

Re-election request rejected Cities target red-light runners, collect funds

BY CARLY TRICHE
STAFF WRITER

More than nine weeks after Election Day, an N.C. Superior Court judge has ruled that there will not be a new statewide election to settle the controversy over the race for commissioner of agriculture.

Judge James Spencer ordered the N.C. State Board of Elections to find an alternate solution to the dispute surrounding 4,438 lost electronic ballots in Carteret County.

The votes, cast before Nov. 2, disappeared because of an unnoticed error in an electronic voting system, throwing the result of the close election into question and sending the dispute to the state Board of Elections.

Last month, the board called for a new statewide election to determine whether Democratic incumbent Britt Cobb or Republican challenger Steve Troxler would take office.

The board also had changed its voting policy to be able to reach a consensus, said Don Wright, general counsel for the Board of Elections.

The board decided that only three votes were needed to carry any motion. There are three Democrats and two Republicans on the board.

"They tried to skirt the law," Troxler said of the Board of Elections.

Both Troxler and his lawyer, Marshall Hurley, say the board's decision to hold a new election was unfair.

Hurley said the discrepancy was a result of petty partisan politics and political rivalry.

Spencer rejected the board's call for a new election. The board now has to find a new method of determining the commissioner of agriculture.

With the missing ballots uncounted, Cobb trails Troxler by 2,287 votes.

"Britt Cobb has continually asked for a new statewide election since day one," Troxler said.

Troxler gathered 1,352 affidavits from voters in Carteret County, all stating they cast their ballots for Troxler.

These affidavits, along with the official results from the rest of the state, represent enough votes to declare a victory, Troxler said.

"This proves beyond a reasonable doubt that I have won the election," he said.

Spencer stopped short of handing Troxler an election victory, but the decision against a new election represents a defeat for Cobb.

Others blame the problem on the faulty voting machines.

"We said from day one that the best way to solve this was in Carteret County," Cobb said. "If we had a paper trail, there wouldn't be a problem."

Contact the State & National Editor at stntdesk@unc.edu.

BY ERIC JOHNSON
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In Chapel Hill, drivers caught sailing through a red light will be seeing the flashing blue and red atop a police cruiser. But a flashbulb might be all that drivers notice in many other North Carolina cities.

More than a dozen cities and towns in the state now use automated camera systems to catch red light runners, and a number of others have expressed interest in the technology.

The city of Charlotte was the first in North Carolina to begin using red light cameras, installing the units in August 1998.

Doreen Szymanski, public service and communications division manager for the Charlotte Department of Transportation, said the city hoped to reduce the number of side-angle collisions by getting drivers to think twice about racing a yellow signal.

"We wanted to influence driver behavior so that our intersections would be safer," she said.

The city has a contract with Peek Traffic Systems, based in Palmetto, Fla., which operates 19 cameras at locations throughout the city.

"We had a twentieth," Szymanski said, "but it kept getting knocked over by tractor trailers." The city will be finding another intersection for that camera, she added.

Peek Traffic also holds the contracts for operating cameras in Greensboro, High Point, Rocky Mount and Wilmington.

"There is a huge amount of interest," said Russ Colthorpe, the company's director of automated traffic enforcement. "The data is showing that it's saving lives, it's reducing accidents, and that's got a lot of lawmakers' attention."

Before Charlotte could go ahead with its camera system, the city had to seek a change in state law to allow the photo-captured violations to be processed as civil

penalties rather than criminal and to prevent insurance points from being assigned. The statute also fixes the statewide penalty at \$50.

"A lot of cities that have the ability to do this assess it as a criminal penalty," Szymanski said, adding that statewide \$50 fine was fairly modest when compared with other locations.

In California, fines can easily exceed \$300, while penalties in Maryland and Washington, D.C., are \$75.

"The east coast seems to be a little more tame about it than the west coast," Szymanski said.

Chapel Hill launched a camera pilot program in 2003 with Affiliated Computer Services, one of the largest contractors in the red-light camera business. After a trial period of several months, the Chapel Hill Town Council narrowly voted to remove the cameras.

Council member Mark Kleinschmidt led the campaign against the cameras, declaring that he had "great difficulties with the mechanization and privatization of police functions."

The council also expressed concern about a large percentage of the fines going to the contractor instead of to the city.

