

From: Robin Cutson

Chapel Hill, N.C.

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Jan. 25, 2006

To: Members of the Chapel Hill Town Council

Re: Public Hearing on Budget and Legislative requests

Suggestions to Council on Pending 2006-2007 Budget

BONDS AND DEBT

Because of the debt incurred with the new Town Operations Center, bond rating agencies have noted that the Town's ratio of debt service to total expenditures will increase above the average rate for similar governments with similar bond ratings. Our Finance Director has stated that our debt service payments are high in comparison with our total expenditures.

High debt payments mean less money available for expenditures on basic services such as trash collection, police and fire protection, public housing and other essential services.

Incurring greater than average debt is not a wise fiscal policy. **Especially since with the higher the bond debt ratio we must keep more money sitting unused in savings in order to maintain a healthy bond rating. And this means even less money available to spend on needed services such as additional police for downtown, fire protection or public housing.** And it is expected that Chapel Hill will be receiving a reduced subsidy for the public housing program in 2006-2007 and the amount will not even be known until the second half of the fiscal year.

So obviously a wise move would be to forgo incurring additional debt.

And yet the Town is still considering incurring even more debt by issuing yet another bond for \$7.75 million in fall of 2006-07. The sale would require a payment in spring of 2007 of approximately \$200,000 just on the interest from the borrowed money. Debt service on existing debt will increase by about \$326,000 from 2006-07 as well, since the Town elected to pay reduced principle on the Town Operations Center debt in the first two years, to ease debt service payments in 2005-06 and 2006-07.

We currently have a \$2.8 million dollar surplus in the budget. And the Finance Director has indicated Council could use about \$2 million for one-time capital improvements projects such as improvements to the Community Center and still retain enough money in reserve to maintain a healthy bond rating.

The Town should limit any capital improvement projects to the \$2 million available and not issue any additional bonds—at least for a couple of years until we increase our business tax base in order to generate more revenue. Priority should be given to repair and maintain facilities already in existence. Otherwise we run the risk of carrying so much debt that we do not have adequate funds for basic needed services or having to increase taxes yet again which threatens to price middle and lower income people and small businesses owners out of Chapel Hill.

ON DONATIONS TO AGENCIES

If we make the same grants of taxpayers money to nonprofits and agencies as we have in the past this will total over \$700,000. Yet in 2004-2005 in spite of Chapel Hill values including concern for the environment and wildlife Chapel Hill only granted \$500 dollars to the Piedmont Wildlife Center. That same year the town donated \$135,000 for public art including \$500 for just for one cultural arts dinner alone. Due to budget constraints, **I suggest *no increase in contributions to agencies but rather a redistribution to allocate more to the Piedmont Wildlife Center.*** Many nonprofits and agencies have been receiving the “lion’s share” of funding for years—alternating the larger allocations every year or so would seem more fair and allows organizations with smaller funding to expand and implement new programs and fund raising capability.

For example the Executive Director of the Piedmont Wildlife Center, Bobby Schopler, has indicated one of the goals of the Center is to establish an educational summer camp for children ages 4 through 11. This camp program would only require \$60,000 start-up seed money and then would be self-sustaining through fees/tuition. There is also hope for an educational center.

Money donated to the Piedmont Wildlife Center would not only benefit our local wildlife but money donated towards the Summer Camp would also contribute to the educational, psychological and emotional development of our children and young adults.

Much attention has been focused lately on raising educational scores of at risk youth; of preventing violence and gang activity; and of curbing underage drinking and drug use. Most programs suggested merely reiterate the same suggestions of more money for counseling or diversionary activities for youth such as teen hangout centers or recreational facilities. However consider the findings of the research cited below.

- **Children with symptoms of Attention Deficit Hyperactivity Disorder (ADHD) are better able to concentrate after contact with nature** (Faber Taylor, A., Kuo, F.E. & Sullivan, W.C. (2001). Coping with ADD: The surprising connection to green play settings. *Environment & Behavior*, 33(1), 54-77).
- **Children with views of and contact with nature score higher on tests of concentration and self-discipline** ((Faber Taylor, A., Kuo, F.E. & Sullivan, W.C. (2002). Views of Nature and Self-Discipline: Evidence from Inner City

Children, *Journal of Environmental Psychology*, 22, 49-63 ; and also see Wells, Nancy M. & Evans, Gary W. (2003). Nearby Nature: A Buffer of Life Stress Among Rural Children. *Environment and Behavior*, 35(3), 311-330).

