

**ORANGE COUNTY BOARD OF COMMISSIONERS
CHAPEL HILL TOWN COUNCIL**

AGENDA

BOCC/Chapel Hill Town Council Joint Meeting
March 21, 2013
Meeting – 7:00 p.m. - 9:30 p.m.
Southern Human Services Center
2501 Homestead Road
Chapel Hill, NC

- (7:00) Welcome and Opening Remarks (Mayor Mark Kleinschmidt and Chair Barry Jacobs)
1. Review of Rogers Road, including Town's Small Area Plan
 2. Update on Orange County Bus and Rail Investment Plan (OCBRIP) Implementation
 3. Smoke Free Public Places
 4. Solid Waste/Recycling
 - a) Discussion on Process to Develop New Interlocal Agreement
 - b) Town of Chapel Hill's Solid Waste Plans
 - c) Franchise and Recycling Options
 5. Town Perspective on Annexation Changes and Joint Land Use
 6. Chapel Hill Development Agreement Process Update for Homestead Road Campus
 7. INFORMATION ITEMS (No Specific Presentation or Discussion)
 - a) Memorandum with Update on Town and County Library Activities
 - b) Visitors Bureau Update

**ORANGE COUNTY BOARD OF COMMISSIONERS
CHAPEL HILL TOWN COUNCIL
JOINT MEETING**

AGENDA ITEM ABSTRACT

Meeting Date: March 21, 2013

SUBJECT: Joint Meeting Discussion Items

DEPARTMENT: County Manager/Town
Manager/County
Planning/Town
Planning/Health/Solid
Waste/County Library/Town
Library/Orange County Visitors
Bureau

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

As noted in "Background" section

INFORMATION CONTACT:

Frank Clifton, 245-2300; Roger Stancil,
968-2743; Michael Talbert, 245-2300;
Craig Benedict, 245-2575; J.B. Culpepper,
968-2728; Colleen Bridger, 245-2400;
Lucinda Munger, 245-2525; Laurie
Paolicelli, 968-2060

PURPOSE: To discuss topics of mutual interest between the governing boards of Orange County and the Town of Chapel Hill.

BACKGROUND:

1. Review of Rogers Road, including Town's Small Area Plan

On December 6, 2012 the Assembly of Governments received an interim report from the Historic Rogers Road Neighborhood Task Force and held a lengthy discussion of the accomplishments of the Task Force. One of the recommendations from The Task Force was that the Task Force continues to meet for an additional 6 months to address the Charge with the original composition of the Task Force.

On February 5, 2013 the Board approved a new Charge for the Historic Rogers Road Neighborhood Task Force (Attachment 1-a):

- Two members appointed by each Town, Chapel Hill (Council Members Lee Storrow and Jim Ward) and Carrboro (Board Members Michelle Johnson and Sammy Slade)
- Two members appointed by the County (Commissioners Renee Price & Penny Rich)
- Two members appointed from Rogers Eubanks Neighborhood Association (David Caldwell and Robert Campbell)

The first meeting of the Historic Rogers Road Neighborhood Task Force is scheduled for March 20, 2013 and the Board expects a final report to the Board of County Commissioners no later than September 17, 2013.

It should be noted that the Town of Chapel Hill previously developed a Rogers Road Small Area Plan Task Force Final Report (*Attachment 1-b*), and the Town of Chapel Hill will provide an update at the meeting.

Staff will provide any other information at the meeting, and the governing boards can discuss issues related to this item as necessary.

Attachment 1-a – New Draft Charge of the Historic Rogers Road Neighborhood Task Force

Attachment 1-b – Rogers Road Small Area Plan Task Force Final Report

2. Update on Orange County Bus and Rail Investment Plan (OCBRIP) Implementation

The OCBRIP was adopted last October in anticipation of a ½ cent transit sales tax referendum which was approved in November. In addition, additional vehicle tag taxes have also been initiated to create a revenue stream to fund the BRIP; new and expanded bus service, LRT, BRT and an Amtrak station. Initial monies will be collected by the Department of Revenue in April of this year. TTA, which is the implementing agency, has begun to meet with local transit agencies to gauge plan noted transit routes and associated prioritization.

An interlocal implementation agreement (OCBRIP/IIA) outlines the process of stakeholder involvement and annual updates to understand revenues, projects and expenditures and changes, if necessary.

Although, some enhanced bus service could be realized later this year, it will take a few years to monitor revenues, create capital and operational balances and roll out sustainable service. Over the next 4 years, there will be a cumulative 25% increase in bus hours and purchases. In addition, a substantial amount of money is earmarked in support of the New Starts application for LRT and its associated project development.

Staff will provide any other information at the meeting, and the governing boards can discuss issues related to this item as necessary.

Attachment 2 – Orange County Transit Plan – Proposed Regional Bus Service Improvements

3. Smoke Free Public Places

Mayor Mark Kleinschmidt, Commissioner Bernadette Pelissier, Town Manager Roger Stancil and Health Director Colleen Bridger met last month to discuss this issue. The Town Council has also been provided with supporting documentation including three legal opinions on the Board of Health's Rulemaking Authority concerning this issue. Dr. Bridger and Tony Whitaker, Past-Chair of the Orange County Board of Health, will briefly review the reasoning and process

in the development and adoption of the Smoke Free Public Places Rule. They will also answer any questions the members of the governing boards may have about the Rule.

Staff will provide any other information at the meeting, and the governing boards can discuss issues related to this item as necessary.

No Attachments

4. Solid Waste/Recycling

a) Discussion on Process to Develop New Interlocal Agreement

In 1999 Orange County, Carrboro, Chapel Hill and later Hillsborough entered into an interlocal cooperation agreement for the management of solid waste. The Towns' and County attorneys have jointly determined that upon the June 30, 2013 closure of the Orange County MSW Landfill, the Interlocal Agreement effectively terminates with regard to the provisions related to MSW. Given the limited extent to which the current Interlocal Agreement addresses the management of recyclable materials and Construction and Demolition (C&D) waste, it was suggested that if the County and Towns desire some level of cooperation to continue, a new Interlocal Agreement should be developed.

In December 2010 the BOCC established a Solid Waste Interlocal Agreement Work Group with appointments made by all four jurisdictions. The Work Group has not been activated in part due to uncertainty with regard to outcomes of the Town of Chapel Hill's comprehensive analysis of its solid waste services and programs. Given that negotiations of a new Interlocal Agreement, should the jurisdictions desire one, could take several months, it may be advisable to immediately reactivate the Work Group (or establish an alternative process) to begin work creating this new document.

Town and County staffs have met several times in the past three-four months discussing various issues and elements that could/should be addressed in a new agreement and had recently come to preliminary conceptual agreement on a framework for a new agreement, pending discussions with the Town and County Manager's and now pending recycling services funding determinations. It was intended that the conceptual staff agreement would be shared and discussed with the staffs of Carrboro and Hillsborough before proceeding further. The Solid Waste Advisory Board (SWAB) has previously commented on the issue of a new Interlocal Agreement on several occasions. The issue of an Interlocal Agreement was also discussed at the January 26, 2012 and the December 6, 2012 Assembly of Governments (AOG) meetings.

Staff will provide any other information at the meeting, and the governing boards can discuss issues related to this item as necessary.

No Attachments

b) Town of Chapel Hill's Solid Waste Plans

The Town of Chapel Hill will provide an update on its solid waste plans at the meeting. The governing boards can discuss issues related to this item as necessary.

No Attachments

c) Franchise and Recycling Options

On March 7, 2013 the Board of Commissioners discussed a proposal to move toward a county-wide franchise that could privatize curbside Solid Waste and Recycling Services in the unincorporated areas of Orange County.

This discussion was prompted by a recent North Carolina Supreme Court case that essentially states that there is no direct statutory authority for a local government to levy a fee for these services. Since that opinion was issued, Orange County staff have been engaged in discussions regarding how, going forward, the County can best address the recycling services in light of this new position of the Supreme Court.

Orange County Solid Waste Management Department is recognized as being number one in the state for waste reduction, reaching 59% of its 61% aggressive reduction. The County is disposing only 0.56 tons/person compared to the base year of 1991-92, when the disposal rate measured 1.36 tons. In the region, Wake County achieved a 25% reduction rate, Durham County rate is at 21%, Chatham County is 37%, and Alamance County with 26%. Orange County's 61% waste reduction goal was adopted in 1997 by the County and by the Towns of Carrboro, Chapel Hill and Hillsborough as part of the County's original Comprehensive Solid Waste Plan.

On April 9, 2013 the Board of Commissioners will be presented options of how it might fund recycling and continue the County's commitment to the 61% waste reduction goal adopted in 1997. A county-wide franchise agreement that could privatize curbside Solid Waste and Recycling Services in the unincorporated areas of Orange County is one option for consideration.

Staff will provide any other information at the meeting, and the governing boards can discuss issues related to this item as necessary.

Attachment 4-c – March 7, 2013 Agenda Abstract – Proposal to Move Toward A Franchise to Privatize Curbside Solid Waste and Recycling Services in Unincorporated Area of Orange County

5. Town Perspective on Annexation Changes and Joint Land Use

The Town of Chapel Hill will provide an update on this item at the meeting. The governing boards can discuss issues related to this item as necessary.

No Attachments

6. Chapel Hill Development Agreement Process Update for Homestead Road Campus

The Town of Chapel Hill will provide an update on this item at the meeting. The governing boards can discuss issues related to this item as necessary.

No Attachments

7. INFORMATION ITEMS (No Specific Presentation or Discussion)

- a) **Memorandum with Update on Town and County Library Interoperability Activities** – *Attachment 7-a*

- b) **Visitors Bureau Update** – *Attachment 7-b*

FINANCIAL IMPACT: There is no direct financial impact associated with discussion of these topics. There are no action items requiring formal decisions.

RECOMMENDATION(S): The Managers recommend the governing boards discuss the topics listed and provide appropriate direction to the respective staffs.

ATTACHMENT 1-a

New Draft Charge of the Historic Rogers Road Neighborhood Task Force**From the February 5, 2013 Meeting of Orange County Board of Commissioners**

1. Request that the towns confirm the continuation of the Historic Rogers Road Neighborhood Task Force and appoint members to the Task force;
2. Confirm the appointment of Commissioners Rich and Price as the County's members on the Historic Rogers Road Neighborhood Task Force;
3. Request that the Rogers Eubanks Neighborhood Association confirm the continuation of the Historic Rogers Road Neighborhood Task Force and appoint two members to the Task Force;
4. Confirm the charge and a timeline for the Task force as specified by the motion approved at the January 24 meeting:
 - To continue the Task Force for six (6) months;
 - To have the Task Force consider the final costs, provision and installation of water and sewer utility extensions preferably at no cost for members of the Historic Rogers Road community;
 - Consider options to address gentrification;
 - Consider Chapel Hill's most recent Small Area Plan;
 - Consider funding options, including the Greene Tract.
5. Specify that the Task Force provide a report to the Board of County Commissioners no later than the Board's September 17th meeting

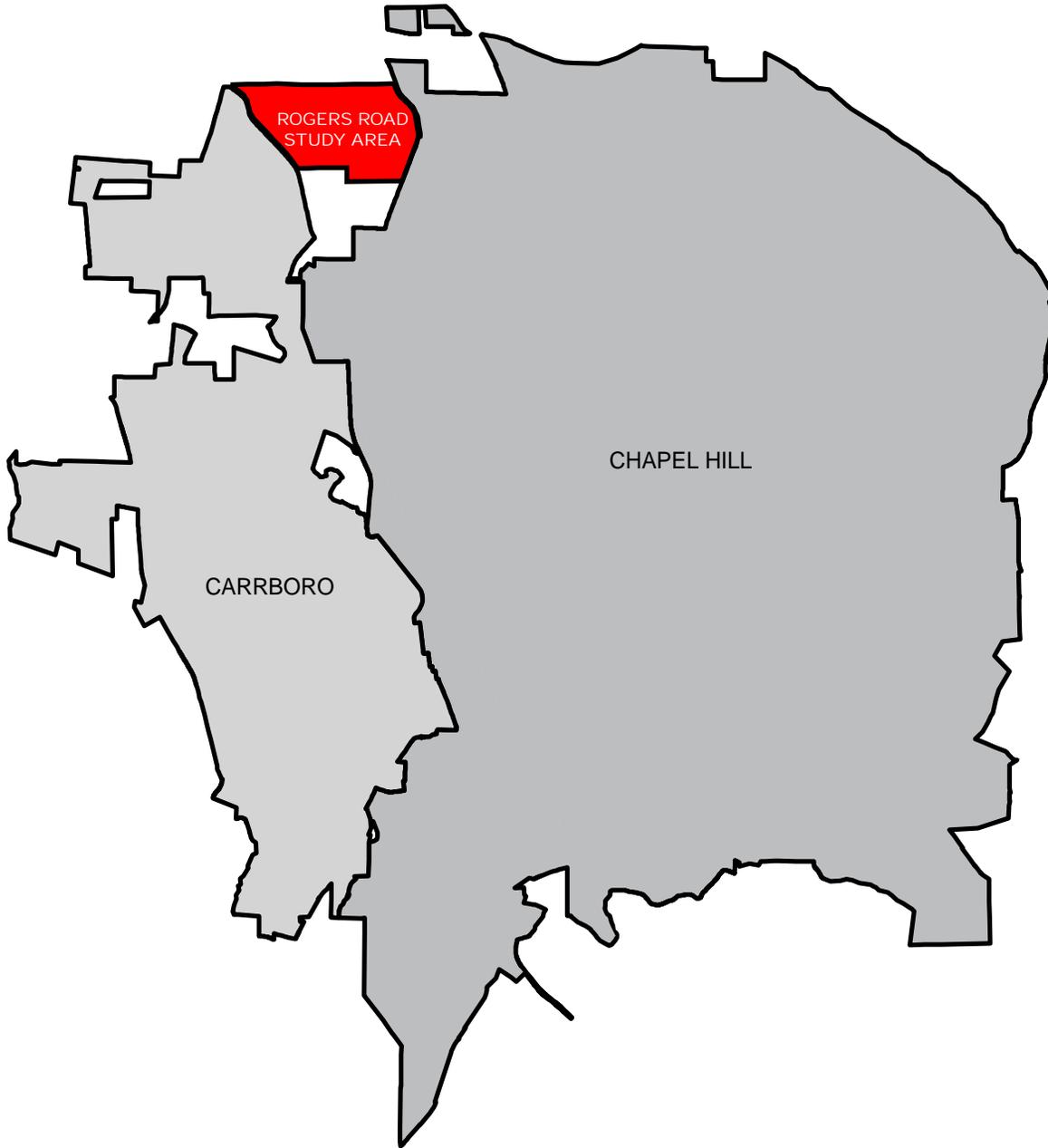
Final Report



Prepared by the
Rogers Road Task Force



Task Force Members



Delores Bailey

Joal Hall Broun

Robert Campbell

Moses Carey

Robert Dowling

Barbara Hopkins

Neloa Barbee Jones

Susan Levy

Council Member Mark Kleinschmidt

Bonnie Norwood

Council Member Bill Strom

James Stroud

Ruby Sinreich

Tom Tucker

Laura Wenzel

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Appendix 1	Rogers Road Small Area Plan Task Force Interim Report - June 2007
Appendix 2	Recommendations for the Rogers Road Small Area Plan - A report by the Durham Area Designers

Introduction

The Rogers Road Small Area Plan Report summarizes the activities and recommendations of the Chapel Hill Rogers Road Small Area Plan Task Force. The information included in this Report represents work undertaken by the Task Force to identify key issues and prepare a small area plan intended to address those issues. The Report draws from the interim report from June of 2007 (Appendix 1) and the Urban Design Workshop held in June 2008 (Appendix 2).

