

**ORANGE COUNTY BOARD OF COMMISSIONERS
HILLSBOROUGH BOARD OF COMMISSIONERS**

AGENDA

BOCC/Hillsborough Board of Commissioners Joint Meeting

February 27, 2014

Meeting – 7:00 p.m. - 9:30 p.m.

John M. Link, Jr. Government Services Center

Hillsborough, NC

- (7:00) Welcome and Opening Remarks (Mayor Tom Stevens and Chair Barry Jacobs)
1. Transportation
 - a) Sidewalk Maintenance Related to Implementation of Safe Routes to School (SRTS) Project
 - b) Implementation of Downtown Hillsborough Access Study Improvements
 - c) Access Management Planning in Economic Development Districts – I-40 Interchange and Hampton Pointe Areas
 - d) Widening of Interstate 85, Especially Bridges
 2. Transit
 - a) Update on Orange County Bus and Rail Investment Plan (OCBRIP) Implementation
 - b) Central and Rural Orange County 5-Year Bus Service Expansion Program, Including Update on Hillsborough Circulator
 - c) Amtrak Station Update
 3. Town of Hillsborough/Orange County ETJ Adjustment Process
 4. Update on Memorandum of Agreement to Protect Archaeological Resources on Town and County Properties
 5. INFORMATION ITEMS (Not for Specific Discussion)
 - a) Update on Whitted Human Services Center
 - b) Update on Solid Waste/Recycling
 - c) Update on Riverwalk
 - d) Update on Consideration of County Fair

**ORANGE COUNTY BOARD OF COMMISSIONERS
HILLSBOROUGH BOARD OF COMMISSIONERS
JOINT MEETING**

AGENDA ITEM ABSTRACT

Meeting Date: February 27, 2014

SUBJECT: Joint Meeting Discussion Items

DEPARTMENT: County Manager/Town
Manager/Town
Planning/County
Planning/County Environment,
Agriculture, Parks and
Recreation

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

As noted in "Background" section

INFORMATION CONTACT:

Michael Talbert, 245-2300; Eric Peterson, 732-1270; Margaret Hauth, 732-1270; Craig Benedict, 245-2592; Tom Altieri, 245-2579; Abigaile Pittman, 245-2575; Bret Martin, 245-2582; Peter Sandbeck, 245-2517, David Stancil, 245-2510; Greg Wilder, 245-2300

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

BACKGROUND:

1. Transportation

This subject area provides the opportunity for the two governing boards to discuss the following items:

a) Sidewalk Maintenance Related to Implementation of Safe Routes to School (SRTS) Project

On November 19, 2013 the Board of County Commissioners (BOCC) held a public hearing on the Safe Routes to School (SRTS) Action Plan, which includes recommendations for improvements in the area of Cameron Park Elementary School, Charles Stanford Middle School, and Grady Brown Elementary School. The Plan is to be reviewed by the Orange Unified Transportation Board (OUTBoard), Orange County School Board and the Town of Hillsborough Board of Commissioners, and returned to the BOCC on April 15, 2014 for adoption consideration.

The provision and maintenance of sidewalks in the County's jurisdiction will be an issue for SRTS implementation. This issue was previously discussed by the BOCC on October 6, 2011 in the context of reviewing proposed subdivision development requirements. At that time the BOCC did not adopt an official sidewalk policy, but expressed the intent of revisiting the issue in the future. Orange County (as well as most, if not all, counties in North Carolina) does not maintain local streets or sidewalks. Public roadways are part of the State maintained system. The NC Department of Transportation (NCDOT) does not build nor maintain sidewalks. In municipalities, streets and sidewalks are generally maintained by a municipal public works staffs or by homeowners associations. Several years ago Orange County entered into a sidewalk maintenance agreement for a portion of Homestead Road adjacent to the Towns of Chapel Hill and Carrboro. The agreement is multi-party including NCDOT which allowed an encroachment agreement in its right-of-way. The Towns maintain the sidewalk.

