

Academy to Prepare Local Elected Leaders for Twenty-first Century

North Carolina is in the midst of monumental change. The state is projected to grow by one million people in the next twenty years, moving it from the eleventh- to the seventh-largest state in the nation. This growth will present opportunities but also put stresses and strains on governmental services and systems. Many of the state's communities are searching for innovative ways to respond to economic, political, and demographic transformations.

The School of Government, in partnership with the North Carolina Association of County Commissioners (NCACC) and the North Carolina League of Municipalities (NCLM), is responding to this need with the Local Elected Leaders Academy. It is a hands-on program of advanced education designed to prepare local elected officials to meet the challenges facing North Carolina in the twenty-first century.

The goals of the academy are as follows:

1. To enhance the capacity of elected officials to lead and govern their boards, councils, and communities
2. To equip elected officials with the knowledge and the tools to practice and preserve democracy and representative government
3. To prepare elected officials to assume future leadership responsibilities within their communities, associations, and state

Three levels of programming will be offered:

- The Essentials of County Government and Essentials of Municipal Government courses (offered in alternating years) will provide an orientation to North Carolina government.

LOCAL ELECTED LEADERS



- Focused, in-depth courses will provide knowledge and tools for elected officials to lead and govern in their own communities.
- Advanced programs will help leaders plan and implement strategies at the regional and statewide level.

Participants who complete specified courses and hours of attendance will be recognized at the annual NCACC and NCLM conferences.

The Local Elected Leaders Academy will offer its first course in January 2008. To learn more, visit the School of Government website at www.sog.unc.edu, or contact Donna Warner at 919.962.1575 or warner@sog.unc.edu.

Faculty Members Explain Ramifications of 2006 Ethics and Lobbying Rules for Local Governments

In 2006 a major legislative overhaul of state ethics and lobbying rules intended primarily to regulate the conduct of state officials and employees made headlines in North Carolina. Less well-known but also very important are the ramifications of the 2006 act for board members and employees of cities, counties, and schools. For example, treating a person to a simple meal may have become much more complicated in certain cases.

In response to the changes, School faculty members A. Fleming Bell, II, and Norma Houston have coauthored "2006 Ethics and Lobbying Reform: Applications and Implications for Local Governments" (*Local Government Law Bulletin* no. 113, June 2006). Using a question-and-answer format, they explore the statute's complicated definitions and other provisions, examining what is and is not covered.

Bell and Houston also have taught about the law to a variety of groups. Their presentations focus on the meaning of the new rules for local governments, but they frequently discuss general ethical principles and other conflict-of-interest statutes as well. Their classes have been offered as far west as Montreal and as far east as Atlantic Beach. City and county managers, attorneys, public information officers, sheriffs, students in the Institute of Government's Municipal and County Administration courses, and even visiting public officials from the Republic of Moldova have benefited from their teaching.

As Bell and Houston prepared their analysis of the law, they participated in detailed conversations about the act's meaning with members of the staffs of the General Assembly and the new State Ethics

Commission and with representatives of the North Carolina League of Municipalities and the North Carolina Association of County Commissioners. These discussions provided valuable information for both their teaching and their writing.

Bell and Houston's bulletin may be downloaded for free from the Publications section of the School of Government's website (<http://shopping.netsuite.com/sogstore>). The direct link is <http://www.sog.unc.edu/pubs/electronicversions/pdfs/lglb113.pdf>.

A revised version of the bulletin that reflects changes made by the 2007 General Assembly is currently in preparation. The School of Government's expanded use of online publication makes it easier to provide such up-to-date information for readers.

Online Tool Available for Comparing Water and Sewer Rates in North Carolina

Utilities often collect rate information from other utilities to use in their rate-setting process. Comparative information can be useful, but it also can be dangerous if it is taken out of context and used inappropriately to keep rates lower than they need to be to protect public health.