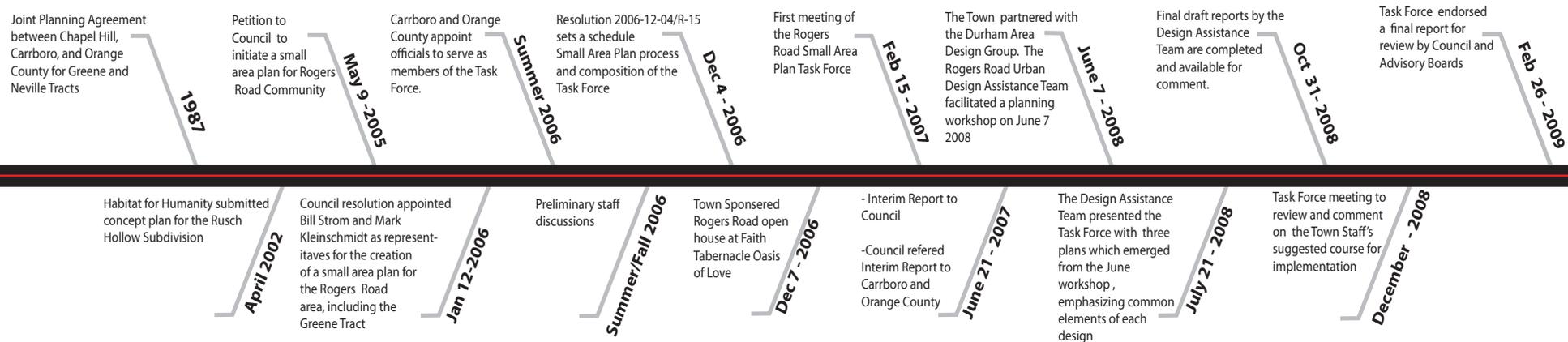
The Rogers Road Task Force was created by the Chapel Hill Town Council on December 4, 2006 and held its initial meeting in February of 2007. In establishing the Rogers Road Task Force, the Council identified the following topics to be addressed.

- **Desirable Land Uses and a Revision to the Land Use Plan**
- **Water and Sewer Extension Plan**
- **Roadway Network**
- **Transit Service Plan**
- **Zoning Ordinance and Map Amendment**

At the initial meetings of the Task Force, members reviewed background information about existing conditions and infrastructure within and adjacent to the study area. The Task Force met a total of six times between February 15, 2007 and the submission of an interim Report to the Town Council on June 21, 2007. Subsequent meetings of the Task Force included two consultant-led workshops with the Rogers Road Urban Design Assistance Team during the summer of 2008. The workshops produced a draft land use plan and recommendations for policies to support the proposed land uses. Final meetings of the Task Force focused on gathering feedback for the consultant's work and reviewing a range of implementation strategies.

This Report begins with a review of background information about the study area and relevant planning efforts. The following sections detail information presented to the Task Force about concepts for new development and infrastructure in the area. The last sections include the final recommendations of the Task Force and the suggested course for implementation of the Rogers Road Small Area Plan.

Rogers Road Small Area Plan Task Force Timeline



Location

The Rogers Road study area is approximately 330 acres. It is bounded by the Norfolk and Southern Railroad to the east, the existing residential neighborhood of Billabong Road and Homestead Place to the south, Rogers Road to the west, and the Orange County Landfill to the north. The Rogers Road study area is located in Orange County northwest of the municipal boundary of the Town of Chapel Hill and northeast of the Carrboro Municipal Boundary (Figure 2). It is also located in the Chapel Hill Transition Area, which includes areas planned to become part of the Town of Chapel Hill and within the Town's Urban Service Boundary. The Transition Areas of Chapel Hill and the Town of Carrboro were established with Orange County in 1987 through the Joint Planning Agreement (Figure 1).

Almost half of the study area (164 acres) consists of the jointly owned Greene Tract. Approximately 60 acres was deeded exclusively to Orange County pursuant to the 1999 interlocal "Agreement for Solid Waste Management." The remaining 104 acres is jointly owned by Orange County, the Town of Chapel Hill and the Town of Carrboro. The Greene Tract was originally purchased in 1984 as a potential future landfill and is located southeast of the existing Orange County landfill. A concept plan prepared by a Greene Tract Workgroup¹ was approved by the joint owners in late 2002. This plan identifies that 18.1 acres of the jointly owned portion will be developed for housing and the remaining acres of the jointly owned portion will be preserved and managed as open space.

The remaining portion of the study area consists of approximately 80 lots and tracts in the historic Rogers Road neighborhood. The properties are primarily accessed via Purefoy Drive off Rogers Road.

The Joint Planning Agreement of 1987

In 1984, the Town of Chapel Hill and Orange County entered into a Joint Planning Agreement that called for the development of a Land Use Plan for the areas immediately surrounding Chapel Hill and Carrboro, but located outside the extraterritorial planning jurisdictions of the two towns. These areas outside of each Town's respective corporate limits and planning jurisdiction were known as Joint Planning "Transition Areas." Initially, the Town of Carrboro was not a party to the Joint Planning Agreement.

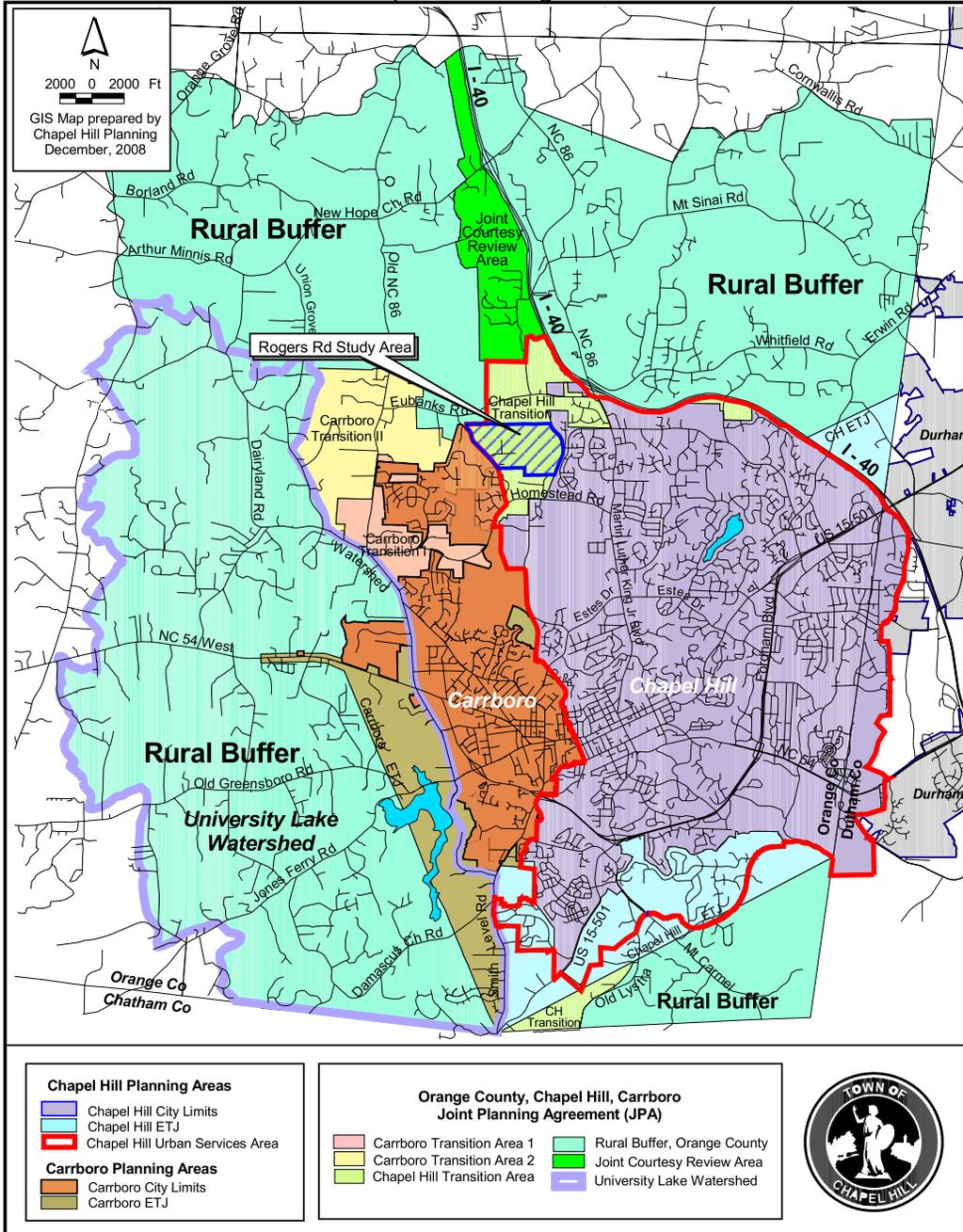
The staffs and Planning Boards of Chapel Hill and Orange County prepared a Land Use Plan. The Town Carrboro was also updating its Land use Plan and began to participate in the Joint Planning process. A public information meeting was held in November of 1985. The results of this meeting combined with public hearings in January and April of 1986 were merged to produce the Joint Planning Area Land use Plan. The Plan was adopted by the Chapel Hill Town Council and the Orange County Board of Commissioners on October 13, 1986.

Following efforts to streamline the review process for developments located in transition areas, the Town of Carrboro joined Chapel Hill and Orange County in adopting a new Joint Planning Agreement on November 2, 1987.

The Town of Chapel Hill Comprehensive Plan, a long range plan for future development of the Town reflects the Joint Planning Agreement and identifies an Urban Services Boundary. This boundary defines the future town limits in which it is intended that the Town will grow and provide typical urban services. The Rogers Road Study Area is within this boundary.

¹ The Greene Tract Work Group was comprised of elected officials. They met in 2002 to determine the use for the remaining 109 acres of the of the Greene Tract and to discuss the disposition of the property. The Work Group agreed that the three public purposes of open space, affordable housing, and recreation were the uses to be programmed for these 109 acres.

Map of Planning Areas



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Figure 1 - Planning Jurisdiction in Orange County

Rogers Road Small Area Plan

Area Context

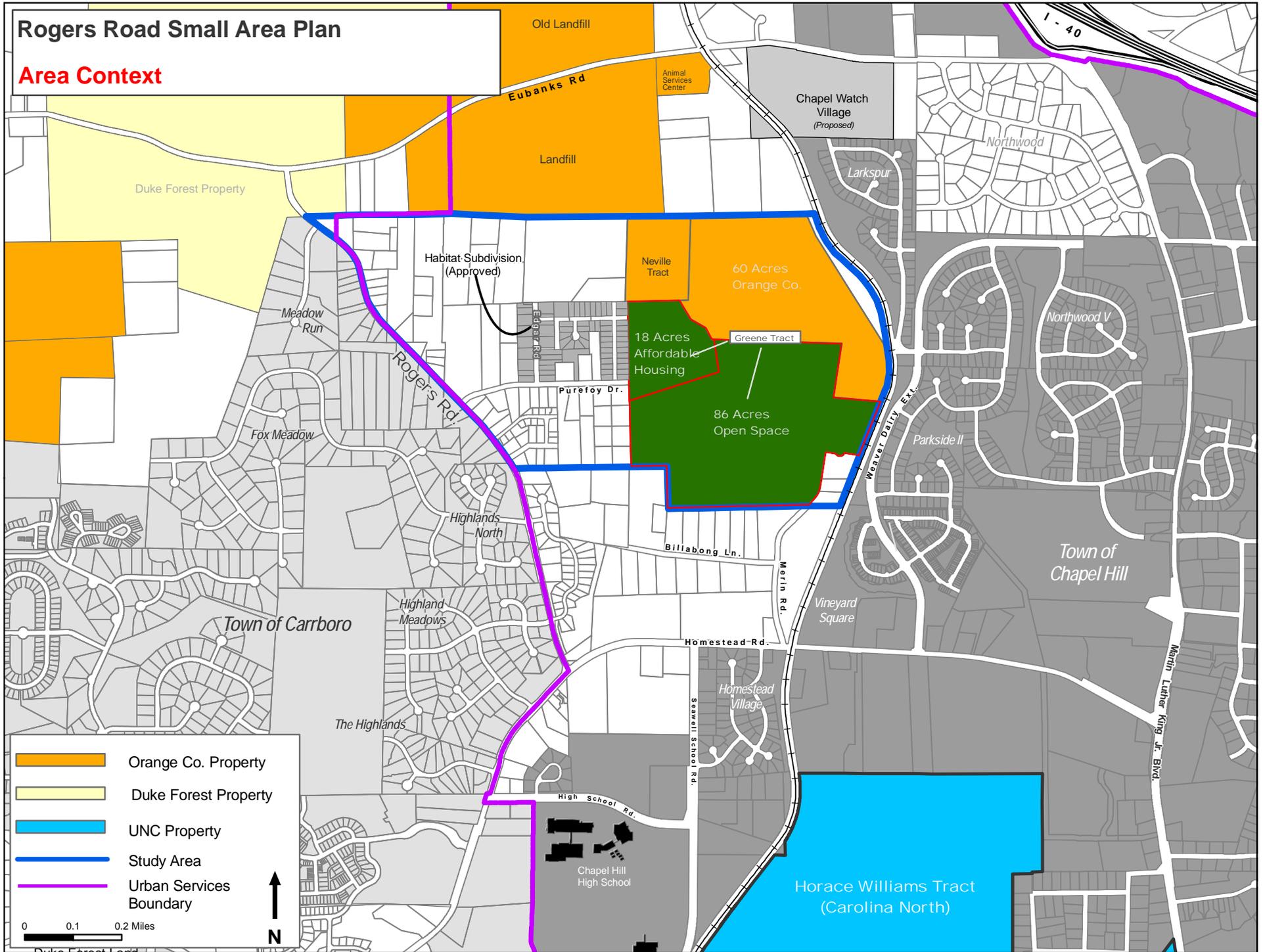


Figure 2 - Rogers Road Area Context

History

Residents of Rogers and Eubanks Roads can trace their family landholdings back to the 1700s when some of the earliest families in Orange County, such as the Hogans and Blackwoods, settled in the area. After emancipation, African American families, like the Rogers and Nunns, began farming in the area, taking their crops for sale at the Durham farmer's market and enduring the Great Depression. During the development boom experienced by Orange County in the 1960s and 1970s, more families joined the Rogers/Eubanks Road neighborhood. The area slowly lost its agricultural focus as properties were divided among siblings and new housing was built.

In 1972, the north side of Eubanks Road became the site of a solid waste landfill to serve Orange County. This was the first permitted solid waste disposal site in Orange County and was constructed to lesser standards than the 1995 Landfill expansion on the southside of Eubanks Road. As a result of their proximity to the landfill, residents in the Rogers Road Study area have endured several decades of negative impacts associated with modern solid waste disposal practices. These include increased truck traffic, illegal dumping, a putrid stench, contaminated wells, rats and vultures.



Figure 3 - Aerial Image of Orange County Landfills

Development and Infrastructure Concepts

The early meetings of the Rogers Road Task Force addressed the manner in which new infrastructure such as sanitary sewer and additional road access could be provided in association with new developments, particularly on the Greene Tract. The Task Force also developed a set of guiding principles and recommendations. This section describes the findings of the Task Force prior to the community design workshop in June of 2008.

Concepts for Sewer Extension

Most of the Rogers Road study area is served with water by the Orange Water and Sewer Authority (OWASA). Water lines extend eastward from Rogers Road. OWASA sanitary sewer has been extended into the southwestern part of the study area. OWASA policy is to utilize gravity flow rather than pumping stations. Pumps are not desirable because they may fail during storms and they involve operating costs for electricity and maintenance.

In March 2007, as part of the Rogers Road Task Force discussions, OWASA staff presented a conceptual layout of a sanitary sewer network that could provide service to existing lots within the Rogers Road study area. The conceptual layout identifies new lines that would need to be constructed and an existing line extended to provide gravity sanitary sewer service to existing lots. This includes extending the existing line from the southwest, a new line to Eubanks Road in the northeast and a new line to the west which could be provided in cooperation with the Town of Carrboro.

Figure 4 on page 11 is the existing and conceptual sewer network plan for the study area. There is one concept for the Rogers Road study area with two versions (A and B). Both rely on the extension of sewer mains into the northeastern terri-

tory of Carrboro. They differ in that Concept A serves the Neville Tract and the adjoining 24 acre Harris property from a new line to the north that ties onto the extension for the Orange County Landfill. Concept A has greater potential to facilitate subdivision of the Harris property. Construction is estimated to cost \$ 2.9 million² in 2007 dollars.

Concept B serves the same properties via a new line to the west. Construction is estimated to cost \$ 2.5 million² in 2007 dollars. Neither Concept A or B serve properties off Sandberg Lane or 3 lots off Merin Road. Concept C shows how gravity sewer could be provided to those lots not served by A or B via a new line along Billabong Lane. Billabong Lane is beyond the study area. A third concept, Concept C, would add \$1.3 million² in 2007 dollars to the construction cost of Concepts A or B and extend service to the properties in the southeastern corner of the study area.

In accordance with existing OWASA policies, benefiting properties would bear the cost of extending water and sewer lines. The Task Force also reviewed the assessment process for neighborhoods pursuing water and sewer service. Task Force members expressed great concern over the ability of existing homeowners to bear the cost of installing main lines, hooking up to services and paying utility bills, thereby decreasing the affordability of low-cost housing that currently exists in the study area.

² The proposed sewer and water lines are preliminary configurations provided by OWASA (Orange Water and Sewer Authority). If the Town decides to pursue these or other concepts, additional engineering and professional services will be needed to provide site-level detail and overall determination of project feasibility.