Minutes from the October 6, 2011 BOCC meeting are available at:
<http://server3.co.orange.nc.us:8088/WebLink8/0/doc/23832/Page1.aspx>

The Draft SRTS Action Plan is available at (a large file):
<http://www.co.orange.nc.us/planning/documents/UpdatedSRTSPlan-allchapterscombined.pdf>

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

No Attachments

b) Implementation of Downtown Hillsborough Access Study Improvements

This is a multi-part project to improve pedestrian safety and access in downtown. Orange County has taken lead on constructing a sidewalk on the east side of South Churton adjacent to the Courthouse and introducing a crosswalk at Nash & Kollock Street. This project has cleared environmental review and still has a few remaining review steps. The project is jointly funded by NCDOT through local maintenance funds and Orange County.

Due to a policy change at NCDOT that may involve making improvements to the east side of Churton, which was not originally part of the project scope, the Town is planning to proceed with improvements to the Bank of America Parking lot, which it leases, in August to improve the off-street parking situation and creating loading zones before further reducing on-street parking. This allows the project to move forward while the impacts of the policy change are designed. Work on Churton and King Streets can then be scheduled Feb-April 2015, with final details and clean-up work following in June-August. The schedule is still very dependent on identifying funding and scheduling coordination with NCDOT.

A final round of public information is planned once the plans have been formally approved by NCDOT to help ensure the schedule is least disruptive to the downtown merchants.

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

No Attachments

c) Access Management Planning in Economic Development Districts – I-40 Interchange and Hampton Pointe Areas

In order to augment the possibility of vying for funding transportation improvements and/or developing public-private partnership to construct roads in accordance with a master plan that improves economic development potential, Orange County and the Town of Hillsborough should create an Access Management Plan (AMP).

What is an Access Management Plan and Why is it Important?

Access management is the proactive management of vehicular access utilizing a set of techniques available to state and local governments to control access to highways, major arterials, and other roadways. Access management provides an important means of maintaining traffic flow, capacity and safety as properties are developed over time. It calls for effective ingress and egress to a facility, interconnectivity, efficient spacing and design to preserve the functional integrity, and overall operational viability of road systems.

Access management is achieved through the application of planning, regulatory, and design strategies such as:

- Controlled access to roads by spacing potential NCDOT-approved driveway access points.
- Provisions for shared driveways and common access off major roads.
- Use of medians to enhance traffic safety.
- Use of frontage roads.
- Connectivity of roads in new development to approved access points.
- Preliminary ideas on extension of new roads to adjacent areas for future access.

The Hillsborough Area Economic Development District (EDD) Access Management Plan is generalized. It is not intended to be overly detailed or property specific. It will be applied to develop more specific access management guidelines in the review of future development proposals. When specific projects are submitted, they will be examined for consistency with overall Plan criteria and, in some cases, traffic studies may be required that may identify the need for transportation improvements.

In addition, formally adopted transportation plans are necessary to procure federal and state funding for projects, enhance collaboration with regional transportation organizations such as the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), and to require developer action consistent with the plan.

Three such areas include I-40 and two I-85 interchange areas (a map will be shown at the meeting). Orange County, the Department of Transportation and Hillsborough Planning Staffs will work on an AMP proposal.

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

No Attachments

d) Widening of Interstate 85, Especially Bridges

Mayor Tom Stevens requested discussion of this topic at the meeting.

Based on any initial comments by Mayor Stevens, the Boards can discuss issues related to this item as necessary.

No Attachments

2. Transit

This subject area provides the opportunity for the two governing boards to discuss the following items:

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

The Orange County Bus and Rail Investment Plan (OCBRIP) was approved by the BOCC in June 2012. The OCBRIP provides local and regional transit opportunities including expanded bus service and proposed light rail. Voters in November 2012 approved a one-half cent sales tax to fund the local portion of the Plan and collection of the sales tax began on April 1, 2013.

Additional background documents such as the adopted OCBRIP can be found via the following link, listed under transportation documents:

<http://www.co.orange.nc.us/planning/transportation.asp>

At the February 4, 2014 BOCC meeting, Triangle Transit presented its annual progress report, summary of draft updates to the OCBRIP financial assumptions, and revenue forecasts. These items can be found via the following link, listed under Agenda Item 7-a:

<http://www.co.orange.nc.us/occlerks/140204.pdf>

Triangle Transit will return to the BOCC in April or May seeking approval of updated OCBRIP financial assumptions, which must be approved by all three parties (Triangle Transit, Orange County, and the Durham-Chapel Hill-Carrboro MPO) to the Implementation Agreement.