Mike Kennon, a traffic engineer with the Raleigh public works department, said his city has been pleased with the results of its SafeLight program, also run by ACS.

"We've seen a significant reduction in the kind of accidents we were targeting," he said. An independent study found that total collisions at camera-equipped intersections in Raleigh were reduced by 17 percent.

Law enforcement officials, not private contractors, review all photos to decide whether to issue a citation. N.C. law requires that city officials review and issue citations.

That doesn't comfort Greensboro

attorney Marshall Hurley, who testified in front of a U.S. House subcommittee on Highway and Transit in 2001.

"In one sense, the camera schemes are based on the concept of a government kickback," he told lawmakers. "A contractor gets a guaranteed, protected, lucrative cash flow, while giving a portion back to the government."

He also said city governments violate due process by presuming guilt. "The notion that this is about safety is a ruse and a lie," he said in an interview Tuesday.

Szymanski dismissed the idea that the automated camera programs are intended as a revenue stream. "It's always been about safety. The fact that we make revenue from it is sort of the side benefit."

In Charlotte and other cities across the state contracted with Peek Traffic Systems, the company keeps \$35 of each \$50 citation. Szymanski said the arrangement allows the program to be self-financed and gives the city extra money to spend on safety programs. Raleigh pays ACS a flat fee to administer its system.

In many municipalities, including Raleigh, extra revenue from the automated systems is specifically earmarked for public education.

A recent court ruling in High Point, part of a case brought by Hurley, has thrown that city's camera program into question — a Superior Court judge decided that a larger percentage of the fines should be reserved for schools instead of the contractor. An appeal is pending.

Wherever the money goes, Colthorpe said he has no reservations about its origin.

"The people that are breaking the laws are the ones that have to pay for it, and that's about as fair of a situation as I think you can get."

Contact the State & National Editor at stntdesk@unc.edu.

Dell looks to leave mark on Triad

BY MEGAN MCSWAIN
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A \$37.2 million incentive package from Forsyth County helped lure a new Dell manufacturing plant last month to the Alliance Science and Technology Park.

After Dell accepted a 20-year, \$242.5 million incentive plan from the N.C. General Assembly in November, an incentive battle raged on between Davidson, Forsyth and Guilford counties.

"Winston-Salem's Alliance Park location is best suited to bringing our new operation online in time to meet growing customer needs, providing good proximity to an available workforce and supporting our logistics objectives," said Ro Parra, senior vice president and general manager of Dell USA, in a Dec. 22 press release.

The county competition was brought about by the possibility of new jobs in the struggling manufacturing industry.

Other offers from Triad-area governments included Greensboro and Guilford County's combined \$12.4 million.

Davidson County offered \$23.1 million, including \$1.5 million in potential land costs.

The Dell plant will employ 700

people, a number which will rise to 1,500 in the next five years, according to a Dell press release.

Dell plans for the Forsyth County facility to eventually be its largest in the United States, said Debra Conrad-Shrader, vice chairwoman of the Forsyth County Board of Commissioners.

A contractor has yet to be named for the 500,000-square-foot plant, which tentatively will open fall 2005.

Several Forsyth County area contractors are waiting, hoping a local company will be chosen for the job.

"(Dell) has made a commitment to use a local contractor whenever possible," said Winston-Salem Mayor Allen Joines.

Area officials are hopeful the Dell plant will boost the economy, not only through new jobs, but also through the attraction of new companies.

"Approximately two- to three-thousand indirect jobs will be created," Joines said.

Peripheral companies are expected to follow the \$100 million desktop computer assembly plant to the Triad.

"It will be giving us national exposure," Conrad-Shrader said. "I think it will just provide a lot of momentum."

But some say the price of national exposure was too high.

Sen. Hamilton Horton Jr., R-Forsyth, said both the state and local governments paid too much considering the lack of competition for the plant.

"We were the only game in town," he said.

The other candidate for the plant was Virginia, which would have offered between \$33 million and \$37 million. But the state never proposed a serious deal.

Horton said the new jobs will not pay as much as standard wages in Forsyth County.

"It will hopefully provide 1,500 jobs, which we will have paid \$186,000 a piece for."

Dell will start hiring for jobs in its new plant in April.

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