These estimates do not include the additional cost for connecting individual properties to the sewer system.

Rogers Road and Surrounding Area

Existing and Conceptual Sewer Network

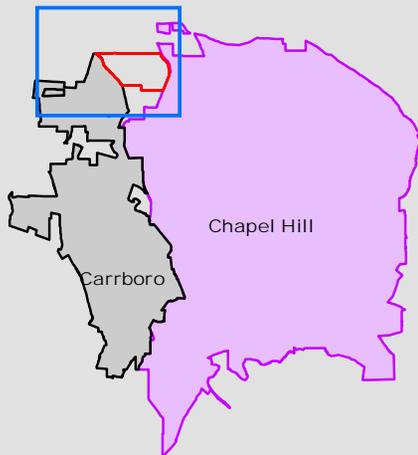
Sewer Extension Cost Estimates

Adjusted for Inflation from 2007 Estimate

Concept A	\$3,110,400
Concept B	\$2,721,600
Concept C	\$1,393,200
Concepts A+C	\$4,503,600
Concepts B+C	\$4,082,400

- OWASA Proposed Sewer
- Gravity Sewer Mains
- Proposed Landfill Gas Pipe Routing
- Rogers Road Study Area

Area of Focus

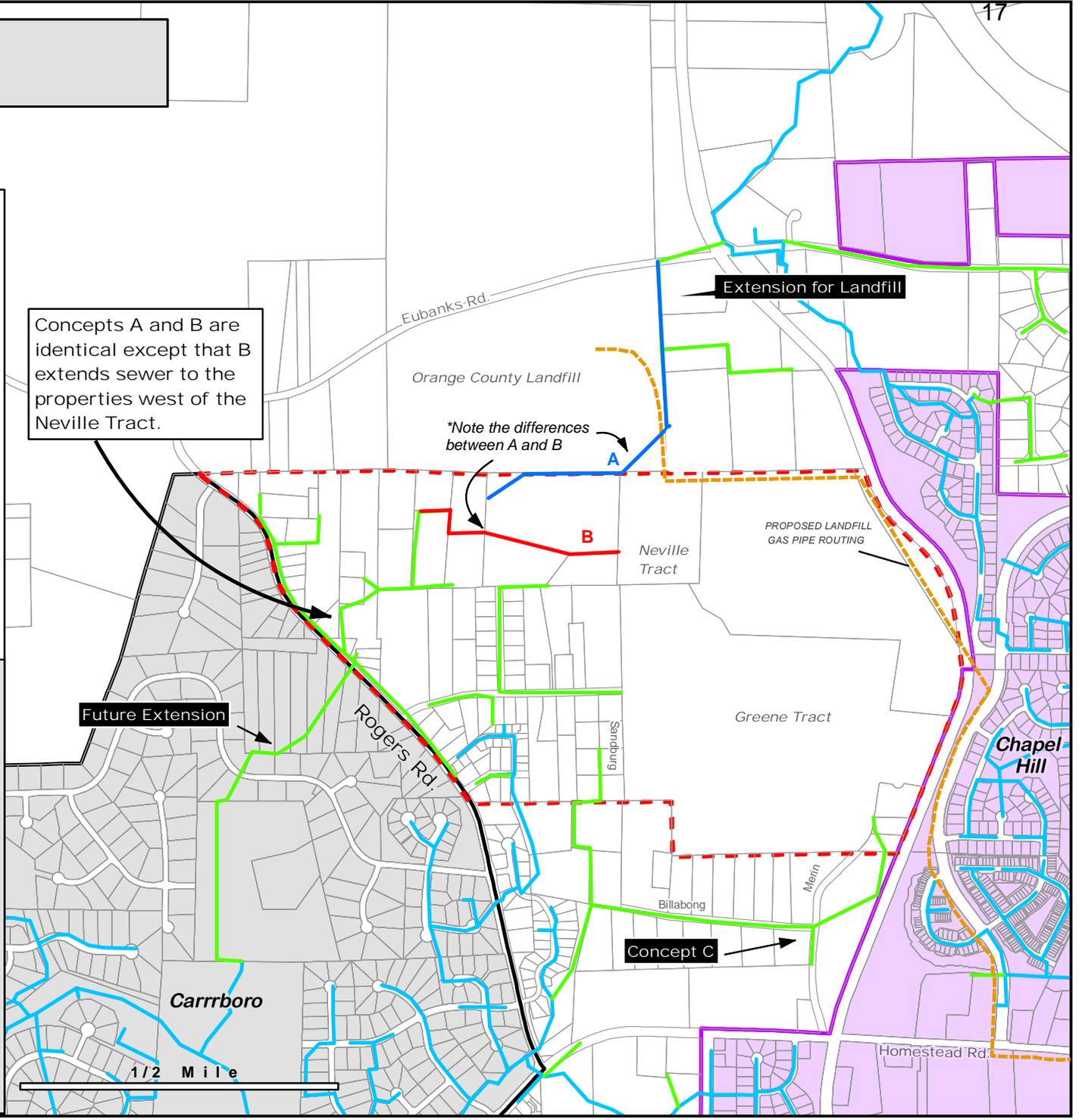


Map by - Chapel Hill Planning
Source: Sewer Data from OWASA



Concepts A and B are identical except that B extends sewer to the properties west of the Neville Tract.

*Note the differences between A and B



1/2 Mile

Figure 4 - Conceptual sewer network proposed by OWASA

Transportation Improvements

Most properties in the study area are accessed from Purefoy Drive off Rogers Road. Rogers Road is a two lane facility currently classified as a collector street by the North Carolina Department of Transportation (NCDOT). The traffic volume in 2007 was approximately 5,000 vehicles per day, a rise from 3,000 vehicles per day in 1990. (In general traffic on Rogers Road has increased by 4 to 6 percent per year.) Purefoy Drive as currently constructed is sufficient to accommodate 500 - 1,500 vehicle trips per day.

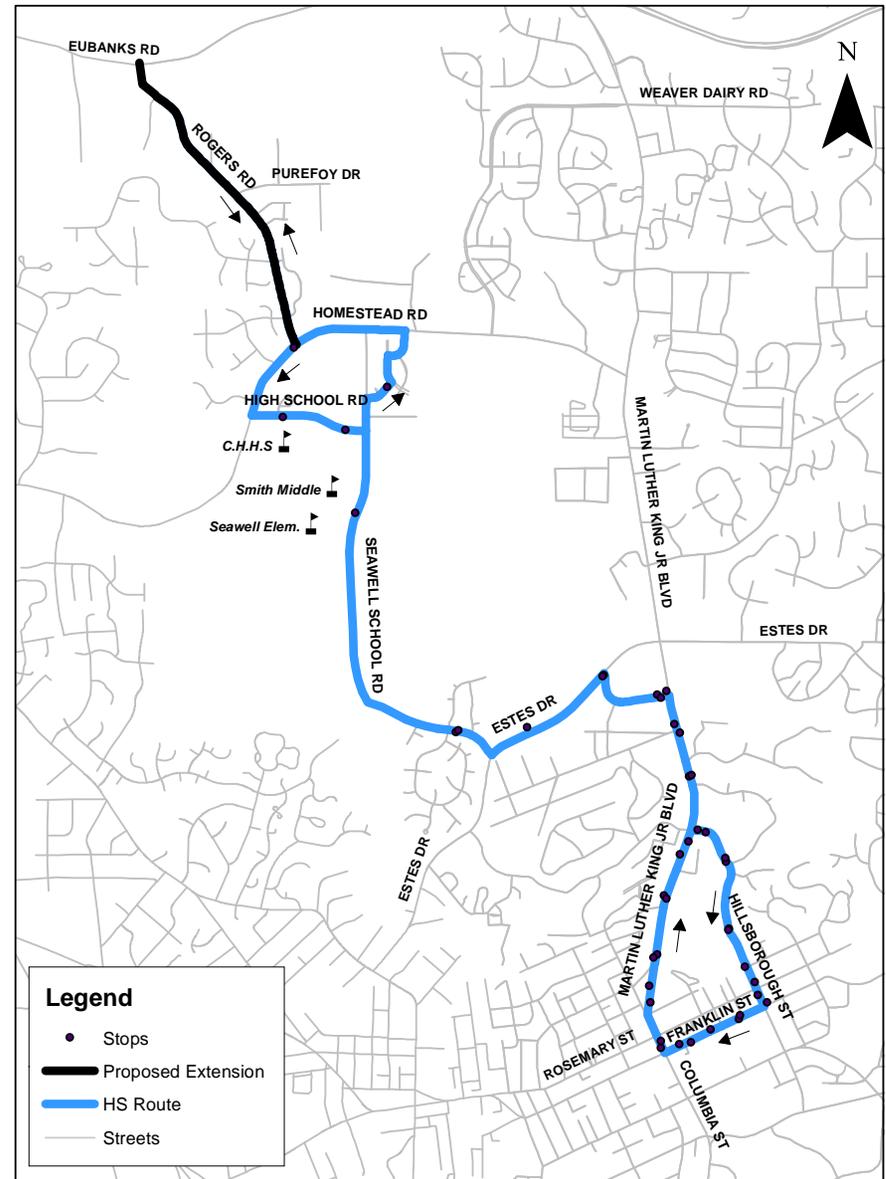
The Task Force recommendations propose that new development in the study area may require expansion or upgrade of existing streets. The Task Force identified the need for additional access to the neighborhood and more internal road connections (See Figure 6) In particular they identified the need to have a north-south roadway connection through the study area to connect to Eubanks Road.

Orange County owns approximately 70 percent of the property with frontage on Eubanks Road including the landfill site, the solid waste operations center and the animal shelter. The Task Force considered options to provide an east to west road connection to the neighborhood through the Greene Tract.

Transit Service

Currently, the Rogers Road area is served by Chapel Hill Transit paratransit and Share-a-Ride services. Chapel Hill Transit has received funding to revise existing transit service in the Rogers Road area. It is anticipated that this expansion of transit service will be implemented by the end of the second quarter of 2009. Figure 5 shows one option for extending transit service along Rogers Road. Until additional operational and funding details are finalized, this route remains conceptual in nature.

HS Route Proposed Extension



Source: Chapel Hill Transit
Date: 5/27/08

0 0.25 0.5 1 Miles

Figure 5 - HS Route Proposed Extension



Rogers Road Small Area Plan

Road Network Options

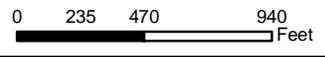


Figure 6 - Road Connections

Development and Infrastructure Concepts

The Greene Tract

The Task Force received information from the Director of the Orange County Environment and Resource Conservation Department concerning the environmental sensitivity and importance of the Greene Tract. The 2002 Greene Tract Concept Plan was adopted by Orange County, Chapel Hill, and Carrboro. The plan's sole component is a map that delineates the acreage of the jointly owned Greene Tract would be used for Affordable Housing and Open Space (Figure 7).

Land Use Visioning Exercises

Prior to the interim Report, the Task Force took part in a land use visioning exercise in which they explored different building types, arrangement, and density. Members expressed a preliminary preference for residential densities between 1-8 Units/Acre, recreational, and small commercial land uses in the Rogers Road study area. Additionally, Town staff utilized 3-D modeling software to convey the scale of the proposed Habitat for Humanity project adjacent to Purefoy Road.



The Greene and Neville Tracts

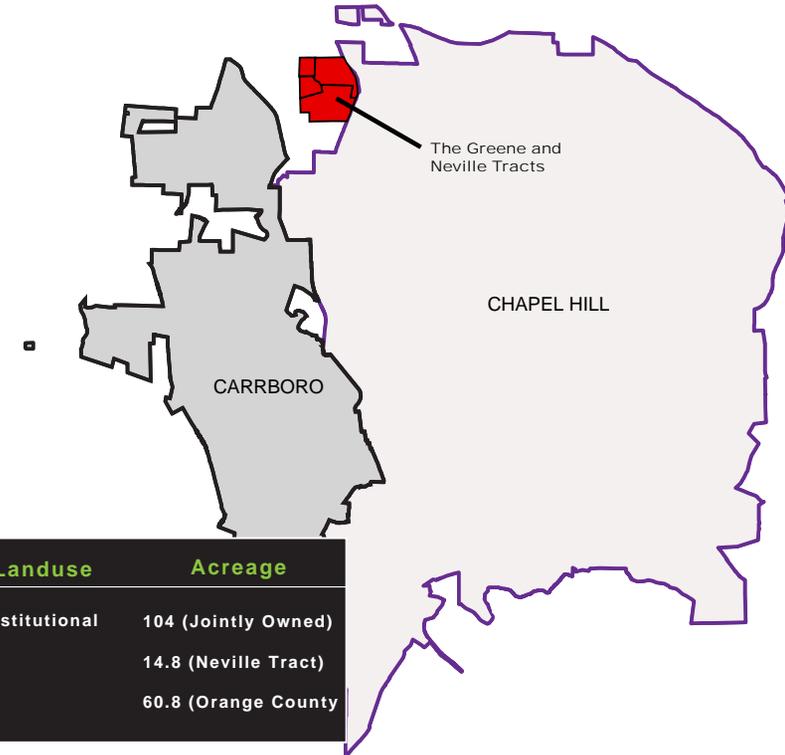
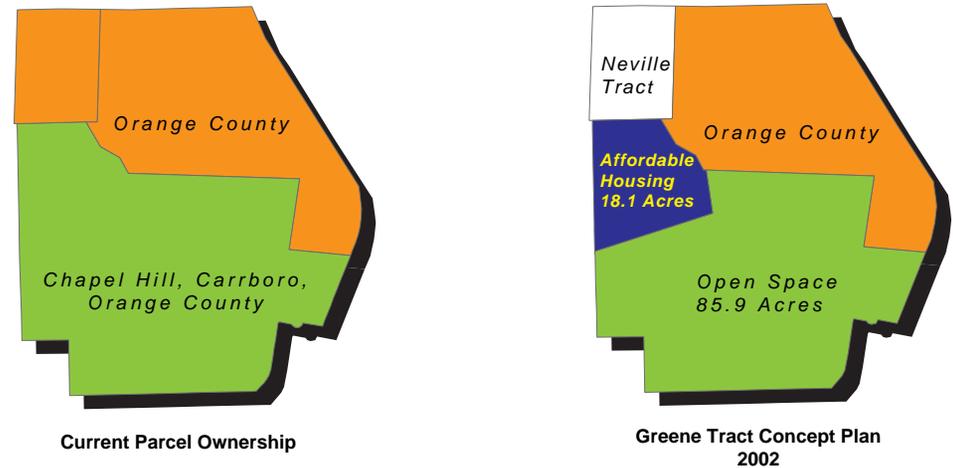


Figure 7 - Greene and Neville Tracts

Community Design Workshop

For the Task Force to further develop its vision, the Town contracted with the Durham Area Designers (DAD) to host a workshop in the Summer of 2008. The information from early Task Force meetings provided a foundation for this interactive process. The community design workshop was on Saturday, June 7, 2008. The objective was to find a community consensus for components of the proposed small area plan.

The Components of a small area plan include:

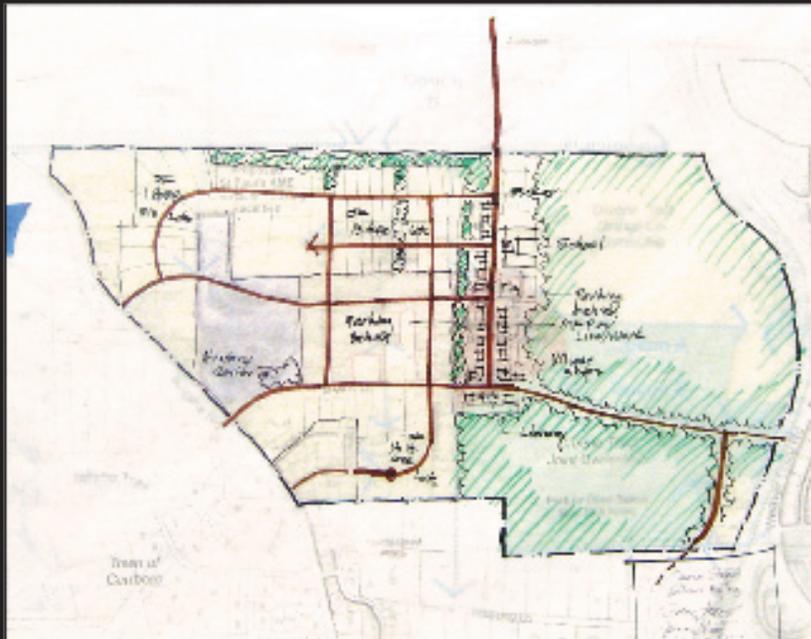
- Land use guidelines
- Appearance guidelines
- An expanded multi-modal transportation network
- Infrastructure improvements
- Community development strategies

The workshop included a presentation describing the community and introduced tools and concepts for use during the workshop. Attendees divided into three teams designated A, B, and C. Two members of the DAD Urban Design Assistance Team were at each team table to facilitate the work and provide design assistance for visualizing the team members' ideas.