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

Attachment 2a – Orange County Transit Plan FY13 Annual Progress Report

b) Central and Rural Orange County 5-Year Bus Service Expansion Program, Including Update on Hillsborough Circulator

Orange County Planning staff, in partnership with Triangle Transit staff, is in the midst of preparing a draft Five-Year Bus Service Expansion Program to map out the more specific implementation details of new, enhanced and improved Orange Public Transportation (OPT) services for the central and northern portions of the county. Informed by an extensive public outreach process and analysis of demographic origin-destination data, Orange County Planning staff has developed draft conceptual service expansion recommendations for OPT to be rolled out over the next five (5) years including:

- 1) New demand response routes for the general public connecting users in the northern areas of the county to destinations in Mebane, Efland and Hillsborough;
- 2) New midday fixed-route service along U.S. 70 from Mebane to Efland to Hillsborough to Durham;
- 3) Expansion of the daily run times of the existing Route 420 midday fixed-route service between Hillsborough and Chapel Hill and extension of the service north to the future Cedar Grove Community Center;
- 4) Continuation of the fixed-route Hillsborough Circulator service and the addition of service during the noon hour; and
- 5) Addition of later senior center routes in the afternoons to transport seniors from the centers to their residences.

A list of recommended unfunded priorities will also be provided in the draft Five-year Bus Service Expansion Program.

The more precise details of specific service stop times and locations are being refined to optimize connections with other available transit services and schedules at major destinations to be served (i.e., Durham Technical Community College, etc.). Capital improvement projects, such as new or enhanced park-and-ride facilities in Hillsborough and in western Orange County or eastern Alamance County, are also being coordinated in conjunction with the draft program.

The program's staff-developed conceptual service recommendations will be presented to the Board of County Commissioners (BOCC) and to the Town of Hillsborough Board of Commissioners in March. A draft of the program with more refined service implementation details will then be brought to the BOCC in April for consideration and approval. It is projected that approved services may begin as early as July 2014.

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

No Attachments

c) **Amtrak Station Update**

In December, the North Carolina Rail Road (NCRR), Norfolk Southern and Triangle Transit entered a contract to perform a capacity study on the rail corridor to help determine future needs (dual tracking, etc.) which could impact the station or its location. This study was identified last year as the critical next step. The study should be complete in September 2014.

Following the capacity study, the Town and Triangle Transit will pursue environmental documentation for the site to continue improving its feasibility for funding.

The recent prioritization 3.0 process saw the potential cost of the station balloon to \$30 million. This was due to the inclusion of additional track work along with the station. NCDOT Rail staff recommends the scope be reduced to align with the \$4 million previously proposed for site access, utilities, parking and a modular station. The Metropolitan Planning Organization (MPO) has suggested that the \$8 million permanent station be included in the Transit Plan and should be pursued since the transit tax supports this phase. The Boards may wish to discuss which option to support.

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

No Attachments

3. **Town of Hillsborough/Orange County ETJ Adjustment Process**

New Extra-Territorial Jurisdiction (ETJ) areas can cause some residents to feel unrepresented, even though these are formal planning advisory board representation requirements. Another method of the community staying involved in planning decisions is the creation of an informal planning advisory board for areas that are likely to be 'transitioning' from rural to urban or from unincorporated fringe to a more urban environment.

In the case of the County's Joint Planning Area (JPA) with Carrboro, an additional planning system was put into place for the unincorporated areas which was named the Northern Transition Area Advisory Committee (NTAAC) with three (3) County and two (2) Town appointed representatives (albeit, all unincorporated areas). This JPA 'transition' area was largely contiguous, and this group assisted with town decisions in the area and small area planning efforts in addition to the planning board representation.

There are positives and negatives to both systems. The spatial dispersion of the ETJ expansion pockets in the Town of Hillsborough may not lend itself to small area planning. However, the courtesy review system between Orange County and the Town of Hillsborough could be augmented by the additional participation with such an advisory board workgroup.

