



**Ralph Karpinos**

**ATTACHMENT 2**

**From:** Cal Horton  
**Sent:** Wednesday, April 20, 2005 10:03 AM  
**To:** 'Rep. Verla Insko'  
**Cc:** Council Member Bill Strom ; Council Member Cam Hill; Council Member Dorothy Verkerk ; Council Member Ed Harrison ; Council Member Jim Ward ; Council Member Jim Ward (W) ; Council Member Mark Kleinschmidt ; Council Member Sally Greene ; Kevin Foy; Mayor pro tem Edith Wiggins  
**Subject:** RE: H802, Chapel Hill Utility Tax District

Representative Insko:

The Council's long term goal is to have all utilities placed underground. As individual projects are carried out, telephone lines, cable television lines, traffic signal control lines and other overhead facilities would be placed underground.

Please let me know if you need additional information.

Sincerely,

Cal Horton

\*\*\*\*\*  
 W. Calvin Horton, Town Manager  
 306 North Columbia Street  
 Chapel Hill, North Carolina 27516  
 919-968-2744  
 919-969-2063 FAX  
 919-967-2626 Home  
 calhorton@townofchapelhill.org

Note: Mail sent to or received from the Town Manager is subject to publication under the provisions of the North Carolina open records law.

-----Original Message-----

From: Rep. Verla Insko [mailto:Verlai@ncleg.net]  
 Sent: Monday, April 18, 2005 6:19 PM  
 To: Manager; Kevin Foy  
 Subject: RE: H802, Chapel Hill Utility Tax District

Cal.

Is it the Town's intent to bury just the electric utility lines and leave the phone and cable lines and the poles as they are now? I understand these industries have agreements to share the poles so some of the poles belong to Duke and are shared with phone and cable companies and other poles are owned by the phone companies and are shared with the electric and cable companies, etc.

Representative Verla Insko  
 House District 56  
 2121 Legislative Building  
 Raleigh, NC 27610  
 verlai@ncleg.net  
 Office: 919-733-7208  
 Cell: 919-618-9889

> -----Original Message-----

> From: Rep. Verla Insko  
 > Sent: Wednesday, April 13, 2005 11:10 AM  
 > To: Cal Horton (E-mail)  
 > Cc: Rep. Joe Hackney; Sen. Ellie Kinnaird; Kevin Foy (E-mail)

> Subject: H802, Chapel Hill Utility Tax District

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>

> Cal,

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> The lobbyist for Southern Bell pointed out that this bill is limited to electric utility lines. Let me know if it should be changed to include telephone and/or cable lines.

>

> Thanks

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> Representative Verla Insko

> House District 56

> 2121 Legislative Building

> Raleigh, NC 27610

> verlai@ncleg.net

> Office: 919-733-7208

> Cell: 919-618-9889

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-----Original Message-----

From: Rep. Verla Insko [mailto:Verlai@ncleg.net]

Sent: Wednesday, April 20, 2005 12:00 PM

To: Cal Horton

Cc: Council Member Bill Strom ; Council Member Cam Hill; Council Member Dorothy Verkerk ; Council Member Ed Harrison ; Council Member Jim Ward ; Council Member Jim Ward (W) ; Council Member Mark Kleinschmidt ; Council Member Sally Greene ; Kevin Foy; Mayor pro tem Edith Wiggins

Subject: RE: H802, Chapel Hill Utility Tax District

The bill addresses only electric utility lines, and the Bell South representative has asked me how the Town intends to cover the cost of burying the other lines. Do I need to remove the word "electric" from the bill so it reads "utility lines?"

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House District 56  
2121 Legislative Building  
Raleigh, NC 27610  
verlai@ncleg.net  
Office: 919-733-7208  
Cell: 919-618-9889

-----Original Message-----

From: Cal Horton [mailto:calhorton@townofchapelhill.org]

Sent: Wednesday, April 20, 2005 10:03 AM

To: Rep. Verla Insko

Cc: Council Member Bill Strom ; Council Member Cam Hill; Council Member Dorothy Verkerk ; Council Member Ed Harrison ; Council Member Jim Ward ; Council Member Jim Ward (W) ; Council Member Mark Kleinschmidt ; Council Member Sally Greene ; Mayor Kevin C. Foy (TCH) ; Mayor pro tem Edith Wiggins