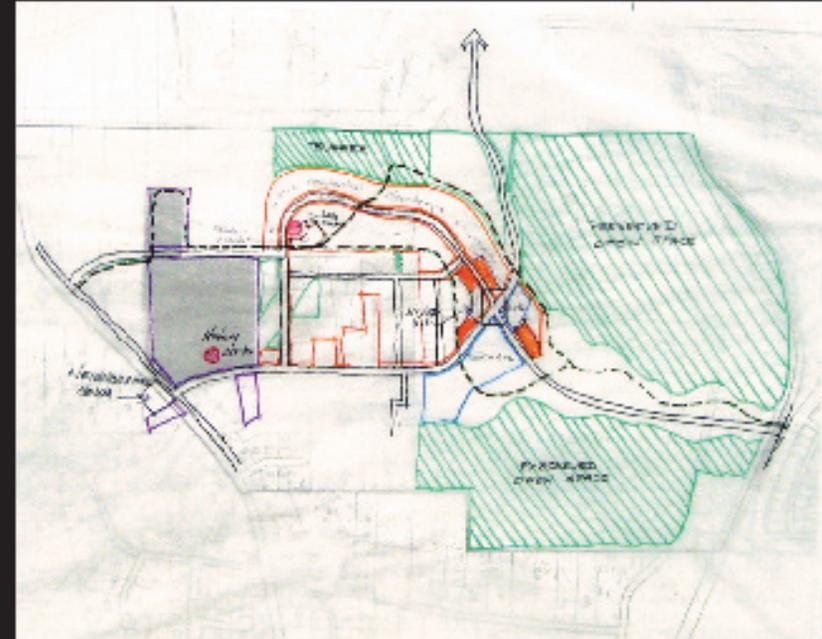
The workshop included two design sessions at which each team developed ideas. These ideas included a new road and trail network, suggestions for types of development in specific areas of the community, and plans for preservation of Rogers Road's unique cultural heritage. After each of the design sessions, each team shared its ideas with the group. This process allowed ideas to become the property of each team as it molded its conceptual plan of future development in the Rogers Road community. The individual plans developed by each team are included in Figure 8 on page 16.

From the analysis of the different schemes developed at the design workshop, the Urban Design Assistance Team proposed a plan for both land use and open space as well as written recommendations. This work was presented to the task force and workshop attendees at a meeting on July 31, 2008, at which time the findings and the proposed land use plan were presented for discussion and approval. The final land use plan (Figure 9) and recommendations are presented in the next section.

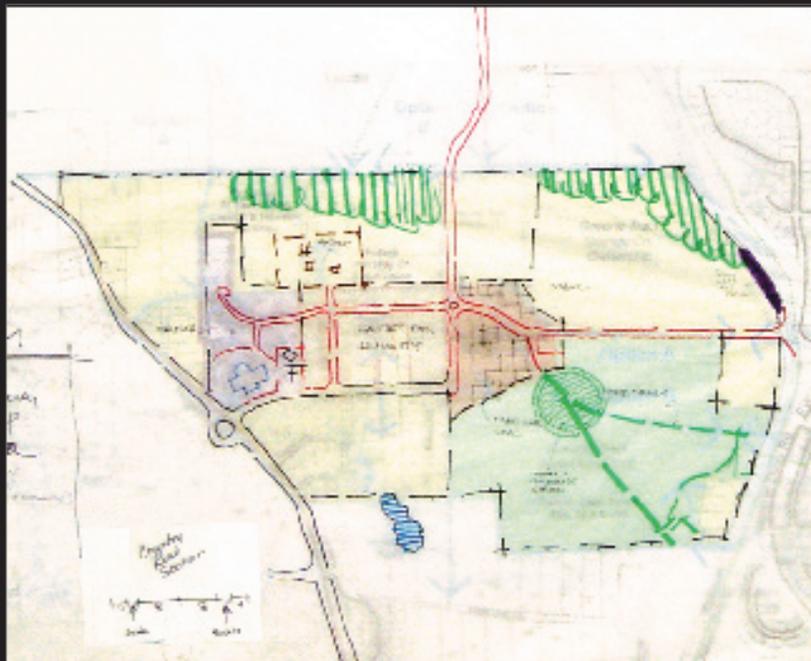




Team 1



Team 2



Team 3

Areas of Commonality

- 1 Connection north to Eubanks Road
- 2 Connection across the railroad track on Weaver Dairy Extension using Purefoy Road
- 3 Two plans and possibly the third show an east-west road to the north of Purefoy, connecting to Rogers Road
- 4 Cross-roads at the center of the area to become a community center with mixed-use development; might include a community center/library
- 5 School near the center of the area
- 6 Buffer on the north side of study area to shield the area from the landfill site
- 7 The historic house is retained in all plans and made part of the proposed Church complex
- 8 Greater density of development to lessen the individual cost of sewer; at the same time, areas near Rogers Road and along the north side of area seen as less dense to retain the current feel of the area
- 9 Farmers' market and community gardens
- 10 The community needs to write a cultural history and create a plan to preserve its cultural heritage

Figure 8 - Individual plans from Design Workshop

Land Use Master Plan

Once the community design workshop was completed, the Durham Area Design Group merged key concepts from the plans of each team into a composite Land Use Master Plan (Figure 9). The Master Plan and associated road network is meant to be conceptual in nature. If this report is adopted as a component of Chapel Hill's Comprehensive Plan, this land use plan would serve as a guide for Chapel Hill and Joint Planning Area Land Use Map amendments. Figure 10 is the Task Force's Land Use Plan in a format prepared by Town staff.

The Rogers Road Master Plan also suggests potential alignments for new roads recommended by the Task Force. Figure 11 "Conceptual Street Network with Existing Streets" is meant to be conceptual in nature. It is intended to be viewed as a guide for future development rather than definitive alignments endorsed by the Task Force. The Task Force believes that any new development should adhere to principles of connectivity and utilize a grid street pattern in more densely developed areas.

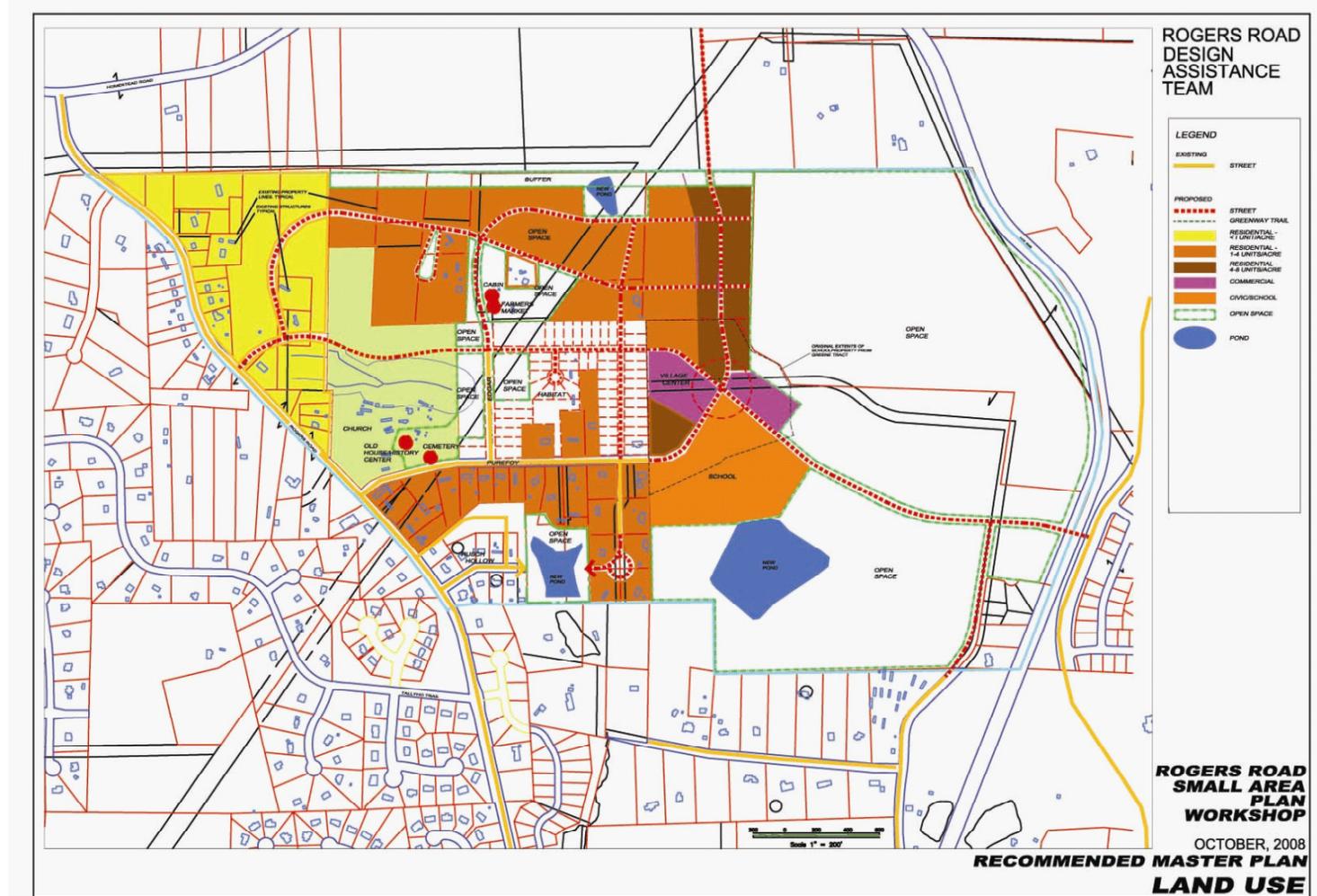


Figure 9 - Composite Land Use Plan prepared by the Durham Area Designers

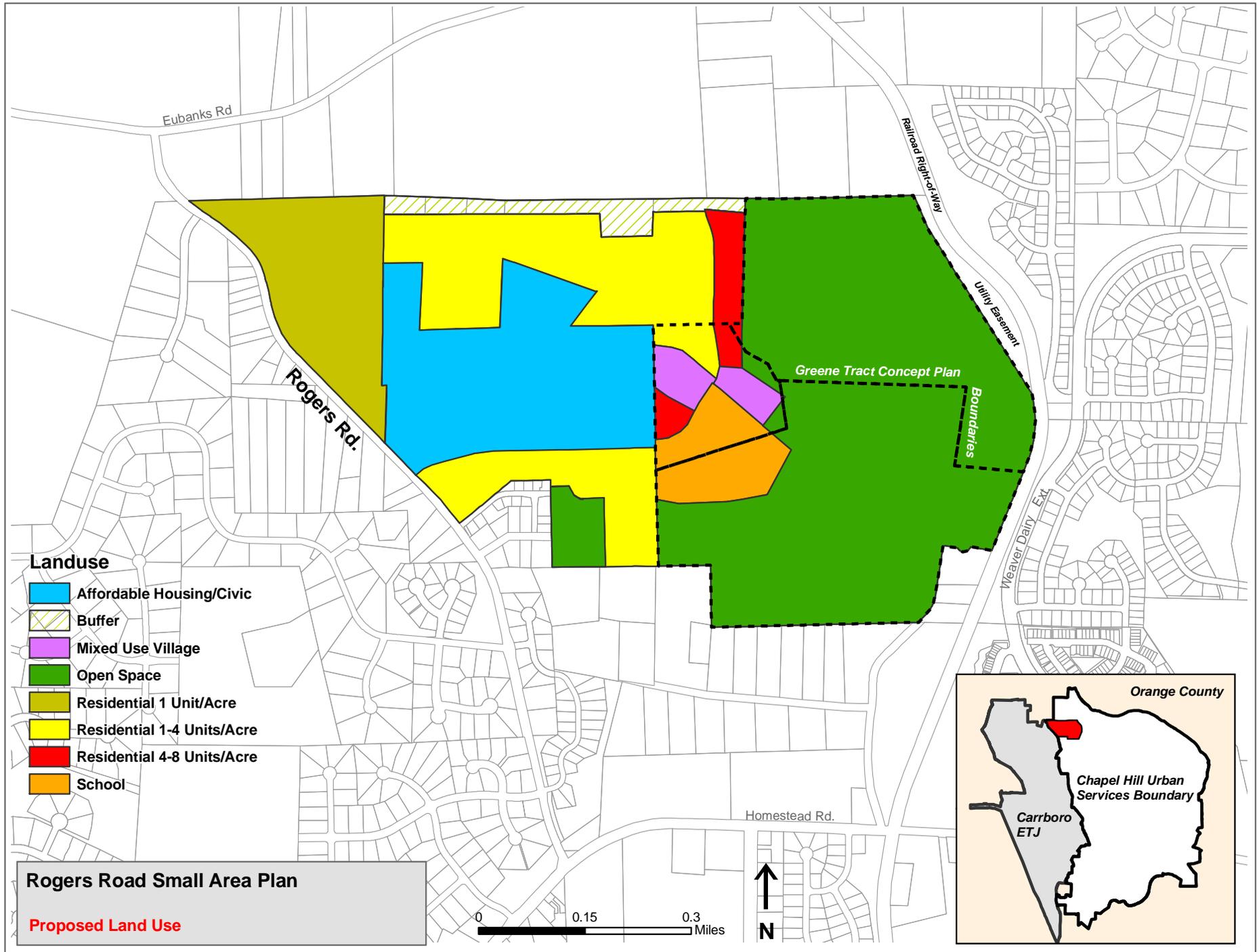
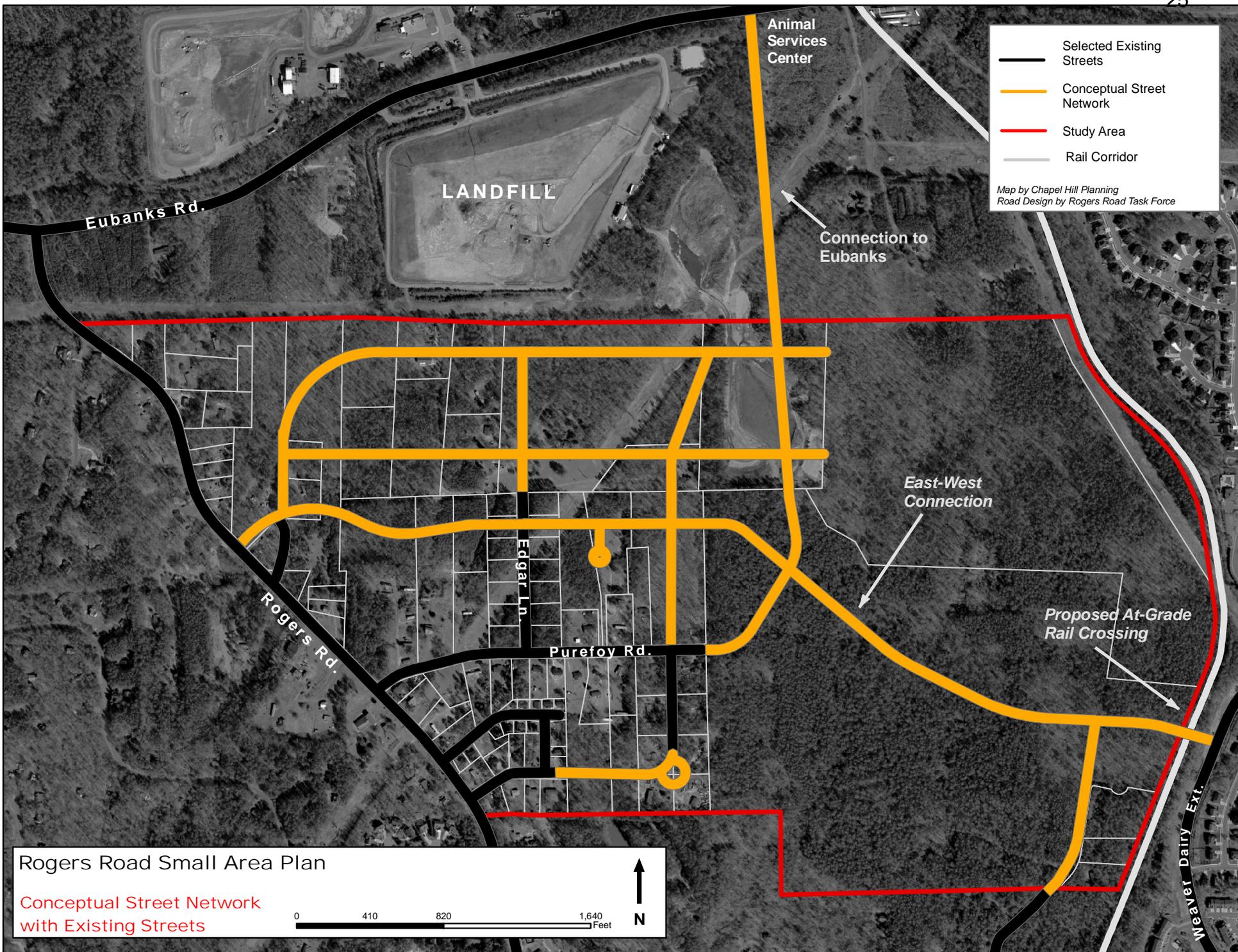


Figure 10 - Recommended Land Use



Rogers Road Small Area Plan

Conceptual Street Network with Existing Streets

Figure 11 - Conceptual Street Network with Existing Streets

Rogers Road Task Force Recommendations

Transportation and Infrastructure

- Bus service should be provided to the existing community and bus service should be extended as the community develops.
- Improve transportation access through all modes (vehicles, bicycle and pedestrian, transit).
- New points of ingress and egress to the community should be established.
- A road should be built that connects the neighborhood to Weaver Dairy Rd.
- Water and sanitary sewer mains should be extended to the community.
- The Towns of Chapel Hill, Carrboro, Hillsborough, and Orange County should collaborate to identify and secure funds to be used for financing the entire cost of OWASA water and sewer connections for individual homes within the Historic Rogers-Eubanks community as part of the compensation for the 37 years of hosting the Orange County Landfill and other solid waste facilities. Attachment 1 provides a list of available funding sources at the state and federal levels.