- Most academic sources, in general, focus on the knowledge component of wildlife education. **"Learning about animals in school appears to be so divorced from direct encounters with animals in their natural habitats that little basic understanding and lasting knowledge results"** (Kellert & Westervelt, 1983).
- However, those who belonged to wildlife and/or environmental organizations or who watched animal-related television programs had significantly higher knowledge scores than any other group studied. **Therefore, wildlife-oriented activities appear important in the development of knowledge** (Westervelt & Llewellyn, 1985, LaHart, 1978, and Eagles & Muffitt, 1990). It may be that regular learning about wildlife in their natural habitat results is linked with a responsibility towards these animals and a preservation of their habitats.
- **"Children exposed to humane [animal] education programs display enhanced empathy for humans compared with children not exposed to such programs.** (Ascione, F. R. (1992). Enhancing children's attitudes about the humane treatment of animals: Generalized to human-directed empathy. *Anthrozoos*, 5 (3), 176-191).
- **Simply being in the presence of a wild animal can be renewing and revitalizing. Studies support the presence of animals in a safe setting or even pictures of animals that appear safe and serene can be relaxing** (Ulrich, Roger S. (1991, October). The Power of Natural Settings. People, Animals, and Nature. Delta Society Tenth Annual Conference, Portland, Oregon).
- **A special group of young people (and sometimes adults) who can benefit greatly from Animal-Assisted Therapy through wildlife rehabilitation are those we refer to as "at risk."** Often from dysfunctional or even abusive families, many of these children are abusive to animals. Individuals in abusive families often abuse animals. Sometimes children raised in abusive families are abusive to animals because it is what they see modeled; others vent their anger on the animals. Over 70% of aggressive, incarcerated criminals were reported as being abusive to animals as children (Advocate, 1987; Sussman, 1985). These children have not had other choices modeled for them. A chance to work with Animal-Assisted Activities/Therapy and to observe the rehabilitator as a strong role model gives children choices. Delta Society (1992). Handbook for Animal-Assisted Activities and Animal-Assisted Therapy. Renton, WA: Delta Society.
- **According to Aaron Katcher MD (1992), the measured brain waves of an individual being nurtured are the same as an individual nurturing.** Thus, to nurture is to be nurtured. Teaching an individual to care for a small, helpless animal teaches nurturing, and in turn, the opportunity to nurture can be a nurturing experience for the individual person as well as the animal. (see also Katcher, A. H. and Beck, A. M., "Health and Caring for Living Things" in *Animals and People Sharing the Word*, ed. Andrew Rowan, published for Tufts University, University Press of New England, 1988.

- see also Melson, G.E 1990. "Fostering Inter-Connectedness with Animals and Nature: The Developmental Benefits for Children." *People, Animals, Environment*, 8 (4): 15-17.

The great service and popularity of the Piedmont Wildlife Center is demonstrated by the following:

Mission: To support native North American wildlife and its habitat through rehabilitation, education, and research, with emphasis given to wildlife and wilderness of the North Carolina Piedmont. **In 2005 the Center took in 2,390 animals.**

The Piedmont Wildlife Center offers a College Internship in wildlife rehabilitation intended for students with a professional interest in wildlife (e.g. natural science majors, pre-veterinary students, veterinary technician students and first and second year veterinary students). It also offers volunteer training. **In 2005 the Center logged in 18,000 volunteer hours.**

Legislative Requests:

1.) A request for legislation prohibiting eminent domain for economic gain. The Town should also pass a local ordinance prohibiting this action.

On August 4, 2005, Alabama banned takings like those authorized by *Kelo*. Similar laws have been proposed in sixteen states and are likely to be proposed in seven more. Additionally, Alabama, California, Florida, Michigan, New Jersey and Texas are all considering constitutional amendments for the same purpose.