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

No Attachments

4. Update on Memorandum of Agreement to Protect Archaeological Resources on Town and County Properties

Staff from the Town Planning Department and the Orange County Department of Environment, Agriculture, Parks and Recreation have collaborated to develop a draft inter-local agreement (Attachment 4) outlining a process for identifying, mapping and protecting cultural and archaeological resources. The proposed agreement will protect sites within the town boundaries located on properties owned by the Town and County. A major component of this agreement is a new cultural resources map developed by staff in partnership with the State Historic Preservation Office and the Office of State Archaeology, maintained within the County GIS system. This new tool shows the locations of all known/identified archaeological and historic sites within the town boundaries on an overlay showing properties in Town or County ownership. The proposed agreement directs both Town and County staff to update and refine this map annually to ensure that new data and sites are added as they are identified.

A draft agreement is attached for review and comment. Staff will provide any other information at the meeting, and the Boards can discuss issues related to this item as necessary.

Attachment 4 – Draft Memorandum of Agreement

5. INFORMATION ITEMS (Not for Specific Discussion)

a) Update on Whitted Human Services Center

On November 19, 2013 the Board of County Commissioners authorized the Manager to award the bid for the Whitted Permanent Meeting Room project during the winter break.

On December 19, 2013 nine (9) firms submitted bids for the project (note Attachment, "Bid Tabulation"). Lomax Construction Company of Greensboro, NC submitted the lowest responsive and responsible bid totaling \$880,400 (base bid and two alternates) and was awarded the project.

Lomax was issued a Notice to Proceed for the work on January 27, 2014. The construction duration is approximately four months, followed by furniture and technology installations. Depending upon construction progress, management of unforeseen conditions and the facility commissioning process, the room may be available as early as the last regular BOCC meeting in Hillsborough in June 2014.

No Attachments

b) Update on Solid Waste/Recycling

Urban Curbside Recycling

A Letter of Intent between Orange County and the Town of Hillsborough was executed and the follow tasks have been completed (see Attachment 5b-1).

The County assisted Hillsborough with an application to DENR Roll Carts Grants. Roll carts have been ordered and will be placed in service by July 1, 2014.

A contract has been awarded to Waste Industries, LLC to provide weekly curbside recycling services within the Towns of Carrboro, Chapel Hill and Hillsborough to be managed by Orange County Solid Waste Management. The direct cost of urban curbside recycling services is \$3.29/household/month.

The Towns have agreed to include in each Town's 2014/2015 Budget Ordinance a section authorizing the County to charge and collect a fee for weekly urban curbside and multi-family recycling services.

The First Draft of a new comprehensive Solid Waste Interlocal Agreement is currently being reviewed and is scheduled to be presented to the County and the Town no later than June 30, 2014.

Rural Curbside Recycling

The Board of County Commissioners will hold two Public Hearings - one at the Southern Human Services Center located at 2501 Homestead Road, Chapel Hill, North Carolina 27516, on Tuesday March 18, 2014 at 6:00 p.m.; and a second Public Hearing at the Social Services Center, Hillsborough Commons, 113 Mayo Street, Hillsborough, North Carolina, 27278, on Tuesday April 1, 2014 at 6:00 p.m. for the purpose of taking comments regarding the possible creation of a Solid Waste Service District. A map of the proposed Solid Waste Service District is attached (Attachment 5b-2).

Attachment 5b-1 – Letter of Intent between Orange County and the Town of Hillsborough

Attachment 5b-2 – Orange County Rural Curbside Recycling Map

c) Update on Riverwalk

Construction of this project is on schedule. Bridges were delivered on February 20, and staff still envisions a late summer/early fall opening. Phase 3 construction east of Cameron Street should be complete on a similar schedule. Phase 3 will connect with the bridge that Classical American Homes is currently scheduling and fundraising for. An event to mark the formal opening of Riverwalk is in the planning stages to take place at the primary access point on Nash and Kollock Street.

No Attachments

d) Update on Consideration of County Fair

Over the past several months, representatives of the Board of Commissioners and County staff have explored the potential for an Orange County Fair. After examining a number of other fairs across the state and nation, and preparing a preliminary report, the County Fair Working Group developed a proposal for an initial two-day fair potentially in spring 2015. The event, as proposed, would feature music, agricultural exhibits, arts and crafts, games and rides, and exhibits about the County's history. After careful consideration, the Board of Commissioners determined to not pursue the concept of a County Fair at this time.