Open Space and Recreation

- Active recreation opportunities need to be provided for the Rogers Road community.
- Passive recreation opportunities such as trails should be constructed on the Greene Tract. In order to do so, the Greene Tract Concept Plan should be revised by the local governments to reflect changing conditions along with this plan.
- If a school is built in the community, explicit facility sharing relationships should be established prior to construction.

Design and Land Use

- The Recommended Master Plan on page 17 should become the basis for a future land use plan amendment for the Rogers Road area.
- The Town should take the lead in initiating intergovernmental land use discussions (as required by the Joint Planning Agreement) by articulating a new vision for growth in the area.
- New development should be compact and offer a range of housing types. This will facilitate the development for a neighborhood core in the eastern part of the study area, as will the presence of a school and a neighborhood commercial district.
- Minimum setback requirements for new development should reflect the Task Force's desire to have a front porch community where life meets the street. Houses should be built close to sidewalks.
- The Task Force desires that the currently developed areas near Rogers Road and the peripheries of the study area maintain their current densities. This would allow this part of the community to maintain its rural feel.

Rogers Road Task Force Recommendations

Design and Land Use

- New roads near the neighborhood core should have curb and gutter.
- A maximum building height of 45' is recommended to maintain the community's character.

Community Preservation

- The two remaining historic buildings in the study area should be preserved and integrated into future community facilities.
- The Town should explore options similar to the Homestead Exemption that would enable current property owners, particularly long-time residents, Habitat residents, and descendants of the Historic Community, to retain ownership of their property.
- Local governments should collaborate with the community to develop strategies that help ensure that the majority of the housing stock be affordable to those making at or below 80% of the Area Median Income.
- Residents need to be informed of development pressures and opportunities in the Rogers Road area. This could happen through information sessions periodically hosted by the Town.
- The Town and the Community should collaborate to find innovative ways to rehabilitate declining residential properties in the area.
- Local governments with jurisdiction should revisit ordinances pertaining to the replacement of manufactured housing and strive to develop rules to allow existing housing to remain in place.
- The Town and the Rogers Road community should maintain the type of meaningful dialogue that was made possible by the efforts of the Task Force and by the work done during the design workshop.

Implementation

The Rogers Road Task Force developed a long-range vision for future land uses and desirable community enhancements. The proposed Rogers Road Small Area Plan Implementation Plan supports the Task Force vision and addresses the related social, economic, and environmental issues that affect the Rogers Road Community. Because of Joint Planning Jurisdiction, collaboration between the Towns of Chapel Hill and Carrboro, along with Orange County, will be necessary to implement many of the Task Force recommendations. Outlined below are a series of implementation actions and preliminary implementation schedule intended to achieve the recommendations of the Task Force. Figure 12 on pages 24-25 is a proposed implementation schedule.



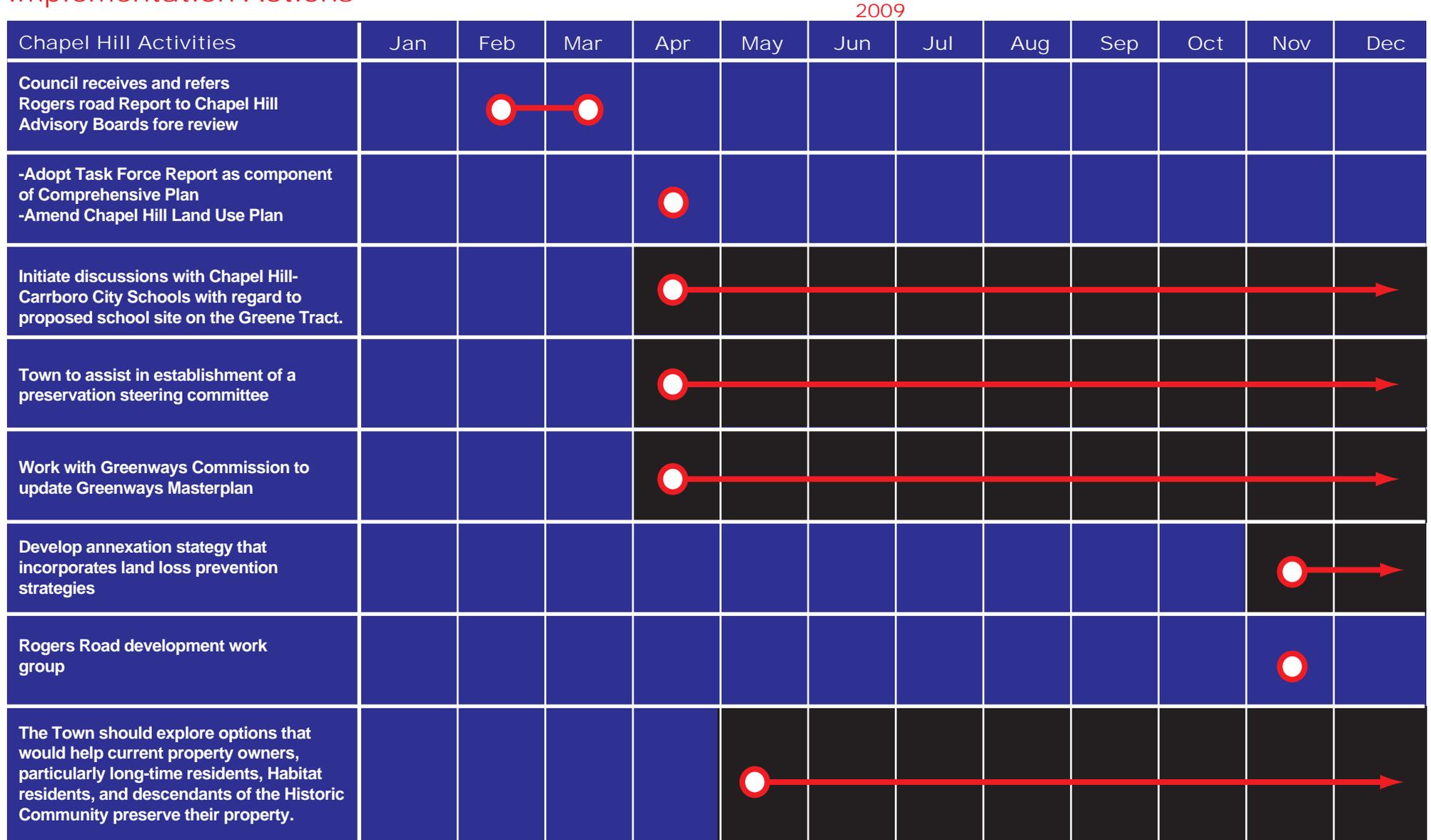
The Task Force suggested that this log cabin, located in the Rogers Road Study Area, could be a focal point for a Community Garden or a Farmers Market in the future.

- A: Task Force to provide the Rogers Road Task Force Report to the Town Council with a request that the report be adopted as a component of the Town's Comprehensive Plan and with an associated amendment to the Chapel Hill Land Use Plan.
- B: Town Council to initiate the Joint Planning process to amend the Joint Land Use Plan.
- C: Establish a work group of elected officials and appointed staff from each jurisdiction and OWASA to identify responsibilities that Chapel Hill, Carrboro, Orange County, and OWASA would need to assume to implement the Rogers Road Small Area Plan vision.
 - C₁: Work group to develop a utility funding and phasing plan for water and sewer connections for review by the three local governments.
 - C₂: Work group to identify transportation and traffic calming projects and funding options consistent with the recommendations of the Rogers Road Small Area Plan.
 - C₃: Review Greene Tract agreement and related Concept Plan to incorporate the recommendations of the Rogers Road Small Area Plan
- D: Town Council to ask the Chapel Hill-Carrboro City Schools to determine the facility needs to construct an elementary school in the Greene Tract.
- E: Town Council to ask the Greenways Commission to prepare an update of the Chapel Hill Greenways Master Plan to reflect the trail system proposed by the Task Force, for Council consideration.
- F: Town staff to develop an annexation strategy for the Rogers Road area reflecting the final water and sewer implementation plan (developed by work group established through C) and the provision of additional Town services. This strategy should include land loss prevention measures intended to keep existing residents in their homes.

Implementation

- F: Town staff to facilitate dialogue about annexation with the residents through the work group established in action C.
- G: Town Council to establish a Community Preservation Steering Committee to assess the feasibility of restoring the historically significant buildings of the Rogers Road study area, preserving the cemetery, and addressing other issues of historical significance.
- H: The Town staff to host a development information workshop at which town staff, developers, and property owners could discuss market trends and potential development options.
- I: The Town staff to work with residents to identify appropriate sites for a community garden project in the Rogers Road area.
- J: The Town should explore options similar to the Homestead Exemption that would enable current property owners, particularly long-time residents, Habitat residents, and descendants of the Historic Community, to retain ownership of their property.

Implementation Actions

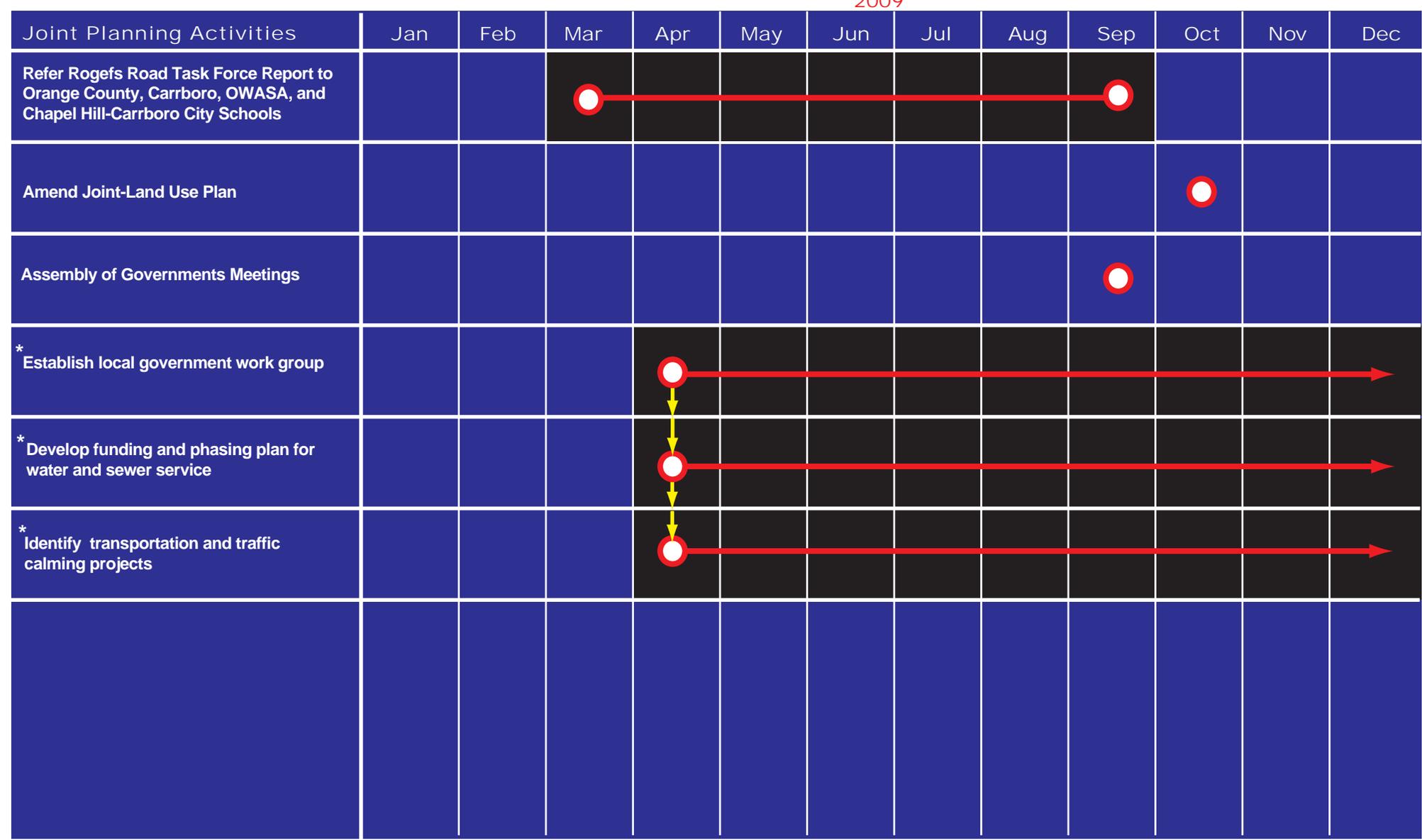


This timeline represents the actions Chapel Hill could take alone with regards to implemenation. Dates proposed are subject to change.