A study of more than 10,000 allegedly abusive uses of the eminent domain clause conducted by an organization that supported the landowners in the *Kelo* case supports the argument that, as predicted in the dissenting opinions, eminent domain is most frequently used against small businesses, older neighborhoods and poor or middle-class neighborhoods. From Wikipedia, the free encyclopedia.

Many cities and towns have also passed their own ordinances in light of the *Kelo* ruling.

Wasilla, Alaska – A City Council ordinance passed Oct. 24, 2005, prohibits the city from condemning private property and turning it over to a private party for economic development. Source: Rindi White, "Wasilla bans taking private land for private use." *Anchorage Daily News*, Nov 2, 2005.

Queen Creek, Arizona – The Town Council has unanimously approved a resolution prohibiting the condemnation of private property for economic development purposes.

Source: Sarah Thorson, "Q.C. Council shuns eminent domain use," *East Valley Tribune*, Oct. 10, 2005.

Porterville, California—On July 19, city officials passed a resolution prohibiting the use of eminent domain against private property owners for economic development purposes. Porterville City Council Member and Mayor Pro Tem Cam Hamilton brought the issue before the council. Source: Terry Bergfalk, "Porterville bars eminent domain for developers," *Fresno Bee*, July 29, 2005, at 5.

DeBary, Florida – The City's charter review committee has recommended an amendment to limit the city's power of eminent domain to be used only for public purposes. The transferring of private property from one individual to another would be prohibited. Voters may see a charter amendment referendum in 2006. Source: Bob Koslow, "City aims to protect private property," *The Daytona Beach News-Journal*, Oct. 11, 2005.

For a complete list see www.castlecoalition.org/legislation/local/index.asp

2.) A request to strengthen animal cruelty laws.

Although N.C. has joined with the vast majority of other states in making some forms of animal cruelty a felony offense, the punishment for abusers in N.C. is the weakest of all states save Mississippi. [animal_cruelty_laws_where_does_your_state_stand.html](#) - 54k - Jan 24, 2006

In 2003 the National American Humane Called for Tougher Animal Cruelty Laws in North Carolina www.charitywire.com/charity9/05115.html Wednesday, 30 April 2003

In response to the recent seizure of 252 animals from a private home in Union, N.C., American Humane today called on authorities in the state to strengthen their animal cruelty laws.

"The recent seizure in Union points to a lack of strong animal cruelty laws in North Carolina," says Jodi Lytle Buckman, American Humane's director of shelter services.

As reported in the Charlotte Observer, 252 dogs were seized from the home of 77-year-old Union resident Naomi Deloris Perez. Perez reportedly was breeding the dogs in squalid conditions in her home, selling some of them for as much as \$400. She now faces a *misdemeanor animal cruelty charge* that could bring a jail term or fine.

In June, the Finish Line Foundation was granted permanent custody of some of the horses in Chatham County district civil court. On Wednesday, Aug 3, her former owner, Joey Fitzgerald Farrar, 41, of 180 N.C. 87 North pleaded guilty to two counts of misdemeanor animal cruelty in criminal court.

Calling Rosa's case "appalling," "outrageous" and "inexcusable," Orange-

Chatham District Court Judge Pat Devine said she wished the law would let her impose greater punishment than she did.

"It is one of the worst cases of animal cruelty that this court has ever seen, and I suspect the people of Chatham County have ever seen," Devine said.

In the plea, Farrar agreed not to own or take care of horses for two years while on probation. He also agreed to pay a \$300 fine and reimburse Chatham County animal control for \$250 in vet bills.

Rosa, then called Cheyenne, was one of two horses found on Farrar's property May 17. The other was dead.

Both were tethered to trees in a dirt creek bed where they couldn't graze. Food in bins was either covered or out of reach. Water came from a stream down a steep incline almost impossible for the horses to reach.

The other horse died in the stream. Mitchell-Horne said it was so weak that it couldn't raise its head after it stumbled. It drowned in just a few inches of water.

Source: News Observer - Aug 4, 2005

There is currently a small citizens group working to prepare a document with suggested changes to the laws to send to the General Assembly. I would suggest contacting them to devise specifics concerning the legislative request.

ncanimalsplatform@lists.riseup.net

Creating a version of The Animals' Platform specific to North Carolina.