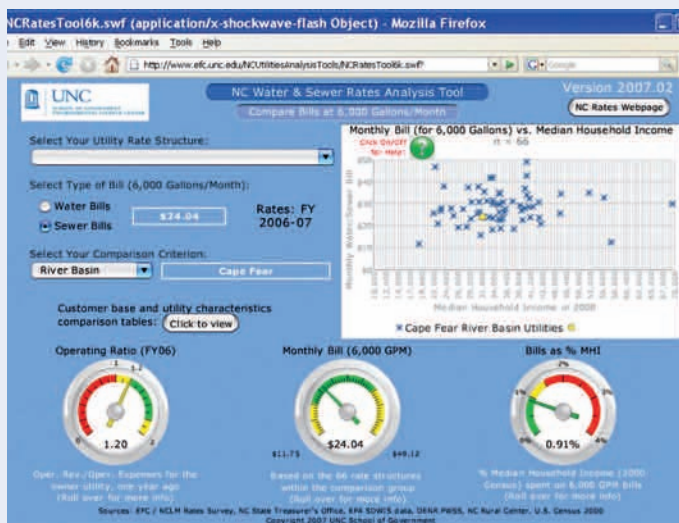
The School of Government's Environmental Finance Center (EFC) has developed a website that provides communities with a tool that draws on a database of more than 350 utility rate structures across the state. The tool enables utilities to study and present graphically information on rates, financial health, and customer affordability in a way that takes into consideration many of the key factors that influence real cost. It is available at www.efc.unc.edu.

The tool allows comparisons of operating ratios, monthly rates, and affordability measurements (e.g., median household income and poverty rates) by utility size (based on revenues or number of accounts), water source (surface or ground water), river basin, or geographic proximity (e.g., all utilities in the same county or all utilities within fifty miles). (For examples, see Figures 1–2.)

The data that the tool uses come from an annual rate survey carried out by the North Carolina League of Municipalities and the EFC; from the North Carolina State Treasurer; and from the U.S. Census.

For advice on making appropriate comparisons and interpreting them, contact Jeff Hughes, jhughes@sog.unc.edu, 919.843.4956, or Andrew Westbrook, westbrok@sog.unc.edu, 919.966.4199.

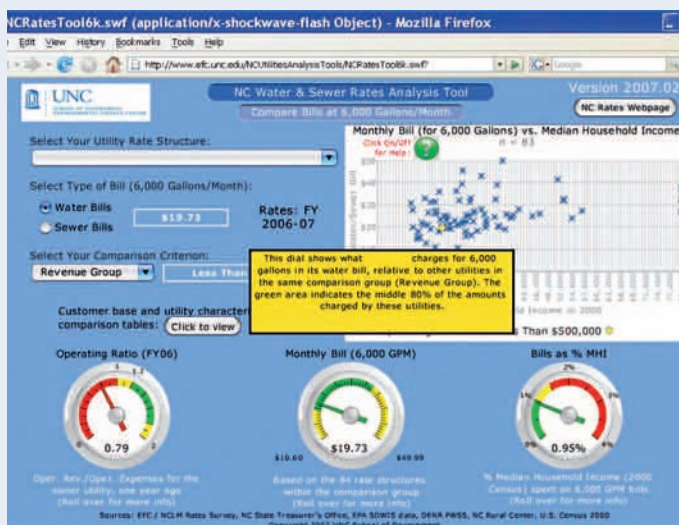
Figure 1. A Comparison of One Utility's Sewer Charges with Those of Other Utilities in Its River Basin



not high enough to generate sufficient revenues if the utility has extensive capital needs. The second dial shows the rate at 6,000 GPM (gallons per month) to be in the green band, indicating that it is similar to the rates charged by 80 percent of the utilities in the watershed. The last dial shows the percentage of MHI (median household income) spent on sewer service to be in the green band, corresponding to what is generally accepted as a reasonable amount of income to be devoted to this essential service.

The graph in the upper right-hand corner compares the utility's rates and median household income with those of all other utilities in its watershed. The dials along the bottom provide the system with a quick analysis of how its operating ratio and rates compare with those of other utilities in the watershed. The first dial shows the operating ratio to be in the yellow band—positive—but maybe

Figure 2. A Comparison of One Utility's Water Rates with Those of Other Utilities with Similar Revenues (less than \$500,000)



month for a year comes to .95 percent of the median household income in the community.

