of franchise fees collected.
Atlanta, Georgia	<ul style="list-style-type: none"> ▶ General Fund - 75% of 5% ▶ Government Access - 25% of 5% 	<ul style="list-style-type: none"> ▶ Public Access Corporation receives \$500,000 from cable operator. Operator has built \$350,000 into monthly rates and \$150,000 passed on to subscribers directly as access fee.
Bellingham, Massachusetts	<ul style="list-style-type: none"> ▶ Public Access Corp. - 5% 	<ul style="list-style-type: none"> ▶ Non-profit corporation manages funds.
Bloomington, Minnesota	<ul style="list-style-type: none"> ▶ First deduct costs of franchise administration & cable commission. remaining funds are distributed to Public, Educational, Government (PEG) Access operations in following percentages: <ul style="list-style-type: none"> - School District - 31% - Public Access Corp - 31% - City Cable Channels - 31% - Community College - 7% 	<ul style="list-style-type: none"> ▶ City operates 7 cable channels. ▶ Cable franchise agreement includes additional \$1 million Equipment Grant which is shared by PEG entities in same percentages. ▶ Franchise fees provide main funding for each PEG entity, however, they get additional funds from a variety of sources.

¹ Information for this survey was gathered via inquiries made on Internet E-Mail during the month of December 1995, as well as the January 1996 updating of information collected in April 1994 for the Citizen's Cable Oversight Committee. All survey materials were collected and compiled by the Charlotte-Mecklenburg Cable Television Division, 600 E. Fourth St., Charlotte, NC 28202 - 704-336-2288.

² All franchise fees collected from cable operators are 5% unless otherwise indicated.

Boston, Massachusetts	Collect 4.5%: ▶ General Fund - 3% ▶ Public Access Corp - 1.5%	▶ City maintains a Cable Office to administer franchise and produce programming for Government Access Channel, however, the cost of this is not broken out as specifically coming from franchise fees. ▶ Access Corp funding comes directly from cable - operator.
Eugene, Oregon	▶ General Fund - 5% - approx. \$1.2 million annually ▶ PEG Access - approx. \$200,000 annually - appropriated from General Fund	▶ PEG operations are contracted to local Council of Governments. \$20,000 goes to Public Access, remainder supports Government Access. ▶ Franchise agreement includes requirement that cable operator provide PEG Access Capital Grant, currently \$50,000 annually.
Fairfax County, Virginia	Collect 6%: ▶ Cable Fund - 5% ▶ Access Corp. - 1%	▶ Access support is charged separately as an <u>additional 1% fee.</u>
Fort Wayne, Indiana	▶ General Fund - 3% ▶ Access Fund - 2%	▶ Public & Government Access channels operated by Public Library, funding from franchise fees Access Fund. ▶ Educational Access channels operated by College & Public Schools, funding from franchise fees Access Fund.
Greensboro, North Carolina	▶ General Fund - 5 % ▶ Access disbursements set up under special 3-year funding structure	▶ Access funding includes City contributing \$50,000 per for 3 years; Cable Operator will fund \$125,000 for 1st year, \$175,000 for 2nd year, \$175,000 for 3rd year. ▶ Additional facility grant from cable operator of \$200,000, Start Up Equipment Grant of \$275,000 and \$500,000 Replacement Grant for length of franchise.
Honolulu, Hawaii (applies to entire state)	▶ Cable Regulation - .1% ▶ Support Infrastructure - 1% ▶ PEG Access - 2 to 3%	▶ Infrastructure is supported by Public Broadcasting Affiliate. ▶ PEG Access allocations vary from 2-3% depending upon location within the State. ▶ Access fees are sent directly from cable companies to various PEG entities.

Iowa City, Iowa	<ul style="list-style-type: none"> ▶ Cable Division - 100% 	<ul style="list-style-type: none"> ▶ Cable Division is Enterprise Fund & pays its own way. ▶ All fees are used for cable-related purposes. ▶ Funds used for cable administration, Government Access, Interactive System operations, and other cable related purposes, such as public library's video. ▶ Public Access Corp. - funded directly by cable operator under separate funding provisions.
Knoxville, Tennessee	<ul style="list-style-type: none"> ▶ City Fund - 5% ▶ Access Corp. - 20% of City's Fund ▶ Access Corp - approx.. 1% of franchise fees funding & free space allocation from County 	<ul style="list-style-type: none"> ▶ Public & Government Access receive additional funding and equipment from cable operator under franchise agreement provisions.
Missoula, Montana	<ul style="list-style-type: none"> ▶ Public Access - 80% of 5% - approx.. \$100,000 ▶ Telecommunications-related activities - 20% of 5% 	<ul style="list-style-type: none"> ▶ Telecommunications-related activities include fee payment audits, conferences and public service announcements.
Montgomery, Maryland	<p>Collect 6.5%:</p> <ul style="list-style-type: none"> ▶ Cable-related purposes - 5% ▶ PEG Access Fund - 1.5% 	<ul style="list-style-type: none"> ▶ Used for cable administration and operation of 13 PEG channels.
Olympia, Washington	<ul style="list-style-type: none"> ▶ PEG Access Corp. - 50% of franchise fees in General Fund 	<ul style="list-style-type: none"> ▶ PEG Access Corp. has contracts with 4 jurisdictions.
Phoenix, Arizona	<ul style="list-style-type: none"> ▶ General Fund - 5% ▶ Educational Access - \$100,000 from the 5% ▶ Public Access - \$100,000 from the 5% 	<ul style="list-style-type: none"> ▶ Additional \$75,000 provided for capital equipment.
Plymouth, New Hampshire	<ul style="list-style-type: none"> ▶ Franchise Agreement requires all franchise fees to be spent on operation of PEG Access. 	<ul style="list-style-type: none"> ▶ Requirement is currently being challenged as a result of recent vote in annual Town Meeting.
Portland, Maine	<ul style="list-style-type: none"> ▶ General Fund - 5% fees ▶ PEG Access Corp - 40% of General Fund fee receipts 	