Figure 12 - Implementation Schedule

Implementation Actions

2009



**This timeline represents proposed collaborative efforts between Chapel Hill, Carrboro, Orange County, and OWASA needed to implement the recommendations of the Task Force.*

Figure 12 - Implementation Schedule

Acknowledgements

Town of Chapel Hill Planning Staff

J.B. Culpepper - Director
David Bonk - Long Range and Transportation Planning Manager
Garrett Davis - Long Range Planner
Scott Simmons - Graphics Specialist

Orange Water and Sewer Authority

Ed Holland - Director of Planning
Joe Leo - Engineering Technician

Orange County

Craig Benedict - Director
Perdita Holtz - Planning Systems Coordinator / Planner III

Town of Carrboro

Roy Williford - Director



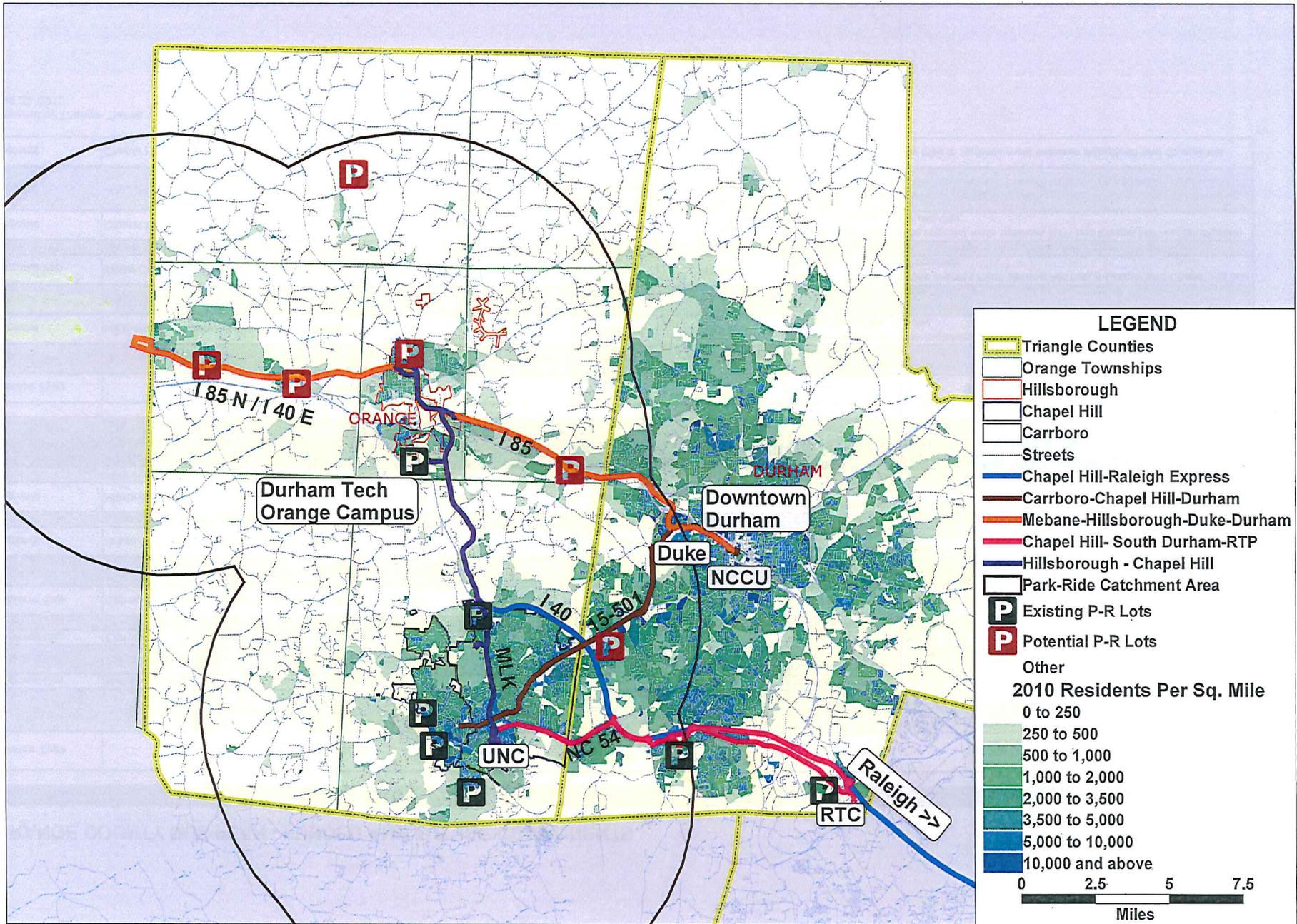
NC Water, Wastewater and Stormwater Funding Sources

Compiled by UNC EFC
June 2008

Organization	Program	Purpose or Use of Funds	Application Dates	Website	Contact
North Carolina Department of Commerce, Division of Community Assistance (DCA)	Community Development Block Grants (CDBG) (HUD funds)	To improve housing and economic development for low and moderate income communities	Typically, spring through the year's end.	http://www.nccommerce.com/en/CommunityServices/	Gloria Nance-Sims, Director gnance-sims@nccommerce.com 919 733-2850; 919 733-5262 (fax) 4313 Mail Service Center Raleigh, NC 27699
USDA Rural Development	Water and Wastewater Loans and Grants	Funds are for eligible community water, sewer, storm sewer, and solid waste projects.	Applications received year round.	www.rurdev.usda.gov/nc/wwd.htm	Roger Davis, Program Director roger.davis@nc.usda.gov (919) 873-2061 4405 Bland Road Raleigh, NC 27609
	Emergency Community Water Assistance Grants	These grants may be available to eligible rural communities in event of natural disaster or other acts that cause significant damage to a water or sewer system.	Contact NC State office. Applications received year round.	www.rurdev.usda.gov/nc/wwd.htm	Roger Davis, Program Director roger.davis@nc.usda.gov (919) 873-2061 4405 Bland Road Raleigh, NC 27609
	Very Low-Income Housing Repair Loans and Grants (Section 504)	504 REPAIR LOANS AND GRANTS - Single Family Housing makes loans and grants to provide rural residents with safe and affordable homes.	Contact a local USDA Rural Development Office.	www.rurdev.usda.gov/nc/504rep.htm	Mel Ellis, NC Program Director mel.ellis@nc.usda.gov (919) 873-2060 Area contacts listed at www.rurdev.usda.gov/nc/dolist.htm
	Water and Wastewater Loans and Grants	Funds are for eligible community water, sewer, storm sewer, and solid waste projects.	Applications received year round.	www.rurdev.usda.gov/nc/wwd.htm	Roger Davis, Program Director roger.davis@nc.usda.gov (919) 873-2061 4405 Bland Road Raleigh, NC 27609
Economic Development Administration, Department of Commerce	Public Works and Development Facilities Grant Program	These grants support projects that promote economic development in economically distressed areas.	Proposals are accepted on a continuing basis.	www.eda.gov	Philip Trader ptrader@eda.doc.gov (404) 730-3017 Economic Development Administration 401 West Peachtree Street NW Suite 1820 Atlanta, GA, 30308-3510
NC Division of Environmental Health	Public Water Supply Section - Drinking Water SRF Loan Program	Planning, designing, and construction for the purpose of upgrading, expanding, extending, rehabilitating or consolidating water systems.	DWSRF application deadline is September 30 each year.	www.deh.enr.state.nc.us/pws/srf/index.htm	Sid Harrell sid.harrell@ncmail.net (919) 715-3216 Public Water Supply Section Division of Environmental Health 1634 Mail Service Center Raleigh, NC 27699-1634
Clean Water Management Trust Fund (CWMTF) Grants		Grants fund projects to protect and restore surface water quality, such as stormwater management, stream restoration, wetland acquisition, and improvements or repairs to wastewater treatment systems.	Application deadline is March 1 each year.	www.cwmf.net	Beth McGee, Deputy Director beth.mcgee@cwmf.net (919) 716-0055 Clean Water Management Trust Fund 1651 Mail Service Center Raleigh, NC 27699-1651

Organization	Program	Purpose or Use of Funds	Application Dates	Website	Contact
North Carolina Construction Grants and Loans Section	Clean Water State Revolving Fund	The CWSRF program is available to fund a wide variety of water quality projects.	Applicants must be scheduled on Priority Funding List before March 31st.	www.nccgl.net/fap/cwsrf/index.html	Daniel Blaisdell, Chief daniel.blaisdell@ncmail.net (919) 715-6211 DENR Construction Grants and Loans Section 1633 Mail Service Center Raleigh, NC 27399-1633
Appalachian Regional Commission (ARC)	Supplements to Other Federal Grants	ARC offers Community Development Supplemental Grants for water projects in the designated Appalachian regions in 13 eastern states.	Contact your state ARC program manager for more information.	www.arc.gov	Olivia Collier, Appalachian Program Manager ocollier@ncommerce.com (919) 733-2853 ext. 252 Appalachian Regional Commission Grant Program 1307 Glenwood Avenue Raleigh, NC 27699-4313
NC Rural Economic Development Center	Supplemental Grants Program, Capacity Building Grants Program	The Rural Center administers grant programs to help rural communities develop the water and sewer systems they need to support local economic growth and ensure a reliable supply of clean water.	Application deadlines are 5:00 p.m. on the last business days of March and September.	www.ncruralcenter.org/grants/water.htm	Julie Haigler Cubeta, Senior Director, Physical Infrastructure Office jhaiglercubeta@ncruralcenter.org (919) 250-4314; (919) 250-4325 (fax) N.C. Rural Economic Development Center 4021 Cary Drive Raleigh, NC 27610
	Economic Infrastructure Grants	Grant funds are used to generate new jobs in rural or urban, economically distressed communities through water and wastewater improvement projects.	Pre-applications taken on a rolling basis.	www.ncruralcenter.org/infrastructure/	Julie Haigler Cubeta, Senior Director, Physical Infrastructure Office jhaiglercubeta@ncruralcenter.org (919) 250-4314; (919) 250-4325 (fax) N.C. Rural Economic Development Center 4021 Cary Drive Raleigh, NC 27610
North Carolina Division of Water Quality	Clean Water Act Section 319(h) Grants	Section 319 funds support projects designed to reduce nonpoint source distribution. The NC Division seeks Base Funded Proposals (funding for education and demonstration of innovative best management practices) and Incremental Funded Proposals (water quality restoration funding).	Proposals will be accepted for about three months beginning in November 2007.	http://h2o.enr.state.nc.us/nps/Section_319_Grant_Program.Htm	Kim Nimmer, Grant Program Coordinator kimberly.nimmer@ncmail.net (919) 733-5083 ext. 582 Water Quality Section Division of Water Quality NC DENR P.O. Box 29535 Raleigh, NC 27626-0535
	Section 319 Nonpoint Source Grant Program	Grant program was established to provide funding for efforts to curb nonpoint source (NPS) pollution, including that which occurs through stormwater runoff	Applications accepted between February 13 and May 15, the year prior.	http://h2o.enr.state.nc.us/nps/Section_319_Grant_Program.htm	Heather Boyette heather.boyette@ncmail.net 919-733-5083, ext. 357 512 West Salisbury Street Raleigh, NC 27604
North Carolina Division of Soil and Water Conservation	Community Conservation Assistance Program	To reduce the input of nonpoint source pollution through best management practices		http://www.enr.state.nc.us/dswc/pages/ccap_program.html	Shelly Miller shelly.miller@ncmail.net 919-715-6107 Division of Soil and Water Conservation 1614 Mail Service Center Raleigh, NC 27699-1614

Orange County Transit Plan: Proposed Regional Bus Service Improvements



LEGEND

- Triangle Counties
- Orange Townships
- Hillsborough
- Chapel Hill
- Carrboro
- Streets
- Chapel Hill-Raleigh Express
- Carrboro-Chapel Hill-Durham
- Mebane-Hillsborough-Duke-Durham
- Chapel Hill- South Durham-RTP
- Hillsborough - Chapel Hill
- Park-Ride Catchment Area
- Existing P-R Lots
- Potential P-R Lots

Other

2010 Residents Per Sq. Mile

- 0 to 250
- 250 to 500
- 500 to 1,000
- 1,000 to 2,000
- 2,000 to 3,500
- 3,500 to 5,000
- 5,000 to 10,000
- 10,000 and above

0 2.5 5 7.5
Miles

ATTACHMENT 2

COPY

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: **March 7, 2013**

**Action Agenda
Item No. 7-d**

SUBJECT: Proposal to Move Toward A Franchise to Privatize Curbside Solid Waste and Recycling Services in Unincorporated Area of Orange County

DEPARTMENT: Solid Waste/Recycling

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

- 1) General Statutes 153A-136 Regulations of Solid Waste
- 2) General Statutes 160A-327 Displacement of Private Solid Waste Collection Services

INFORMATION CONTACT:

Frank Clifton, 245-2300
Gayle Wilson, 968-2885
John Roberts, 245-2318
Michael Talbert, 245-2308

PURPOSE: To discuss a proposal to move toward a county-wide franchise agreement that would privatize curbside Solid Waste and Recycling Services in the unincorporated areas of Orange County.

BACKGROUND: The Solid Waste Mission Statement is to operate public facilities receiving and processing various types of Municipal Solid Waste and Construction and Demolition Waste in such a way as to provide a high quality, reliable, cost effective environmental safe containment of these wastes ensuring the protection of the environment, health and safety of the citizens of Orange County.

The BOCC has authorized a major modernization/upgrade of the Walnut Grove Solid Waste Convenience Center as a first step in eventual improvements to all five solid waste convenience centers. These improvements conceive creating two centrally located District Centers (Walnut Grove and Eubanks) which would have extended hours of operation and a wide range of services to include Household Hazardous Waste, expanded salvage sheds, food waste/cooking oil recycling and various other new and improved recycling opportunities. The other three Neighborhood Centers would have slightly reduced hours of operation and more limited services. All would utilize compaction for more efficient hauling and be paved for a more sanitary and aesthetic resident experience with more user friendly and safer waste/recycling receptacles.

The Orange County Municipal Solid Waste Landfill, located on Eubanks Road, will close on June 30, 2013. The Construction and Demolition landfill will continue to operate for the next 17 to 18 years. White goods, scrap tires, scrap metal, mattresses, and yard waste will become part of the recycling division beginning July 1, 2013. These significant changes in the operation of

the Solid Waste, and recent North Carolina court decisions limiting County authority, caused Orange County to investigate curbside Solid Waste alternatives.

Curbside household solid waste collections in the unincorporated areas of the County are provided by private haulers (without a franchise agreement). The Towns collect household solid waste within their town limits. Curbside recycling, provided by the County, is limited to 13,730 households in the unincorporated area of the County. A rural curbside recycling fee is charged to those households where recycling services are made available. An urban curbside recycling fee is charged to Chapel Hill, Carrboro and Hillsborough residents by the County for urban curbside recycling services.

North Carolina General Statute's 153A-136 (Attachment 1) Regulation of Solid Waste, gives Counties the authority to grant a franchise for the exclusive right to collect or dispose of solid waste within all or a defined portion of the county and prohibit others from collecting or disposing of solid wastes in that area. The County is exploring a franchise agreement process for the unincorporated areas of the County which would include the privatization of curbside household solid waste and recycling. The County may by resolution permit a Solid Waste Ordinance to be adopted by the Towns and applicable within the Town limits. The Towns may negotiate a fee schedule that differs from the fees established by the County for privatized curbside solid waste or recycling services.

North Carolina General Statute's 160A-327 (Attachment 2) provides that a unit of local government may displace a private company that is providing collection services for household solid waste or recovered material. The County will follow the procedure outlined in GS 160A-327. The earliest possible date for the Board to hold a hearing to consider implementing provisions of the statute is April 23, 2013.

An anticipated timeline, if Orange County moves toward the Franchise of Curbside Solid Waste and Recycling Services in Unincorporated Area of Orange County is:

- March 15, 2013 – Notice to existing private solid waste collection services of the April 23, 2013 meeting to discuss Franchise Agreement and displacement of private solid waste collection services
- April 23, 2013 Public Hearing to discuss Franchise Agreement and displacement of private solid waste collection services implementing the 15 month public notice requirement
- April 23, 2013 – June 15, 2013 Create Request for Proposals (RFP) - Franchise Agreement
- June 15, 2013 – August 15, 2013 RFP available for vendors to responses
- August 15, 2013 – September 30, 2013 Staff evaluation of proposals and negotiations with vendors
- October 8, 2013 Work Session discussion of Franchise Agreement
- November 5, 2013 Public Hearing to consider Franchise Agreement
- November 19, 2013 Board Approval of Franchise Agreement
- July 1, 2014 – December 31, 2015 - Phased Implementation of Franchise Agreement

FINANCIAL IMPACT: There is no financial impact to the County in discussing this proposal to move toward a county-wide franchise agreement for privatized curbside Solid Waste and Recycling Services in the unincorporated areas of Orange County.

RECOMMENDATION(S): The Manager recommends that the Board approve the scheduling of a public hearing to discuss a proposal to move toward a county-wide Franchise agreement for curbside Solid Waste and Recycling Services in the unincorporated areas of Orange County for April 23, 2013 and direct staff to proceed with the various steps required in NC General Statutes.

NOTE: There are several elements to this process that will require coordination with Town governments, the existing recycling contractor, existing private waste collection in rural Orange County and others. If the process ends in a decision to move forward to 'privatize ' curbside collection services, the existing fees charged by the County for these services will be eliminated and residents will voluntarily participate in curbside solid waste and recycling services provided by a private contractor on an individual fee basis established via the franchise agreement process.

§ 153A-136. Regulation of solid wastes.

(a) A county may by ordinance regulate the storage, collection, transportation, use, disposal, and other disposition of solid wastes. Such an ordinance may:

- (1) Regulate the activities of persons, firms, and corporations, both public and private.
- (2) Require each person wishing to commercially collect or dispose of solid wastes to secure a license from the county and prohibit any person from commercially collecting or disposing of solid wastes without a license. A fee may be charged for a license.
- (3) Grant a franchise to one or more persons for the exclusive right to commercially collect or dispose of solid wastes within all or a defined portion of the county and prohibit any other person from commercially collecting or disposing of solid wastes in that area. The board of commissioners may set the terms of any franchise, except that no franchise may be granted for a period exceeding 30 years, nor may any franchise by its terms impair the authority of the board of commissioners to regulate fees as authorized by this section.
- (4) Regulate the fees, if any, that may be charged by licensed or franchised persons for collecting or disposing of solid wastes.
- (5) Require the source separation of materials prior to collection of solid waste for disposal.
- (6) Require participation in a recycling program by requiring separation of designated materials by the owner or occupant of the property prior to disposal. An owner of recovered materials as defined by G.S. 130A-290(a)(24) retains ownership of the recovered materials until the owner conveys, sells, donates, or otherwise transfers the recovered materials to a person, firm, company, corporation, or unit of local government. A county may not require an owner to convey, sell, donate, or otherwise transfer recovered materials to the county or its designee. If an owner places recovered materials in receptacles or delivers recovered materials to specific locations, receptacles, and facilities that are owned or operated by the county or its designee, then ownership of these materials is transferred to the county or its designee.
- (6a) Regulate the illegal disposal of solid waste, including littering on public and private property, provide for enforcement by civil penalties as well as other remedies, and provide that such regulations may be enforced by county employees specially appointed as environmental enforcement officers.
- (7) Include any other proper matter.

