

JUN 0 8 2005

Chapel Hill

June 6, 2005

260 Erwin Road, Chapel Hill, NC 27514
TEL 919.408.0310 • FAX 919.408.0436
www.biblechurch.org

AGENDA #3a(1)

Mayor Kevin Foy Town of Chapel Hill Town Hall 405 Martin Luther King Jr. Blvd Chapel Hill, NC 27514

Dear Mayor Foy,

The Chapel Hill Bible Church petitions the Town Council for relief from the Chapel Hill Stormwater Management Fee as assessed.

Enclosed are copies of our letter of February 8, 2005 to the Town Manager documenting our situation. A copy of the Manager's response dated May 12, 2005 is also enclosed.

The Town Manager's response indicates that the staff does "not have means for offering credits to property owners that implement positive measures for managing storm water runoff." Therefore, we request that the Town Council take action to make necessary changes to the ordinance to make it fair to the taxpayers of Chapel Hill.

We spent in excess of \$200,000 to mitigate the volume of storm water that leaves our property and enters the Town's storm water control systems. Our engineers calculate that we retain at least 90 percent of the water on our impervious surfaces and reuse it on site.

We do not believe it is fair to levy this fee against property owners who have substantial storm water control systems in place on the same basis as is levied on all other property owners who have no such systems. We appeal to the Town's sense of fairness.

If there is any information we can provide or anything that we can do to facilitate the Town's evaluation, please let us know.

We appreciate your assistance in helping us resolve this matter.

Clark

Sincerely,

Brent M. Clark

Church Administrator brent@biblechurch.org

cc: see li

see list on next page



Mayor Kevin Foy Town of Chapel Hill June 6, 2005 p. 2

cc:

Town of Chapel Hill

Mayor Pro Tem Edith Wiggins
Council Member Sally Greene
Council Member Ed Harrison
Council Member Cam Hill
Council Member Mark Kleinschmidt
Council Member Bill Strom

Council Member Dorothy Verkerk

Council Member Jim Ward W. Cal Horton, Town Manager

Jo Roberson, Tax Collector, County of Orange

Chapel Hill Bible Church:

Dr. Doug Shackelford, Chair, Board of Elders Dr. Don Spencer, Chair, Board of Deacons Andrew Ginsberg, Treasurer



"... a community experiencing and expressing the love of God."

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Cal Horton, Town Manager Town of Chapel Hill Town Hall 306 North Columbia Street Chapel Hill, NC, 27516

Dear Mr. Horton,

I am writing to seek your assistance regarding a fee assessment the Chapel Hill Bible Church has received from the County for "Chapel Hill Stormwater Management," a copy of which is enclosed.

As you know, the Bible Church is exempt from paying property as well as income taxes. The assessment notice we recently received from the County indicated that the fee was due January 5. This was the first tax bill we had received, perhaps because of our property tax exemption.

We understand the Town's motivation to assess property owners for the storm water runoff each particular property contributes to the Town's storm water system. The fee that has been assessed, however, is not fair to the Bible Church. The fee assessed does not reflect the very small amount of storm water we are contributing to the Town's management demands due to the significant work we have done to retain storm water on our property.

With the construction of our facility, which was completed in 2001, we invested over \$200,000 to design and construct a storm water retention pond and drain system. Storm water from our building roof and the parking lot drain into this pond through a system of underground pipes. We are pleased that we can recycle this water for irrigation purposes on the soccer/baseball field and landscaping on our 32 acres.

It is our understanding that the scope of our storm water retention efforts exceeded the minimum requirements. You may recall the praise we received from the Planning staff for the ingenuity employed in our design to recycle storm water.

Given the efficiency of our system and the slope of our property, only a small amount of storm water could be flowing off our property into the Town system.

We have shared the nature of our storm water retention system with the Town previously. As noted in our letter to the Town Council of April 29, 2002, for which we sought approval to construct additional parking spaces as allowed by our Special Use Permit:

All storm water will be channeled through our retaining pond where it is recycled as irrigation water to our lawns, trees, and athletic fields. We can water the athletic fields at a rate of 50 gallons per minute, allowing us to drawn down the pond while accumulating additional storm water runoff.