Portland, Oregon	<ul style="list-style-type: none"> ▶ Cable Regulatory Authority - 5% ▶ PEG Access Corp. - 40% of Cities fees & 60% of County's fees 	<ul style="list-style-type: none"> ▶ Cable Regulatory Authority includes City of Portland and 4 surrounding Cities and unincorporated areas of County. ▶ PEG Access Corp. combines operations of Portland Cable Access & Multnomah Community Television, 2 non-profit entities. ▶ After PEG Access Corp. funding is deducted, balance of remaining monies funds the Authority. Any remaining funds are distributed to the General Funds of the 6 jurisdictions contributing franchise fees to the Authority. ▶ Access Corp receives additional funds from cable operators for capital equipment, per franchise agreements requirements.
Raleigh, North Carolina	<ul style="list-style-type: none"> ▶ General Fund - 5% ▶ Access Center - Grant from City Council 	<ul style="list-style-type: none"> ▶ City manages operation of Access Channels through it's Telecommunications Office Budget.
Rockville, Maryland	<ul style="list-style-type: none"> ▶ General Fund - 5% ▶ Government Access - amount equal to franchise fee receipts in General Fund 	
Sacramento, California	<ul style="list-style-type: none"> ▶ Fees split among 4 jurisdictions ▶ PEG Access - 50% - approx. \$1.1M ▶ Cable Administration - 15% 	<ul style="list-style-type: none"> ▶ Any remaining franchise fees funds are split equally among the 4 jurisdictions. ▶ Disbursement as result of recent court case, legally referred to as "settlement fees" not franchise fees.
Salina, California	<ul style="list-style-type: none"> ▶ City - 5% ▶ PEG Access Corp. - 40% of City's franchise fee receipts 	<ul style="list-style-type: none"> ▶ PEG Access Corp. also receives \$.63 per month per cable tv subscriber from cable operator, billed directly on each subscriber's monthly invoice. ▶ PEG Access Corp. receives additional revenues from grants and business underwriting of programming - amounts to 25% of Corporation's income.

Tucson, Arizona	<ul style="list-style-type: none"> ▶ General Fund - 5% ▶ Cable Administration - General Fund appropriation ▶ PEG Access Corp. - General Fund Grants appropriated 	
Turners Falls, Massachusetts	<ul style="list-style-type: none"> ▶ PEG Access Corp. - 5% - approx. \$50,000 annually ▶ General Fund - 3% of 5% revenues received by Corp. - approx. \$1,500 annually 	<ul style="list-style-type: none"> ▶ PEG Access Corp. also receives capital equipment funds - approx. \$85,000.
Williamstown, Massachusetts	<ul style="list-style-type: none"> ▶ PEG Access Corp. - 3% 	<ul style="list-style-type: none"> ▶ PEG Access Corp. Also receives additional .4% of gross annual revenues for capital purchases. ▶ Cable Television Advisory Committee is funded through Town's General Fund which receives \$.50 per subscriber per year to support the Committee.

**CHARLOTTE-MECKLENBURG COUNTY
CABLE TELEVISION FRANCHISE FEES**

7.7% INCREASE PROJECTED OVER FY 95

JURISDICTION	FY 95 ACTUAL	FY 96 Y-T-D (2 QTR)	FY 96 PROJECTED
CITY	\$2,383,285	\$1,279,896	\$2,559,792
COUNTY	226,123	125,672	251,344
GRAND TOTAL	\$2,609,408	\$1,405,568	\$2,811,136

Information compiled by the Charlotte-Mecklenburg Cable Television Division, 600 E. Fourth Street, Charlotte, NC 28202 - 704-336-2288 from franchise fee reports filed quarterly by local cable television operators.

Existing Partnerships

	CMS	CPCC	CITY PS&I	UNCC	COUNTY PS&I	WTVI	TIME WARNER
CMS			✓	✓	✓	✓	✓
CPCC			✓	✓		✓	✓
CITY PS&I	✓	✓		✓	✓	✓	✓
UNCC	✓	✓	✓			✓	✓
COUNTY PS&I	✓		✓			✓	✓
WTVI	✓	✓	✓	✓	✓		✓
TIME WARNER	✓	✓	✓	✓	✓	✓	

CRITICAL NEEDS

- Maximizing the use of cable infrastructure and its potential
- Continued commitment to TV and video as a communications tool
- Understanding by elected officials of the value of television and video in providing public information and education
- Replacing aging equipment (instituting effective capital equipment replacement plan)
- Investing in needed new equipment
- Keeping up with fast-changing technology that become industry standards
- Enhance community awareness of existing and future programming
- Interactive access to every cable-connected home, school, library, business, etc.
- Access channel programming (for educational programming in particular)
- Equipment maintenance funding (instituting effective maintenance budget plan based on use of equipment and expected life of equipment)
- Space expansion