(b) Any ordinance adopted pursuant to this section shall be consistent with and supplementary to any rules adopted by the Commission for Public Health or the Department of Environment and Natural Resources.

(c) The board of commissioners of a county shall consider alternative sites and socioeconomic and demographic data and shall hold a public hearing prior to selecting or approving a site for a new sanitary landfill that receives residential solid waste that is located within one mile of an existing sanitary landfill within the State. The distance between an existing and a proposed site shall be determined by measurement between the closest points on the outer boundary of each site. The definitions set out in G.S. 130A-290 apply to this subsection. As used in this subsection:

- (1) "Approving a site" refers to prior approval of a site under G.S. 130A-294(a)(4).
- (2) "Existing sanitary landfill" means a sanitary landfill that is in operation or that has been in operation within the five-year period immediately prior to the date on which an application for a permit is submitted.
- (3) "New sanitary landfill" means a sanitary landfill that includes areas not within the

legal description of an existing sanitary landfill as set out in the permit for the existing sanitary landfill.

(4) "Socioeconomic and demographic data" means the most recent socioeconomic and demographic data compiled by the United States Bureau of the Census and any additional socioeconomic and demographic data submitted at the public hearing.

(d) As used in this section, "solid waste" means nonhazardous solid waste, that is, solid waste as defined in G.S. 130A-290 but not including hazardous waste.

(e) A county that has planning jurisdiction over any portion of the site of a sanitary landfill may employ a local government landfill liaison. No person who is responsible for any aspect of the management or operation of the landfill may serve as a local government landfill liaison. A local government landfill liaison shall have a right to enter public or private lands on which the landfill facility is located at reasonable times to inspect the landfill operation in order to:

(1) Ensure that the facility meets all local requirements.

(2) Identify and notify the Department of suspected violations of applicable federal or State laws, regulations, or rules.

(3) Identify and notify the Department of potentially hazardous conditions at the facility.

(f) Entry pursuant to subsection (e) of this section shall not constitute a trespass or taking of property. (1955, c. 1050; 1957, cc. 120, 376; 1961, c. 40; c. 514, s. 1; cc. 711, 803; c. 806, s. 1; 1965, c. 452; 1967, cc. 34, 90; c. 183, s. 1; cc. 304, 339; c. 495, s. 4; 1969, cc. 79, 155, 176; c. 234, s. 1; c. 452; c. 1003, s. 4; 1973, c. 476, s. 128; c. 822, s. 1; 1989 (Reg. Sess., 1990), c. 1009, s. 1; 1991 (Reg. Sess., 1992), c. 1013, s. 1; 1993, c. 165, s. 1; 1997-443, s. 11A.123; 2001-512

160A-327. Displacement of private solid waste collection services.

(a) A unit of local government shall not displace a private company that is providing collection services for municipal solid waste or recovered materials, or both, except as provided for in this section.

(b) Before a local government may displace a private company that is providing collection services for municipal solid waste or recovered materials, or both, the unit of local government shall publish notice of the first meeting where the proposed change in solid waste collection service will be discussed. Notice shall be published once a week for at least four consecutive weeks in at least one newspaper of general circulation in the area in which the unit of local government and the proposed displacement area are located. The first public notice shall be given no less than 30 days but no more than 60 days prior to the displacement issue being placed on the agenda for discussion or action at an official meeting of the governing body of the unit of local government. The notice shall specify the date and place of the meeting, the geographic location in which solid waste collection services are proposed to be changed, and the types of solid waste collection services that may be affected. In addition, the unit of local government shall send written notice by certified mail, return receipt requested, to all companies that have filed notice with the unit of local government clerk pursuant to the provisions of subsection (f) of this section. The unit of local government shall deposit notice in the U.S. mail at least 30 days prior to the displacement issues being placed on the agenda for discussion or action at an official meeting of the governing body of the unit of local government.

(c) Following the public notice required by subsection (b) of this section, but in no event later than six months after the date of the first meeting pursuant to subsection (b) of this section, the unit of local government may proceed to take formal action to displace a private company. The unit of local government or other public or private entity selected by the unit of local government may not commence the actual provision of these services for a period of 15 months from the date of the first publication of notice, unless the unit of local government provides compensation to the displaced private company as follows:

- (1) Subject to subdivision (3) of this subsection, if the private company has provided collection services in the displacement area prior to announcement of the displacement action, the unit of local government shall provide compensation to the displaced private company in an amount equal to the total gross revenues for collection services provided in the displacement area for the six months prior to the first publication of notice required under subsection (b) of this section.
- (2) Subject to subdivision (3) of this subsection, if the displaced private company has provided collection services in the displacement area for less than six months prior to the first publication of notice required under subsection (b) of this section, the unit of local government shall provide compensation to the displaced private company in an amount equal to the total gross revenues for the period of time that the private company provided such services in the displacement area.
- (3) If the displaced private company purchased an existing operation of another private company providing such services, compensation shall be for six months based on the monthly average total gross revenues for three months the immediate preceding the first publication of notice required under subsection (b) of this section.

(d) If the local government elects to provide compensation pursuant to subsection (c) of this section, the amount due from the unit of local government to the displaced company shall be paid as follows: one-third of the compensation to be paid within 30 days of the displacement and the balance paid in six equal monthly installments during the next succeeding six months.

(e) If the unit of local government fails to change the provision of solid waste services as described in the notices required under subsection (b) of this section within six months of the date of the first meeting pursuant to subsection (b) of this section, the unit of local government shall not take action to displace without complying again with the provisions of subsection (b) of this section.

(f) Notice of the provision of solid waste collection service shall be filed with the unit of local

government clerk of all cities and counties located in the private company's collection area or within five miles thereof.

(g) This section shall not apply when a private company is displaced as the result of an annexation under Article 4A of Chapter 160A of the General Statutes or an annexation by an act of the General Assembly. The provisions of G.S. 160A-37.3, 160-49.3, or 160A-324 shall apply.

(h) If a unit of local government intends to provide compensation under subsection (c) of this section to a private company that has given notice under subsection (f) of this section, the private company shall make available to the unit of local government not later than 30 days following a written request of the unit of local government, sent by certified mail, return receipt requested, all information in its possession or control, including operational, financial, and budgetary information necessary for the unit of local government to determine if the private company qualifies for compensation. The private company forfeits its rights under this section if it fails to make a good faith response within 30 days following receipt of the written request for information from the unit of local government provided that the unit of local government's written request so states by specific reference to this section.

(i) Nothing in this section shall affect the authority of a city or county to establish recycling service where recycling service is not currently being offered.

(j) As used in this section, the following terms mean:

- (1) Collection. – The gathering of municipal solid waste, recovered materials, or recyclables from residential, commercial, industrial, governmental, or institutional customers and transporting it to a sanitary landfill or other disposal facility. Collection does not include transport from a transfer station or processing point to a disposal facility.
- (2) Displacement. – Any formal action by a unit of local government that prohibits a private company from providing all or a portion of the collection services for municipal solid waste, recovered materials, or recyclables that the company is providing in the affected area at least 90 days prior to the date of the first publication of notice required by subsection (b) of this section. Displacement also means an action by a unit of local government to use an availability fee, nonoptional fee, or taxes to fund competing collection services for municipal solid waste, recovered materials, or recyclables that the private company is providing in the affected areas at least 90 days prior to the date of the first publication of notice required under subsection (b) of this section is given. Displacement does not include any of the following actions:
 - a. Failure to renew a franchise agreement or contract with a private company.
 - b. Taking action that results in a change in solid waste collection services because the private company's operations present an imminent and substantial threat to human health or safety or are causing a substantial public nuisance.
 - c. Taking action that results in a change in solid waste collection services because the private company has materially breached its franchise agreement or the terms of a contract with the local government, or the company has notified the local government that it no longer intends to honor the terms of the franchise agreement or contract. Notice of breach must be delivered in writing, delivered by certified mail to the firm in question with 30 days to cure the violation of the contract.
 - d. Terminating an existing contract or franchise in accordance with the provisions of the contract or franchise agreement.
 - e. Providing temporary collection services under a declared state of emergency.
 - f. Taking action that results in a change in solid waste collection services due to the existing providers' felony conviction of a violation in the State of federal or State law governing the solid waste collection or disposal.
 - g. Contracting with a private company to continue its existing services or

provide a different level of service at a negotiated price on terms agreeable to the parties.

- (3) Municipal solid waste. – As defined in G.S. 130A-290(18a).
- (4) Unit of local government. – A county, municipality, authority, or political subdivision that is authorized by law to provide for collection of solid waste or recovered materials, or both. (2006-193, s. 4.)

ATTACHMENT 7-a

Memorandum

To: Chair and Orange County Board of Commissioners
Mayor and Town Council of Chapel Hill

From: Frank Clifton, County Manager
Roger Stancil, Town Manager
Lucinda Munger, OCPL Director
Mark Bayles, Interim CHPL Director

Subject: Update on Interoperability

Attachment: November 8, 2012 BOCC Agenda Abstract – Report on Library Interoperability (with Report and Signed Interoperability Agreement)

Date: 3/6/13

Introduction and Purpose

Following the Interoperability Update of October 2012, the library staff from Orange County and Chapel Hill met to review the first four (4) short term objectives. Based on the evaluations, staff provides the following updates:

Short Term Objectives

- 1) Policy Alignment
 - a. Currently, OCPL and CHPL are aligned on the following policies / rules and procedures:
 - i. Kindle Use Procedure
 - ii. Rules of Conduct and Courtesy
 - iii. Safe Child Policy
- 2) Program Collaboration
 - a. Youth Services staff from OCPL and CHPL blocked booked at least one summer reading performer for 2013.
- 3) Staff Development
 - a. CHPL and OCPL are sharing possible training and collaborations.
 - ie) Vermont Systems for room reservations and Dispute Settlement Of Chapel Hill for Staff Development
- 4) Statistical Reporting
 - a. Currently collaborating on OCPL ILS setup of Innovative system in order to provide aligned metrics for our population.

COPY**ORANGE COUNTY
BOARD OF COMMISSIONERS****ACTION AGENDA ITEM ABSTRACT**Meeting Date: **November 8, 2012**Action Agenda
Item No. 5-i**SUBJECT:** Report on Library Interoperability**DEPARTMENT:** Library Services**PUBLIC HEARING:** (Y/N)**ATTACHMENT(S):**

Cover Memorandum with:

- Report
- Copy of Signed Interoperability Agreement Regarding Library Services between Orange County and Chapel Hill

INFORMATION CONTACT:

Lucinda Munger, 919-245-2528

PURPOSE: To receive the Library Interoperability Report from the Town and County Managers and Library Staff for Orange County and the Town of Chapel Hill, and authorize staff to proceed with implementation of the first four (4) short term objectives.

BACKGROUND: In 2012, the Orange County and the Town of Chapel Hill entered into an Interlocal Agreement for Library Services (attached). A condition of this agreement (Section 3) is a report to the two governing boards by County and Town Managers and Library Staff regarding appropriate methods for interoperability between the Orange County Library System and the Town of Chapel Hill Library. The attached memo and report outline the short term objectives and process for attaining preliminary steps toward interoperability.

As part of the agreement, the 2013-14 County contribution to Chapel Hill for Library Services is scheduled to be 27% of total County Library System operational costs, an increase of 3% over the FY2012-13 of 24%. If total library expenses remain the same at \$1,705,183, then 27% would reflect a contribution of \$460,399.

FINANCIAL IMPACT: There are no financial impacts associated with receiving the report and no impacts with the recommended implementation of the first four (4) short term objectives.

RECOMMENDATION(S): The Manager recommends that the Board:

- 1) Receive the report;
- 2) Authorize staff to proceed with implementation of the first four (4) short term objectives;
- 3) Plan to discuss the "Areas of Further Exploration" at the joint meeting between the Board of Commissioners and Chapel Hill Town Council scheduled for March 2013; and
- 4) Request that the elected officials working group meet prior to the March joint meeting to review progress and make recommendations.

Memorandum

To: Chair and Orange County Board of Commissioners
Mayor and Town Council of Chapel Hill

From: Frank Clifton, County Manager
Roger Stancil, Town Manager
Lucinda Munger, OCPL Director
Mark Bayles, Interim CHPL Director

Subject: Update on Interoperability

Attachments: A – Report
B – Interlocal Agreement - copy

Date: 10/24/12

Introduction and Purpose

In 2012, Orange County and the Town of Chapel Hill entered into an Interlocal Agreement for Library Services (Attachment B). A condition of this agreement (Section 3) is a report to the Boards by County and Town Managers and Library Staff regarding appropriate methods for interoperability between the Orange County Library System and the Town of Chapel Hill Library. As part of the agreement, the 2013-14 County contribution to Chapel Hill for Library Services is scheduled to be 27% of total County Library System operational costs, an increase of 3% over the FY2012-13 of 24%. If total library expenses remain the same at \$1,705,183, then 27% would reflect a contribution of \$460,399.

Library staff from Orange County and Chapel Hill met earlier this fall to examine current services and possible methods for promoting cooperative interlibrary services. Based on these discussions, staff has identified and agreed on Two (2) Primary Long Term Library Service Goals

- 1) Ease of Use for all Orange County residents and Chapel Hill residents residing in Durham County
- 2) Access for all residents to library services

Based on these primary long term library goals, staff has identified Four (4) short-term objectives that can be implemented within 12 months, with little to no financial impact. (See Attachment A for detailed descriptions, including benefits)

Section 1

- 1) Policy Alignment
- 2) Program Collaboration
- 3) Staff Development
- 4) Statistical Reporting

Within this report, staff also identified Three (3) “Areas for Further Exploration”.

Section 2

- 1) Single Library Card
- 2) Shared Online Subscription Services
- 3) Exchange of Materials

Due to the financial impact, extensive collaboration and long term commitment needed for these initiatives, they would require consultation with our mutual vendor, Innovative Interfaces. In addition, they would require financial support from both governing bodies during an annual budget cycle and formally defined responsibilities as outlined through a mutually agreed upon amendment to the interlocal agreement between both Boards.

Manager Recommendations

- 1) Authorize Managers to proceed with implementation of the first four (4) short term objectives; and
- 2) Discuss “Areas of Further Exploration” at joint meeting between Orange County and Town of Chapel Hill scheduled for March 2013.

Attachment A

SECTION 1**SHORT TERM OBJECTIVES**

The Library staff recommends the following mutually agreed upon short term objectives of cooperative library services as appropriate for implementation within the next 12 months with little or no financial impact.

1) POLICY ALIGNMENT

Library staff would work to align the policies regarding registration, borrowing materials and other library services.

ACTIVITIES

- Collaboratively review existing policies and recommend changes for closer alignment between systems

BENEFITS

- Promotes a consistent user experience for library patrons

2) PROGRAM COLLABORATION

Library staff would explore opportunities to collaborate on program planning and promotion.

ACTIVITIES

- Seek opportunities to book performers and programs at both library systems
- Reciprocally promote key library programs through digital signage and other publicity
- Evaluate opportunity to conduct a joint *Community Reads* program during the 2013 – 2014 fiscal year

BENEFITS

- Maximizes investment in programming by offering programs at multiple locations
- Raises awareness among residents regarding library programs across the county

3) STAFF DEVELOPMENT

Library staff would schedule regular meetings and joint professional development.

ACTIVITIES

- Schedule regular meetings among library staff from both systems to discuss professional experiences and best practices
- Collaborate on professional training opportunities

BENEFITS

- Supports service alignment and program collaboration between libraries
- Raises staff awareness of library services across the county
- Maximizes investment in staff development

4) STATISTICAL REPORTING

Library staff would work to further align data collection and reporting practices.

The State Library of North Carolina requires each library in the state to provide annual statistical data, compiling like usage data for review and analysis. Both Chapel Hill Public Library and Orange County Public Library already provide this data annually.