This is a group of North Carolinian animal advocates who are working to adapt The Animals' Platform (written by the Animals and Society Institute, <http://www.animalsandsociety.org/>) to North Carolina and start implementing it in the political arena. The primary focus at the onset will be companion animals, since they are closer to the mainstream than other animals are at the moment, but will be expanded to include farmed animals, wild animals, animals in laboratories and animals in entertainment.

Re: **Joining Discussion list**

Date:

From:

malcolmke@mac.com

3.) A legislative request banning universities that receive any state funding and any of their employees from engaging in biodefense research, *especially in populated areas*, due to the high risks to the public.

Research labs working on biodefense and vaccinations handle some of the deadliest pathogens known to man such as SARS, anthrax, plague, Ebola, and smallpox that are being genetically reconstructed to new unseen forms. Biodefense research is inherently “dual purpose” in nature—that is, offensive capabilities are necessarily produced in the process of testing or creating defensive measures. For example, to create vaccines or anti-viral agents against many of the most dangerous pathogens and toxins, researchers must first produce such agents in sizable quantities. Frequently research also entails genetically modifying or “weaponizing” these pathogens. (See Laura Reed and Seth Shulman, “A Perilous Path to Security?: Weighing U.S. “Biodefense” against Qualitative Proliferation,” in Susan Wright, ed. **Biological Warfare and Disarmament** (Rowman & Littlefield, 2002), pp. 57-76 and also Jonathan King, “Biological Defense is Just Another Name for Offensive Weapons,” *GeneWatch*, March 2002, p. 8. 13) *ibid* 4, at 32).

Research on pathogens, regardless of its purpose, poses a clear danger to public safety and domestic security. Deadly biological agents can escape into the environment through several mechanisms; breakdowns in security; sloppy adherence to biohazard containment procedures; politically motivated deliberate release; and accidental infection of workers, who subsequently spread disease through outside contact. For example, two microbiologists at the Center for Disease Control died in 2001 after being exposed to strains of meningitis bacteria they were researching.

Duke University and UNC have been awarded funding for biodefense work and plan to begin this fall.

January 25, 2006



News & Communications

Duke is Part of a New Biodefense Initiative

By Keith Lawrence

Thursday, September 4, 2003

A consortium of investigators from six regional universities has been chosen to be part of a new biodefense initiative that will work to develop the next generation of vaccines, drugs and diagnostic tests against emerging infections such as SARS, and for defense against organisms such as smallpox that might be used in bioterrorist attacks.

The Southeast Regional Center of Excellence for Emerging Infections and Biodefense (SERCEB) will include researchers from Duke University Medical Center, Emory University, University of Alabama at Birmingham, University of Florida, University of North Carolina at Chapel Hill School of Medicine, and Vanderbilt University Medical Center. The consortium will be centered at Duke and led by Barton Haynes, M.D., of the Duke Human Vaccine Institute. Its co-leaders are David Stephens, M.D., Emory University; Richard Whitley, M.D., UAB; Richard Moyer, Ph.D., University of Florida; Frederick Sparling, M.D., University of North Carolina at Chapel Hill School of Medicine; and Mark Denison, M.D., Vanderbilt University Medical Center.

The National Institute of Allergy and Infectious Diseases and the Department of Health and Human Services on Thursday announced more than \$45 million in funding over five years for the SERCEB consortium, one of eight "Regional Centers of Excellence for Biodefense and Emerging Infectious Diseases Research." The centers will develop and conduct programs of basic and applied research; train researchers and other personnel for emerging infection and biodefense research activities; and develop and maintain comprehensive scientific core facilities to support their research and training activities.

SERCEB will also maintain and make available core facilities and other support to approved investigators from academia, industry and government agencies in the region. These investigators will be able to perform basic research and test and evaluate vaccines, therapeutics and diagnostics for emerging infections and select agents.

The consortium's initial work will focus on developing new vaccines, diagnostics and treatments for orthopoxviruses (including smallpox and monkeypox), Bacillus anthracis (anthrax) and Y. pestis, the bacteria that causes plague.

