

MEMORANDUM

TO: Mayor and Board of Commissioners

FROM: Bryan Gruesbeck, Town Manager

**SUBJECT: North Carolina General Assembly/Environmental Review Commission -
Public Hearing w/r/t Local Ordinances**

DATE: February 10, 2014

Background: You recently received an email from a resident who wished to bring attention to a State legislative issue (Section 10.2.(c) of S.L. 2013-413 (H74)) under review by the North Carolina General Assembly's Environmental Review Commission (ERC) which studies the ability of cities and counties to enact ordinances that are, essentially, "more stringent than the State or federal statute or State rule." Senator Brock and Representative McGrady will be hearing from interested parties on February 12, 2014 at 3:30pm in Raleigh.

A few Board members expressed an interest in this issue and asked if it would be appropriate for the Board to send a representative to the meeting. Mayor Terry also asked if I could seek guidance from the North Carolina League of Municipalities (NCLM).

After some follow-up, I learned that the NCLM will be speaking on the matter and is organizing comments and speakers in support of the ability of cities and counties to enact such ordinances. I also spoke with the aid to Senator Brock, who indicated that he could schedule anyone who is interested in providing public comment. He is also willing to forward written communication to the ERC in advance of the meeting for their record.

It appears there are a couple of options. 1) As a Board, you could consider taking a formal stance on the issue through resolution and forward it to the ERC – either in-person or electronically, or 2) an individual Board member (or members) could speak or forward written comments on their own behalf.

Action Requested: Consideration and direction to Staff, if appropriate.