Subject: RE: H802, Chapel Hill Utility Tax District

Representative Insko:

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Sincerely,

Cal Horton

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-----Original Message-----

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Sent: Monday, April 18, 2005 6:19 PM  
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Subject: RE: H802, Chapel Hill Utility Tax District

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> -----Original Message-----

> From: Rep. Verla Insko  
> Sent: Wednesday, April 13, 2005 11:10 AM  
> To: Cal Horton (E-mail)  
> Cc: Rep. Joe Hackney; Sen. Ellie Kinnaird; Kevin Foy (E-mail)  
> Subject: H802, Chapel Hill Utility Tax District

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> Cal,

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> Thanks

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> House District 56  
> 2121 Legislative Building  
> Raleigh, NC 27610  
> verlai@ncleg.net  
> Office: 919-733-7208

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**Ralph Karpinos**

**From:** Rep. Verla Insko [Verlai@ncleg.net]  
**Sent:** Thursday, April 21, 2005 1:47 PM  
**To:** Mark Kleinschmidt; Ralph Karpinos  
**Cc:** Bill Strom; Cam Hill; Dorothy Verkerk ; Ed Harrison; Edith Wiggins; Jim Ward; Jim Ward (w) ; Kevin Foy; Sally Greene (w); Cal Horton  
**Subject:** RE: H802, Chapel Hill Utility Tax District

I just need to be clear about what the bill will do. I think some people are assuming the intent is to remove all lines and all poles. Left as is, the electric utility lines would be buried and the poles and the other lines would remain above ground. Some arrangement would have to be made for the phone or cable companies to assume responsibility for the poles currently owned by the electric utilities.

It would be harder to pass this bill with phone and cable lines added.

Representative Verla Insko

House District 56

2121 Legislative Building

Raleigh, NC 27610

verlai@ncleg.net

Office: 919-733-7208

Cell: 919-618-9889

-----Original Message-----

**From:** Mark Kleinschmidt [mailto:mark@CDPL.ORG]  
**Sent:** Thursday, April 21, 2005 12:55 PM  
**To:** Ralph Karpinos; Rep. Verla Insko  
**Cc:** Bill Strom; Cam Hill; Dorothy Verkerk ; Ed Harrison; Edith Wiggins; Jim Ward; Jim Ward (w) ; Kevin Foy; Sally Greene (w); Cal Horton  
**Subject:** RE: H802, Chapel Hill Utility Tax District

Is there a reason not include other lines if the option is available to us now? Was this just an oversight on our part? Does it make it less likely to pass if it's more inclusive?

**Mark J. Kleinschmidt**

**Staff Attorney Center for Death Penalty Litigation**

201 W. Main St., Suite 301, Durham 27701 (919) 956-9545 (919) 956-9547 (f)

-----Original Message-----

**From:** Ralph Karpinos [mailto:rkarpinos@townofchapelhill.org]  
**Sent:** Thursday, April 21, 2005 10:56 AM  
**To:** Verlai@ncleg.net  
**Cc:** Bill Strom; Cam Hill; Dorothy Verkerk ; Ed Harrison; Edith Wiggins; Jim Ward; Jim Ward (w) ;

4/21/2005

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Kevin Foy; Mark Kleinschmidt; Sally Greene (w); Cal Horton  
**Subject:** H802, Chapel Hill Utility Tax District

Representative Insko:

Cal Horton has asked me to respond to your April 20 message regarding the Town's request for a local bill to allow the creation of utility tax districts.

As you noted, the proposed bill that was considered by the Town Council and requested does address only electric lines. (A copy of the bill is attached for review by Council members copied on this message.)

We developed the proposed legislation based on a local act, Chapter 127 of the 1999 Session Laws, which authorized Dare County to create utility districts to raise and expend funds to place electric utility lines underground. Our bill likewise focuses only on electric lines.

The Council's discussion that lead to the request for this legislation was prompted by a desire to avoid some of the problems that occurred during recent ice storms and by concerns regarding the substantial expense associated with the placement of some major electric lines underground. Discussion of the proposal gained interest during the consideration of a development proposal where neighbors to the development were seeking the placement of the electric lines underground. Based on this background, I believe the Council's intent was to seek a source of revenue to assist with the funding for the underground installation of electric lines only.

Please let Cal or me know if we can provide further information.  
Thank you.

Sincerely,

Ralph Karpinos