Cal Horton Town Manager February 8, 2005 p. 2

We invite you, the Stormwater Engineer, and any others on the Town staff, to come visit our property, to see our water retention systems in action. We would also be glad to serve as a reference and example, sharing our experience with others in the Town who are considering how best to implement storm water retention and recycling for projects they may be developing.

It is our hope that upon such inspection, you and the Town will conclude that the storm water fee that you have assessed us does not reflect the small amount of storm water running off our property.

The only locations that we believe storm water runs off our property are the two driveways leading to Erwin Road. We would be pleased to have your Stormwater Engineer compute the actual run off that occurs from those locations and determine what fair share we owe the Town based on the actual runoff.

If you have any questions, require any additional information, or would like to visit the Chapel Hill Bible Church at any time, please call me at 408-0310, extension 119.

We appreciate your assistance in helping us resolve this matter. I look forward to hearing from you soon.

Sincerely.

Brent M. Clark

Church Administrator brent@biblechurch.org

cc:

Jo Roberson, Tax Collector, County of Orange

Chapel Hill Bible Church:

Mr. Jim Huegerich, Chair, Board of Elders

Dr. Doug Shackelford, Chair-elect, Board of Elders

Rachel Matthews, Chair, Board of Deacons

Dr. Don Spencer, Chair-elect, Board of Deacons

Dr. John R. M. Hand, Treasurer

Attachment: County of Orange Tax Collector Notice dated January 6, 2005



TOWN OF CHAPEL HILL

May 12, 2005

Mr. Brent M. Clark Church Administrator Chapel Hill Bible Church 260 Erwin Rd. Chapel Hill, NC 27514

RE: STORMWATER MANAGEMENT FEE

Dear Mr. Clark:

I am writing in response to your letter requesting assistance regarding the stormwater management fee assessment for the Chapel Hill Bible Church.

With the enactment of the Land Use Management Ordinance in January 2003, the Town now requires that new development and/or re-development activities implement stormwater management measures that will control stormwater volume, rate and pollution leaving the site.

The Town acknowledges the progressive stormwater management measures that the Church voluntarily included in its site design (prior to enactment of the Land Use Management Ordinance regulations) including onsite retention and reuse of stormwater runoff. These measures mitigate the harmful effects of stormwater leaving the site, and they will provide lasting benefits for the Church, the Town and the environment in general.

A local stormwater utility was established in 2004 to provide a stable funding source for the Town's Stormwater Management Program. These funds provide for construction, restoration, replacement, and maintenance of community drainage facilities and infrastructure, compliance with State and Federal water quality regulations, floodplain management, stream stabilization and restoration activities, erosion and sedimentation control, new development review and inspection, public education and other activities associated with managing stormwater runoff

The fee structure for the stormwater utility is based on impervious surface area and the fee applies to all categories of property, including tax exempt properties such as your church. At this time, we do not have means for offering credits to property owners that implement positive measures for managing stormwater runoff, such as the Chapel Hill Bible Church. The issue of credits against stormwater fees is currently under consideration by Town staff and will be reviewed and discussed by the Stormwater Management Utility Advisory Board during the next six months.

Please note mailing address has changed to: 405 Martin Luther King Jr. Blvd., Chapel Hill, NC 27514-5705

Mr. Brent M. Clark May 12, 2005 Page 2 - Letter



In the interim, I encourage you to pay your delinquent stormwater fee. I am unable to offer you relief as requested.

We will provide a copy of your letter to the Stormwater Advisory Board. The Board meeting schedule, agendas and meeting minutes are posted on our website for your information at: http://townhall.townofchapelhill.org/stormwater. I am also enclosing a brochure that provides more information about the Town's Stormwater Management Program.

Sincerely yours,

W. Calvin Horton, Manager

Town of Chapel Hill

Attach: Stormwater Brochure Letter dated May 6, 2005