The first dial shows the utility's operating ratio to be in the red band—negative—a sign that the utility has limited funds available for capital investments and may even have difficulty covering some operating costs. The second dial shows the rates to be relatively low compared with those of other utilities of similar size. The third dial reveals that the cost of purchasing 6,000 gallons each

Report to Offer Practical Ideas for Small-Town Economic Development

The Community and Economic Development Program of the School of Government has partnered with the North Carolina Rural Economic Development Center to produce a report containing forty-five case studies of small towns that are surviving—and in many

cases thriving—in today's economy. All the towns have fewer than 10,000 residents. Half are from North Carolina, and half from other states. The case studies are intended to provide inspiration, hope, and practical ideas to small-town civic leaders. The report will be released early in 2008.

Small Towns, Big Ideas: Case Studies in Small Town Community Economic Development is a response to the demand for examples of real communities successfully addressing challenges related to globalization, geographic isolation, urban sprawl, aging populations, and

natural disasters, among others. The case studies cover a wide variety of economic development strategies, including industrial development, tourism, downtown development, entrepreneurship, and arts- and cluster-based development. They also describe a range of strategies for building local capacity for economic development: organizational structures, partnerships, leadership development, and more.

Ten towns are featured at length (five from North Carolina and five from other states). They represent “proven practices” and exhibit a comprehensive set of strategies working together effectively. Thirty-five other towns, representing “promising practices,” are described in a shorter format.

According to the author, Will Lambe, “One of the main themes emerging from these case studies is that successful small towns tend to employ a range of strategies that cut across community and economic development broadly. The case studies allow us to take the strategies apart and to draw conclusions about how and why particular strategies work across a wide range of small communities.”

Readers who want a copy of the report may contact Lambe at 919.966.4247 or whlambe@sog.unc.edu, or visit www.cednc.unc.edu/.

Jailers Must Determine U.S. Residency Status of Certain Detainees

Effective January 1, 2008, county jail officials will add a question to those they pose to people being held on impaired driving or felony charges: are you in the United States legally?

The North Carolina General Assembly added this legal standard during its 2007 session. A jail administrator must determine, through questioning or examination of relevant documents, if a prisoner is a legal resident of the United States. If the administrator is unable to make a determination, he or she must contact the federal Immigration and Customs Enforcement (ICE) agency to seek further information.

About half of North Carolina’s one hundred counties already conduct similar questioning through the U.S. Bureau of Justice Assistance’s State Criminal Alien Assistance Program, which provides federal funds to reimburse the costs of incarcerating certain undocumented criminal aliens.

The new law pertains to people assigned to county jails, local confinement facilities, or satellite-jail/work-



release units. It requires jail administrators to report the number of ICE queries performed and the results of those queries to the Governor’s Crime Commission annually.

For more information about the new law, contact Jamie Markham, markham@sog.unc.edu or 919.843.3914.

Three North Carolina Counties Assist in Immigration Enforcement

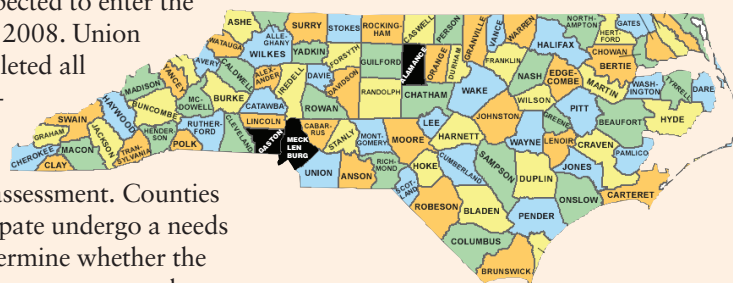
Sheriffs’ deputies in three North Carolina counties now are checking the immigration status of every foreign person whom they arrest—for running a stop sign, selling drugs, or violating the law in other ways—and starting deportation of those in the United States illegally.

Deputies in Alamance, Gaston, and Mecklenburg counties have undergone training to enable them to do limited enforcement of immigration law. The authorization to do so comes through memoranda of agreement (MOA) that their sheriffs have completed with U.S. Immigration and Customs Enforcement (ICE) under Section 287(g) of the Immigration and Nationality Act.