ACTIVITIES

- Utilize the Land Records database as a common resource for analytics and metrics
- Provide evaluations using the common database to illustrate the distribution of library registration and circulation activities based on patron residence (such as patron count and material circulation)
- Review additional types of regularly compiled statistics to identify additional areas in which standardized statistical outputs would benefit service evaluation

BENEFITS

- Ensures consistency in the service measures reported by the library
- Provides foundational data for exploring potential future cooperative interlibrary services

SECTION 2

AREAS FOR FURTHER EXPLORATION

The Library staff has identified the following areas of possible cooperative interlibrary services for the future. Cooperative services presented in this section would require resources and personnel not currently in place within the library systems.

Due to the financial impact, extensive collaboration and long term commitment needed for these initiatives, they would require consultation with our mutual vendor, Innovative Interfaces. In addition, they would require financial support from both governing bodies during an annual budget cycle and formally defined responsibilities as outlined through a mutually agreed upon amendment to the interlocal agreement between both Boards.

1) SINGLE LIBRARY CARD

The library systems would develop a process for joint issuance of cards. The library staff would regularly exchange patron registration data so that library cards issued from either system would be accepted at all library locations.

BENEFITS

- Library patrons would need only one library card to access library services across the county.

PRELIMINARY CONSIDERATIONS

- Subscriptions for Online Resources – Both library systems have purchased subscription resources for their library patrons. Access to these resources is usually based on the patron library card number, and subscription costs are determined by the library's service population and/or number of registered patrons. As a result, the exchange of patron data may violate existing service contracts or increase service costs.
- Duplicate Records – Many patrons are already registered at both library systems. An implementation plan would need to consider the proper management of duplicate records.

LIMITATIONS

- Library patrons would still have to manage two separate library accounts. Patron requests, borrowed items and fees would be reflected separately for each library system.
- Reciprocal card use would not be in real-time. Library staff would have to batch load records on a regular basis, so new registrations at one library system would not be immediately reflected in the other system's database.

FINANCIAL IMPACTS

- Software costs associated with enabling the exchange of patron registration data.
- Personnel costs associated with importing and exporting data. Personnel costs would be contingent upon the level of technical expertise required to perform this task and the frequency with which data is exchanged.
- Sharing patron data has the potential to result in increased annual costs related to subscription resources and/or ILS maintenance.

2) SHARED ONLINE SUBSCRIPTION RESOURCES

As indicated in option 1, both library systems maintain a collection of online resources for their library patrons. If a single card is accepted at both library systems, there may be opportunities to negotiate shared contracts for duplicated services.

BENEFITS

- Negotiating joint contracts for select online resource subscriptions may provide cost savings to both library systems or eliminate duplicate costs.

PRELIMINARY CONSIDERATIONS

- Interlocal Agreement – Joint contract negotiation would require a well-defined interlocal agreement regarding the terms access, continuation, maintenance and ownership, as well as collaboration between the legal professionals representing each governing body.

LIMITATIONS

- Opportunities to negotiate shared contracts would have to be established separately for each vendor, and may not be available for all resources.

FINANCIAL IMPACTS

- Further negotiations among governing bodies and resource vendors would be required in order to determine financial impacts.

3) EXCHANGE OF MATERIALS

The library systems would regularly exchange books in order to fill patron requests for titles not owned by the patron's home library.

Orange County Public Library currently provides a similar service to Carrboro libraries, including a courier route 3 times weekly.

BENEFITS

- Library patrons that prefer to use only one library system would have access to additional materials.
- Library patrons would have additional flexibility regarding the pickup location of requested materials.

PRELIMINARY CONSIDERATIONS

- Scope – The costs and resources required for an exchange of materials depend on the desired outcomes of the service. Considerations include staffing, eligible materials and frequency of exchange.

LIMITATIONS

- Library patrons would still have to manage two separate library accounts. Patron requests, borrowed items and fees would be reflected separately for each library system.

FINANCIAL IMPACTS

- Software costs associated with enabling the exchange of material requests. Software requirements would be contingent upon the desired outcomes.
- Personnel costs associated with processing requested materials and providing courier services. Personnel costs would be contingent upon the scope of the service.
- Maintenance costs associated with maintaining a courier vehicle.

Attachment B

**INTERLOCAL AGREEMENT BY AND BETWEEN ORANGE COUNTY
AND THE TOWN OF CHAPEL HILL REGARDING
FUNDING OF THE CHAPEL HILL MUNICIPAL LIBRARY AND
IMPROVED INTEROPERABILITY OF LIBRARY SYSTEMS**

THIS AGREEMENT, made and entered into this 28th day of SEPTEMBER, 2012 between the Town of Chapel Hill, North Carolina, a North Carolina municipal corporation, of Orange County, North Carolina (hereinafter referred to as the "Town"); and Orange County, a body politic and political subdivision of the State of North Carolina (hereinafter referred to as the "County"), for the joint and/or assigned operations and funding responsibilities of the Chapel Hill Municipal Library (hereinafter referred to as the "Municipal Library").

WITNESSETH

WHEREAS, the County and Town are public bodies, politic and corporate, under the laws of the State of North Carolina and are vested with the power and authority to own and operate libraries for the benefit of the public pursuant to Article 14 of North Carolina General Statutes Chapter 153A and are authorized by Article 20 of North Carolina General Statutes Chapter 160A to enter into this Interlocal Agreement (hereinafter referred to as the "Agreement"); and

WHEREAS, the County operates a library system affording services to all residents of Orange County and the Town operates its Municipal Library for the principal benefit of Town residents, while also providing library services to residents of the County beyond its corporate limits; and

WHEREAS, the County has historically provided financial support for the Town's operation of the Municipal Library by way of an annual contribution, most recently a sum of approximately \$250,000.00 in FY2010-11; and

WHEREAS, Orange County is committed to building and maintaining a robust county library system for all County residents and to supporting library services at the highest level feasible within its fiscal constraints; and

WHEREAS, the County and Town (hereinafter referred to jointly as the "Parties") acknowledge that Town residents primarily rely on the Municipal library for library services and, further, that many residents of the southern portion of the County, outside the Town, also rely on the Municipal Library and not the County library system, for library services; and

WHEREAS, the Town has historically provided library services to County residents outside of the Town's corporate limits at no charge and on the same basis as such services are provided to Town residents in accordance with N.C General Statute Sec. 153A-264; and

WHEREAS, the Parties have not previously instituted a formal written agreement to direct or calculate the County's annual contribution in support of Municipal library operations; and

WHEREAS, the Parties recognize the mutual benefit and interest of the Parties hereto, and to the public generally, in the County's continued contribution to the Municipal Library and in the Town's provision of library services to County residents; and

WHEREAS, the Parties wish to continue their longstanding relationship under which the County provides annual funding to the Town for library services to ensure such services are available at no charge to County residents; and

WHEREAS, the Parties wish, by entering into this Agreement, to establish the terms whereby future County funding of the Municipal Library shall continue and to establish a mechanism or formula whereby such funding may be appropriately calculated; and

WHEREAS, the Parties wish to explore opportunities for cooperative inter-library services and operability, whereby residents of the Town and the County may have improved access to library resources provided by both Parties;

NOW, THEREFORE, in consideration of the foregoing and on mutual promises and obligations set forth herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **TERM**

- a. This Agreement shall commence January 1, 2012 for the remainder of the 2011-2012 Fiscal year and shall continue each fiscal year thereafter through June 30, 2015.
- b. This Agreement may be renewed beyond July 1, 2015 upon written agreement of the Parties.

2. **COUNTY CONTRIBUTIONS TO LIBRARY OPERATING EXPENSES**

- a. The County contributed to the Town, for general operating expenses of the Municipal Library, a base sum of Three Hundred Forty-two Thousand Nine Hundred Eighty-Six Dollars (\$342,986) for FY 2011 - 2012. The base sum represents 21% of the total operational costs

- (\$1,633,269) the County budgeted for its Main Library, Carrboro Cybrary and the Carrboro-McDougle Library for the same fiscal year.
- b. Beginning in Fiscal Year 2011-2012, it is the intent that the County's annual base sum contribution to the Town Library will increase, subject to budget constraints, each fiscal year through June 30, 2015 until the County's contribution to the Town Library equates to 30 % of what the County spends annually for operational costs for the County Library System.
 - c. It is the County's intent to increase its contribution to the Town Library by adding three percent (3%) each fiscal year to the base sum currently contributed to the Town. Over the life of this agreement, doing so would increase the County's contribution to the Town's Library from its current 21% of total County Library System operational costs to 30% in the fiscal year ending June 30, 2015. Additional extensions of the agreement could result in additional County contributions.
 - d. It would be the intent of the County to increase its funding of County Library operational costs, by a proportional increase, and then to increase funding provided to the Town library by the previously agreed upon percentage of the library system increase, not to exceed three percent (3%) annually. If in any fiscal year the County does not increase its funding to the County Library System by an amount equal to the increase being provided the Town Library via this agreement, the amount contributed to the Town Library will be less than three percent (3%). If in any fiscal year the County reduces funding for County Library System operational costs, no increase will be provided the Town Library during that same fiscal year.
 - e. At no time during the term of this agreement would the County's contribution to the Town Library fall below the initial base sum amount provided in this Agreement.
 - f. Funding for equipment, facility expansion and debt service associated with facility enhancements of County Libraries are not operational costs and will not be included in calculations of contributions to be provided to the Town Library by the County.
 - g. The Town will remain responsible for the day to day operations of the Municipal Library.

3. INTEROPERABILITY OF LIBRARY SYSTEMS

- a. The Parties agree to direct County and Town managers and library staff to examine methods and determine the most appropriate methods of interoperability between the Orange County Library System and the Town of Chapel Hill Library, to be determined during the term of this Agreement.
- b. Upon staff mutually determining the most appropriate methods for a transition to interoperability, County and Town management shall make a recommendation to the governing boards of the County and Town

before November 2012. This recommendation will include a description of costs and benefits of options considered.

- c. Upon adoption of an agreement implementing interoperability, which may be adopted by way of Amendment to this Agreement, such interoperability shall be phased in over an appropriate period of time.

4. LIBRARY BOARD OF TRUSTEES/ADVISORY BOARD

The Board of County Commissioners shall appoint a county commissioner to serve as liaison to the Town's Library Board of Trustees. The liaison may attend Board of Trustees meetings and may make recommendations to the Board of Trustees.

5. REVIEW OF AGREEMENT

- a. During the initial three year term, this Agreement shall be reviewed by staff of the Municipal Library and Orange County Library and County and Town Management, in consultation with a representative group of elected officials; each year beginning no later than October 15, 2012 with a report generated for the Town and County governing boards describing:
 - i. The cost/benefit of the County's funding contribution to the Municipal Library;
 - ii. Any difficulties encountered in implementing the terms of this Agreement;
 - iii. Verification that funding provided is being utilized as proposed;
 - iv. Consideration of ways by which the County may offset the demand on the Municipal Library;
 - v. Any other issues that need to be examined.
- b. The Agreement shall be reviewed by staff annually with a report generated for the Town and County governing boards describing the same items set out in subsection (a) of this section.

6. AMENDMENTS

This Agreement may be amended by mutual written consent of the County and Town.

7. TERMINATION

This agreement may be terminated by either Party hereto upon one year advance written notice to the other Party or at any time by mutual written agreement of the Parties.

8. NOTICE

Any notice required by this Agreement shall be in writing and delivered by certified or registered mail, return receipt requested to the following:

To the County:

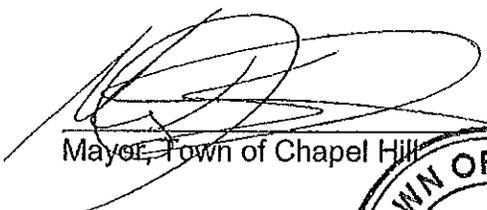
Orange County
County Manager
200 S. Cameron Street
Hillsborough, NC 27278

To the Town:

Town of Chapel Hill
Town Manager
405 Martin Luther King, Jr. Blvd.
Chapel Hill, NC 27514

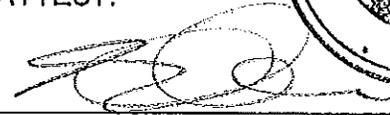
9. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement of the parties hereto and is effective the date first above recorded.

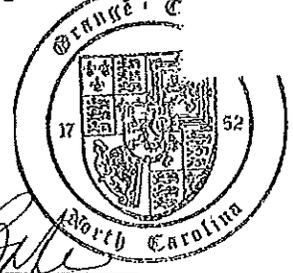

Mayor, Town of Chapel Hill



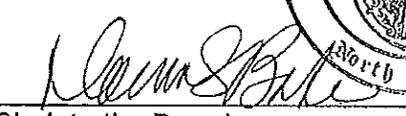
ATTEST:


Town Clerk


Chair, Board of Orange County
Commissioners



ATTEST:


Clerk to the Board

ATTACHMENT 7-b



Orange County and Chapel Hill Joint Meeting
 March 2013
 Tourism Highlights

The following is a synopsis of tourism-related initiatives from the Visitors Bureau:

Increase in demand for rooms as evidenced by Chapel Hill's room rates climbing again after a rate slump for two years. Although occupancy continued to grow, the rate had not yet met the levels we hoped. Currently, performance is stronger with demand and revenues growing.

For the calendar year of January-December 2012 compared to January-December 2011, hotel revenues in Chapel Hill are up 3% and demand is up 4.5% for overall aggregate revenues in 2012 at \$36 million. Rates were strong in January 2013 at a growth of 4.1% over previous year.

New renovations at area hotels are giving us the opportunity to welcome more groups, mid-week, in corporate and association sectors.

Group Sales

Recently, a shift in-local tourism activity has consisted of enhanced focus of the group sales. Based on numbers, we are seeing this sector performing at 50% of overall visitation (as compared to 30% just five years ago).

To meet the growing potential of group business, the VB has hired a new sales associate who will cultivate additional mid -week business for Chapel Hill Hotels.

The Sales Department along with 10 industry partners recently hosted an inbound tour for 23 meeting planners from Raleigh, RTP, Greensboro and Charlotte on January 15, 2013. The tour focused on ten meeting facilities in Chapel Hill.

Chapel Hill Visitor Services

The Visitor Center staff is assisting approximately 400-500 visitors each month with the majority visiting from out of state and seeking general information.

Demand for publications, maps and special fliers

For the month of January, as an example, the Bureau provided over 1400 maps and guides to various UNC departments for their visitors and conference attendees, with the majority going to the Biological and Biomedical Sciences Program and the UNC Visitors Center.

Direct advertising of Chapel Hill:

Year to date, Chapel Hill ads have run in the following publications:

- The New Yorker
- Golf Digest
- Wired magazine
- Conde Nast Traveler
- Charlotte Magazine
- Our State
- Indy Week (Holiday Events)
- Google (search)
- Meetingsfocus.com
- Charlotte.com

In total, Visitors Bureau ads delivered were seen by 55 million viewers/readers year to date.

Outreach

Addition of corporate trade shows/Chapel Hill booth at meeting planning shows, in conjunction with area hotels.

- Increased outreach to meeting planners in state.
- Continued emphasis of website, www.visitchapelhill.org
- Enhanced focus on social media platforms
- Addition of new 2013 Visitors Guide
- Agricultural marketing campaign produced/ launched in Chapel Hill magazine
- New electronic campaign completed for visitors: Top 13 things to do in Chapel Hill/Orange County in 2013.
- Summer events story in Charlotte Observer.
- New feature story on town in San Francisco Magazine
- Marketing of new video on dining options in Chapel Hill to augment new 2013 Food Lover's Guide to Chapel Hill
- Responding monthly 9,719 website visits.

Promotion of Music Scene

The Visitors Bureau is in the early stages of working with UNC students on creating a website aimed at introducing students and visitors to the local music scene. It will include information about local bands, venues, events, and resources such as record labels and music shops. We hope to help continue to improve Chapel Hill and Orange County's vibrant music scene, and believe that creating a partnership with the UNC students would be mutually beneficial in order to educate visitors about what the area has to offer.

SmartPhone Tours

The Visitors Bureau has entered a new agreement with OnCell to launch a new cell phone tour for visitors interested in learning more about the area. To access the OnCell tour, visitors use their own cell phones or smartphones to dial or stream the tour. OnCell's mobile technology platform enables cultural sites to build mobile tours with audio, images and video.

Park on the Hill Campaign

Visitors Bureau is working with Town staff on a public information campaign to remind residents and visitors of growing parking options, accessible in downtown.

Touchdown Town

Visitors Bureau is working with town and UNC to capture greater number of athletic visitor's downtown, before and after football weekends.

Discussion

Potential loss of annual TerraVita event in September. Event organizer is not planning to launch third annual event which is a major branding initiative for area.

Wayfinding

Numbers at area Visitors Center (challenge with slight decline numbers and discussion on ways town can help).

###