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Rogers Road sewer project still being discussed

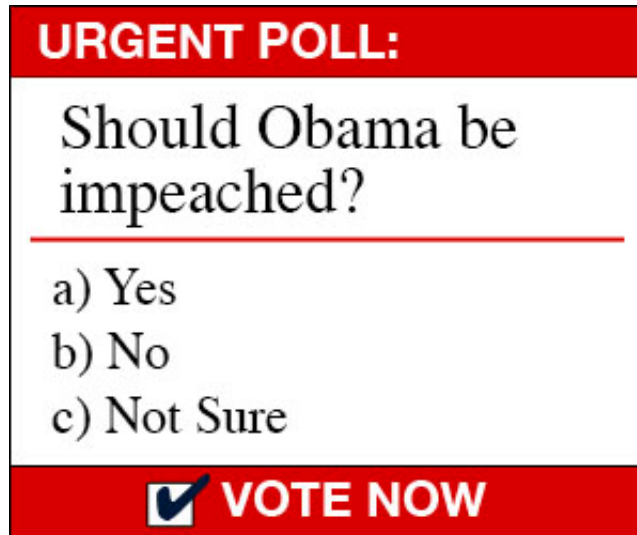
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Orange County announced last Thursday that it will move ahead and continue discussion to remediate the Rogers Road community in Chapel Hill.

Rogers Road is no stranger to discussion. The residents of the community have been talking to town officials since a landfill was built next to their neighborhood in 1972.

The most recent plans to improve the community began officially in May 2011, when the Board of Commissioners received a proposal from the Rogers Eubanks Neighborhood Association.



Originally, the county pledged to fund 43 percent of a \$5.8 million project that will bring water and sewer services to 86 homes. However, the conversation was cut short in June of last year when the U.S. Environmental Protection Agency launched an investigation against the Orange County Planning and Inspections Department.

The investigation was a response to complaints filed by RENA in 2007 and 2011 alleging Orange County discriminated against the historically black low-income neighborhood by not

providing necessary services.

In 2010, Orange County applied for and was awarded a \$1,348,400 grant from the EPA. The money was used to provide sewer services to the Efland and Buckhorn communities.

The complaint to the EPA alleged that Orange County discriminated against Rogers Road when it failed to apply for a similar grant to fund work in that neighborhood.

However, Barry Jacobs, chairman of the Board of Commissioners, said that the communities helped in Efland and Buckhorn were also low-income and that the decision was not an act of discrimination.

When the investigation was announced, the county attorney, John Roberts, advised the commissioners not to move forward on any plans until the outcome was decided.

Another wrinkle was added when Chapel Hill was unable to take action because part of the Rogers Road community was outside its jurisdiction.

The neighborhood technically lies within three municipalities: Chapel Hill, Carrboro and Orange County. And all three hold joint ownership of the landfill that closed last year.

The three municipalities couldn't move forward with funding projects in the sections owned by the others, so Chapel Hill is now discussing extending its extraterritorial jurisdiction into the Rogers Road area.

At Monday night's Chapel Hill Town Council meeting, members heard a recommendation to continue the public hearing to consider the extension in October. By then, more data will be compiled that will determine whether the Rogers Road community fits into an income bracket that would make it eligible for help from the town.

“(The data and the extraterritorial jurisdiction) gives Chapel Hill the ability to spend community development money there for low and moderate incomes,” said Judy Johnson, senior planner for the town.

Council members expressed hope that the extension would be made in October.

“Ideally we would be able to contribute financial resources because of the moral argument that we should contribute to this neighborhood in light of past decisions made by the town,” said council member Lee Storrow. He added that he supported continuing the hearing because the extraterritorial jurisdiction would allow Chapel Hill to make a more significant contribution.

However, RENA president Robert Campbell urged the council to approve the extraterritorial jurisdiction rather than waiting for more concrete data.

“The door of opportunity has been open ever since Attorney John Roberts has given Orange County the green light,” Campbell said. “The time is now ... to move forward with the EJT.”

Ultimately, the council decided to continue the hearing Oct. 15.

It is not yet clear how much action the Board of Commissioners will take even after receiving the green light. The county is moving forward with funding discussions, but Roberts pointed out that the EPA has not yet released its final report.

“The investigation remains open, and proceeding with an appropriate level of caution is advised,” Roberts said in a press release.

Roberts could not be reached for comment by phone or email by press time.

Carla Banks, director of public affairs for Orange County, agreed that the board “can move forward with caution,” but couldn’t provide specifics about what that entailed.

Jacobs said that board has done “everything that we could” while waiting for the investigation to clear so that decisions could be made.

“We’re very supportive of trying to move forward to provide amenities to Rogers Road,” he said. “We want to do what’s right. Certainly, they’ve been stymied in getting services.”

Jacobs couldn’t speak about county funding for the project, saying only that no specific recommendations have been made.



But not all was lost for Rogers Road during the lengthy investigation process. The Board of Commissioners upheld their decisions that weren't related to the investigation and funded the construction of a \$650,000 community center. Groundbreaking at the site on Edgar Street occurred in May, and the center is slated to open in October, said Jeff Thompson, director of asset management.

"I think there's some things to be really excited about and celebrate, and the completion of the community center this fall will be one of those," Storrow said at the council meeting.

However, as conversation about Rogers Road continues, some still have qualms.

Jacobs expressed concern about what would happen even if the water and sewer is installed. The county provided water to the community years ago, but not all the residents hooked up to the service because they couldn't afford to pay the monthly bill, he said.

"I think that's going to be an issue," he said. "All those issues have yet to be addressed, and they'll be complicated."

He added that another problem may arise when the sewer system allows the area to become more densely populated and increases property values, potentially driving low-income residents out.

Chapel Hill Mayor Mark Kleinschmidt and Storrow expressed similar concerns in regard to the potential extraterritorial jurisdiction. Even though the extraterritorial jurisdiction would give Chapel Hill the authority to make development decisions in the area, the residents living in the area would not be able to vote for the elected officials making those decisions.

Campbell said that residents were aware of the trade-off.

“In all the years we’ve been out there, we haven’t been able to vote for people in Chapel Hill,” he told the council, adding that residents only wanted to be allowed to come to the table for discussion. “We are looking for change. And in order for change to take place, it takes ... official elected representatives working with neighborhoods for the good of the community.”

Campbell added that the extraterritorial jurisdiction would benefit the town by adding more jobs and more potential for business. He said that the area could even support one or two new schools to alleviate school overcrowding.

“It creates an economic hub,” he said.

Campbell said that despite officials’ worries, sewer installment is important to the community because “it opens up an opportunity of hope.”

“We try to get people to look at the big picture,” he said. “Look at what it can do rather than what it can hinder.”