Two more counties are taking steps to join the program. Cabarrus County is awaiting training and completion of

an MOA. It is expected to enter the program by early 2008. Union County has completed all preliminary application steps and is awaiting the result of a needs assessment. Counties wishing to participate undergo a needs assessment to determine whether the federal government can support the program in their jurisdiction.

The MOA define the scope and the limitations of local law enforcement authority on immigration matters. They also establish the supervisory structure for the officers working under the cross-designation and prescribe the agreed-on complaint process governing the conduct of officers during the life of the MOA. Under the statute, ICE will supervise all cross-designated officers



when they exercise their immigration law authority.

As part of the curriculum, sheriffs’ deputies receive in-depth instruction on a variety of immigration enforcement topics, including immigration law, civil rights, and intercultural relations. State and local law enforcement units in Alabama, Arizona, California, Colorado, Florida, and Tennessee also participate in the program.

Tide Turning on Smoking in Public Places

The tide is officially turning in the tobacco state. Fourteen years ago the General Assembly passed legislation that essentially required state and local government buildings to allow smoking in at least twenty percent of the buildings' interior space. The 1993 law also placed strict limitations on the authority of local governments to regulate smoking within their jurisdictions.

This year the General Assembly passed legislation that does the following:

- Prohibits smoking in most state government buildings
- Requires local boards of education to prohibit smoking in school facilities and on school property by August 1, 2008
- Allows local governments to prohibit smoking in buildings they own or lease, after January 1, 2008

In addition to having this new authority, local governments still may prohibit smoking in public meetings, libraries, and museums; on public transportation; on the grounds of buildings housing local health departments and departments of social services (up to fifty feet from the building); and in certain arenas and auditoriums.

Local governments still do *not* have the authority to regulate smoking in

other buildings open to the public, such as malls, restaurants, and bars. During its recent session, the

legislature considered several bills that would have addressed that limitation on local government authority, but the bills did not pass. The legislature also considered but did not approve a bill that would have established a statewide prohibition on smoking in many public places.

More information about the new smoking laws is available at the School's public health law website, www.ncphlaw.unc.edu.



Teachers Receive Training in Civics and the Environment

What do North Carolina teenagers, carbon dioxide emissions, and local governments have in common? Quite a bit, as illustrated in *Connecting Civics and Science: Inspiring NC Youth to Address Global Warming*, a professional development institute co-hosted by the Environmental Resource Program of the Institute for the Environment, and the North Carolina Civic Education Consortium of the School of Government, both at UNC at Chapel Hill.

On June 26, twenty-three of the state's civics and science teachers traveled to the School of Government for the two-day institute, which focused on cross-curricular strategies for teaching about local links to global warming. Teachers interacted with esteemed scientists and government officials, participated in simulations of interactive lessons, and learned about sustainability efforts and climate-change solutions across the state.

Dr. Jose Rial, a professor of theoretical geophysics at UNC at Chapel Hill, provided an overview of the science of climate change. Bill Strom, a member of the Chapel Hill Town

Council, explained the town's commitment to reduce carbon dioxide emissions by 60 percent by 2025.

The institute also included demonstrations of the North Carolina Zoological Parks biofuel processor; interviews with city and county government officials, including Carrboro Alderwoman Joal Hall Broun, Durham City-County Planning Director Frank Duke, Chapel Hill Director of Transportation Stephen Spade, Chapel Hill-Carrboro Board of Education member Lisa Stuckey, and Chatham County Commissioner Tom Vanderbeck; and a field trip to Carrboro's newly constructed LEED-certified high school. (LEED stands for Leadership in Energy and Environmental Design.)

On returning to the classroom, teachers will help their students learn about local links to global warming and identify a local environmental problem that they can work to solve. Not only will the process develop important problem-solving skills, but it will provide students with the opportunity to learn how local decisions are made and to interact with their local governments.

The professional development institute was funded through a generous

grant from the Z. Smith Reynolds Foundation. Lessons and activities from the institute are available on the North Carolina Civic Education Consortium's website, www.civics.org. For additional information about the institute, contact Christie Hinson, hinson@sog.unc.edu or 919.962.8389.



Top, Participants prepare for a simulation in which they will present options for improving the environment of fictitious Cardinal City. Left, Jessica Hoffmire shows how the North Carolina Zoo's biofuel processor turns vegetable oil into biodiesel.