No Attachments

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

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

Chapel Hill Transit North Corridor Alternatives Analysis Study

Chapel Hill Transit North South Corridor Alternatives Analysis Study is the first step in the federal process that will allow CHT to compete for federal funds to build an enhanced transit service project within the corridor. The Alternatives Analysis will examine a variety of public transportation options and alignments and conclude with the identification of a Locally Preferred Alternative (LPA) for the corridor. The study will review the Columbia St./MLK Blvd transportation corridor. The study is scheduled to begin in October 2013. The anticipated study timeline is 15-18 months.

The study will expand on previous work to identify and evaluate multiple alignments for the corridor and a broad range of service delivery options in order to recommend an LPA that:

- improves accessibility, frequency, connectivity, reliability, capacity, speed, and convenience;
- improves the level of service and increases ridership to the UNC campus/hospital and provides a necessary connection to the new campus at Carolina North;
- provides access and connection to the proposed UNC Light Rail Station;
- provides more accessible, safe, and comfortable stations/stops with pedestrian connections to activity centers in the corridor;
- supports future development within the corridor and provides benefits to existing neighborhoods, including low income and minority populations; and
- generates wide public and stakeholder support and encourages partnerships among agencies, businesses and organizations in the corridor.

Durham-Orange Light Rail Project:

Planning work continues on the proposed 17-mile Durham/Orange Light Rail Transit Project that would connect East Durham, through downtown Durham to Chapel Hill and UNC Hospital. Triangle Transit is working closely with area stakeholders and regional partners to identify and resolve issues as they work to complete an intensive environmental study of the proposed corridor. Work on the light rail has been funded by Triangle Transit's Major Transportation Investment Fund. Beginning in July 2013, additional work

on the project will be funded by the new revenue streams identified in the Transit Plan. Construction could begin by 2021 with operations underway in 2026.

Hillsborough Amtrak Station:

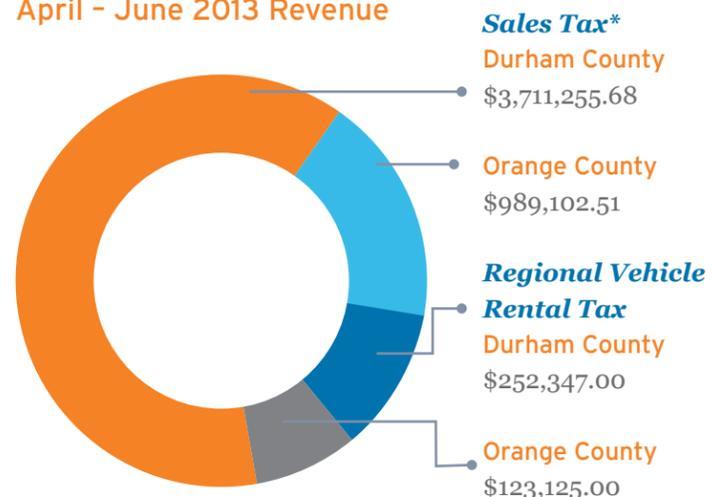
Additional work on the station awaits the result of rail corridor capacity analysis to be performed by Triangle Transit, North Carolina Railroad, and Norfolk Southern. Planning work should begin later this fall and is targeted to be completed within three to four months.

Financial Summary

In November 2011 and November 2012, voters in Durham County and Orange County passed separate referenda that allowed each county to levy a 1/2-cent sales tax to fund the Durham and Orange County Bus and Rail Investment Plan (D-O Transit Plan). During the past fiscal year (July 2012 through June 2013), the new transit tax was in effect for three months from April 2013 through June 2013. The D-O Transit Plan is also funded through a portion of the current Regional Vehicle Rental Tax.

Triangle Transit anticipates receiving other new revenues for the D-O Transit Plan from additional funding sources including a \$7 County Vehicle Registration Tax, a \$3 Regional Vehicle Registration Tax increase, state and federal grants and customer fare payments.

April - June 2013 Revenue



* Readers should not assume that these values represent 1/4 of a full year's revenue. Month-to-month variability is high and April 2013 receipts were very low.