Research is targeted to begin this fall at the six SERCEB member institutions. Government partners with the SERCEB teams will include the Centers for Disease Control and Prevention in Atlanta, Oak Ridge National Laboratory, and the NIH. In addition, research team members from the University of Michigan, Southern Research Institute, the Yerkes National Primate Research Center of Emory University and Tulane National Primate Research Center will collaborate with SERCEB investigators.

"This is an important step in defending our country against both a wide variety of emerging infections and a potential bioterror attack," Haynes said. "Over the past year, we have seen natural outbreaks of SARS, West Nile Virus and monkeypox that were not anticipated. SERCEB investigators hope to develop general strategies that can help protect the public not only from potential bioterrorist agents such as smallpox, plague and anthrax, but also from naturally occurring emerging infections that so frequently jump from animals to man. SERCEB has organized a full continuum of resources, from basic scientists to those who can carry out clinical trials of developed vaccines and drugs. Our goal is to produce advances that will benefit the public as rapidly as possible."

For more information, contact: Laura Brinn | (919) 660-1306 | laura.brinn@duke.edu

The President's 2003 budget allocated \$1.55 billion to the National Institutes of Health (NIH) for biodefense research. Awards include a total of \$350 million to establish nine **Regional Centers of Excellence for Biodefense and Emerging Infectious Diseases Research**. The purpose of the centers is to conduct research aimed at understanding the biology of pathogens such as anthrax, plague, Ebola, and smallpox, and to develop new vaccines, antibiotics, and other therapies for preventing disease.

North Carolina becomes the latest of those states, with its proposed Defense Technology Innovation Center.

The North Carolina Technology Association (NCTA), in collaboration with MCNC, has presented a formal plan to develop the incubator/accelerator in Cumberland County.

SHOULD WE TRUST RESEARCH LABS ARE RESPONSIBLE ENOUGH TO BE LOCATED NEAR RESIDENTIAL AREAS? Here are just a couple of examples.

***In Winnipeg, Canada's *top-security virology lab* shows the kind of problems even the safest facilities can have. Three weeks after it opened in 1999, the \$172-million federal complex, one of only 15 Biosafety Level 4 labs in the world equipped to handle the deadliest microbes known, accidentally spilled 2,000 litres of unsterilized waste water into the Winnipeg sewer system. In a bizarre reminder of Soviet efforts to cover up the Chernobyl disaster, the lab didn't disclose the accident publicly for two weeks, prompting angry Winnipeggers to hold a meeting to demand independent oversight of the sprawling complex, which is located in a mixed residential-industrial neighbourhood in the city centre.

The outside oversight never happened, but an audit declared the lab was safe. "We made the appropriate changes to make sure that could never happen again," spokeswoman Kelly Keith says on the phone from the lab. "We are really one of the top labs in the world - if not the top lab - in terms of containment."

But just months later, in January 2000, another spill released 100 litres of lab waste inside the facility. And in 2003, the lab sparked international concern after word emerged of a possible SARS contamination accident there. (Keith says that to this day the lab doesn't know if it experienced a containment failure at the time or not.) The lab was again in the news last March when a courier truck crashed in central Winnipeg on the way to the facility while transporting anthrax, influenza, and tuberculosis. Several blocks were cordoned off before authorities announced nothing had spilled. (Organic Consumers Association "Look Out: Genetically Engineered Germs Are Spreading" July 23, 2005).

***"In February 2001 the U.S. DOE's Office of Inspector General cited research scientists and administrators at labs across the country for systematic carelessness in handling the highly toxic organisms [anthrax, bubonic plague and botulism]." "BioWarfare and the Department of Energy" by Tim King Council for Responsible Genetics GeneWatch Volume 14 Number 6 November - December 2001.

UNC's track record on biohazards:

Strategic Planning for UNC Environment, Health & Safety

3 April 2001 <http://ehs.unc.edu/2001strategicplanning.doc>.

UNC is in jeopardy of constructing buildings that do not meet modern safety codes and standards for laboratory design, fire protection, ventilation and environmental design. **UNC's Institutional Biological Safety Committee (IBC) needs to actively monitor and manage biological risks on campus, and demonstrate institutional control. Failure to do so risks public health, adverse publicity and additional scrutiny by external agencies.** UNC's current practice of assigning the highly technical and risky job of radioactive material receipt, opening, monitoring, and transport to a full-time student employee is inappropriate. **60-100 hazmat spills occur at UNC each year, yet UNC does not fully comply with OSHA standards for response and cleanup of hazardous materials spills. UNC researchers and staff routinely ship laboratory samples and other regulated materials, yet few of these shipments fully comply with complex DOT, FAA and IATA rules for transport of hazardous materials.** Since the ValueJet crash, inspections, fines and citations are on the rise. UNC was recently cited for a noncompliant shipment. EPA is focusing on environmental compliance at universities. UNC has not escaped annual inspections by EPA Region IV and NC Department of Environment and Natural Resources, or citations and fines. UNC has not fully exploited Pollution prevention (P2) technologies and helped faculty and staff take advantage of them. P2 would proactively reduce or mitigate environmental problems. P2 is increasingly required as a condition of our environmental permits. UNC has not audited the storage, treatment and disposal sites to which our hazardous waste is sent.

In July, 2002 more than 1,000 gallons of highly flammable fuel oil spilled from a storage tank near UNC's Neurosciences Hospital and into a nearby creek. Hospital officials failed to notify Chapel Hill fire crews of the hazardous spill and fire crews were alerted only after phone calls from citizens around 9:00 pm. reporting a kerosene-like smell near the Smith center. Chapel Hill and Carrboro fire crews as well as a private hazardous waste contractor had to "work through the night to contain the spill" which hospital officials knew about as early as 5:00pm. that day. Hospital Spokesperson Tom Hughes stated Chapel Hill fire crews were not called because hospital officials believed they had contained the spill. The Deputy Fire Chief said after the fire crew arrived on the scene they found the water tributary from the creek "red with oil" and traced the spill from storm drains near the Smith center. (The Chapel Hill News July 31, 2002).

And you would think after this dangerous spill occurred that UNC would have taken all measures needed to guard against a reoccurrence.

And yet, on Jan. 24, 2006 the Chapel Hill Herald reported that 50 gallons of fuel oil spilled into a creek following a pipeline failure at UNC's Neurosciences Hospital. The effects of the spill on the ecosystem are still being evaluated (Chapel Hill Herald Jan. 24, 2006).

In 2005 UNC was cited for failure to properly secure and dispose of containers of mercury a deadly biohazard which can be absorbed through the skin.

In 2002, the State ordered UNC to accelerate cleanup of a decades old waste dump on university property at Mason Farm after new tests showed the site posed a greater health risk than previously believed. One of the contaminants is 1,4, Dioxane, which can cause cancer in humans. The State set acceptable levels at 7ppb. Readings on site range from 22,000 ppb to 1,100 ppb 250 feet away. 3000 to 4000 tons of contaminated soil and waste is located in 52 separate sites" and contamination in groundwater is much farther from the site than previously believed." Cleanup will cost the taxpayers \$4 million. The site is in a sensitive wetlands area near Mason's Farm. Morgan Creek runs past the site and feeds into Jordan Lake, *which supplies drinking water for Cary and other municipalities.* The University submitted a cleanup plan that was approved in 1997 and then did nothing for years. In 2000 the state issued a notice of violation. UNC then submitted a plan to postpone cleanup until 2003. The hazardous waste is from medical and research waste generated at UNC.

In other areas citizens are protesting biodefense work at universities (example below).

Excerpts from May 11, 2004 edition Christian Science Monitor "Boston debates dangers of scientific research in era of WMD" by Noel C. Paul.

BOSTON – "It took several months before residents of Boston's South End and Roxbury neighborhoods became suspicious of plans to build a major scientific lab along their border.

But after these neighbors learned the lab would be used to study the most dangerous viruses in the world - anthrax, Ebola, and plague among them - their suspicion quickly turned into anger. Hundreds of people, many of them minorities and from low-income households, have since protested the building project, which was awarded to Boston University Medical Center last fall by the National Institutes of Health (NIH).

So, too, have 150 local physicians and scientists, many of whom argue that even the slightest possibility of a leak into the surrounding neighborhood undermines the project."

Thank you for your time and attention. Sincerely, Robin Cutson