ORANGE COUNTY

Bus & Rail Investment Plan Progress Report

In the early summer of 2012 the Orange County Board of County Commissioners, Durham -- Chapel Hill -- Carrboro Metropolitan Planning Organization (DCHC MPO) and Triangle Transit Board of Trustees approved the Orange County Bus and Rail Investment Plan (Transit Plan). This progress report is meant to highlight some of the advancements made in the implementation of the Transit Plan over the course of Fiscal Year 2013*

*Fiscal Year 2013 is July 1, 2012 through June 30, 2013



Goals of the Orange County Transit Plan

The goals of the Transit Plan are to:

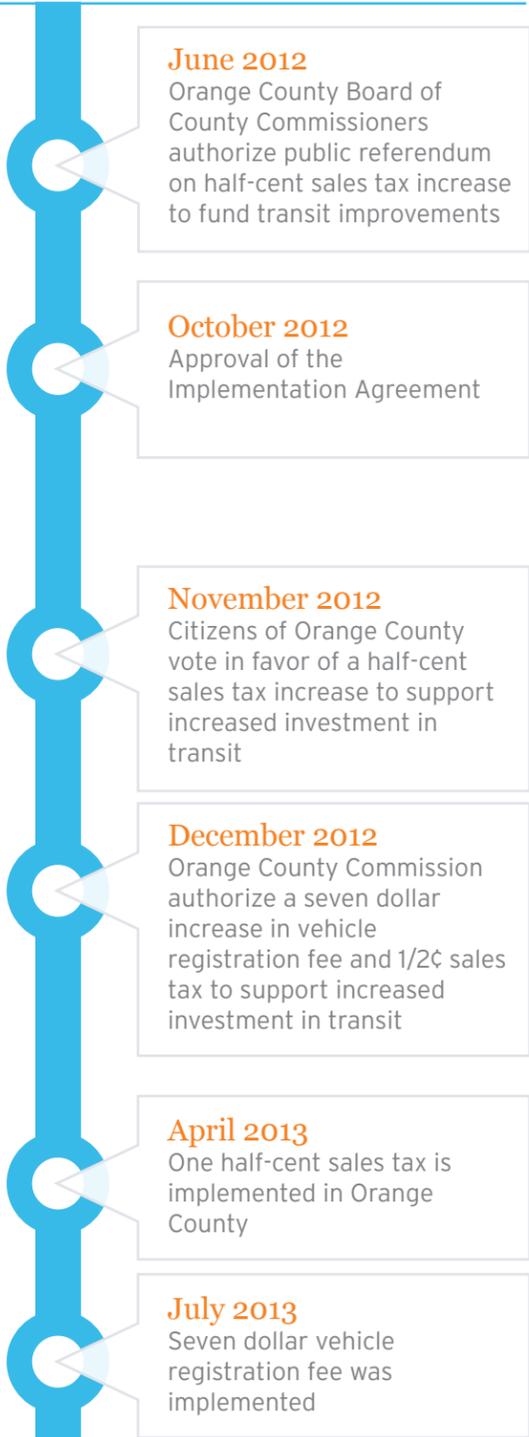
- Improve overall mobility and transportation options in the region
- Provide geographic equity
- Support improved capital facilities
- Support transit supportive land use
- Provide positive impact on air quality

Strategies to accomplish these goals include:

1. New bus services locally, throughout the county, and across the region that:
 - Improve connectivity
 - Increase frequency in peak hours
 - Improve weekend, night services (off peak)
 - Enhance existing services
 - Maintain existing services
 - Maintain level of local funding at no less than the August 1, 2009 spending level;
2. An Amtrak Train Station in Town of Hillsborough
3. Enhanced bus service on MLK Blvd. in Chapel Hill
4. A 17 mile Light Rail connection from Chapel Hill to Durham.

All of the proposed transit improvements found in the Transit Plan require new revenue. The Orange County Board of County Commissioners authorized a referendum on a half-cent cent sales tax increase and an increase to the vehicle registration fee to help pay for these transit improvements. To the right are a series of milestones that have been achieved that help advance the implementation of the Transit Plan.

Milestones



Accountability Orange County Annual Programming of Bus Service Expansions

Each December, Triangle Transit will communicate to Orange County and the Chapel Hill Transit Partners how much money will be available for bus service expansions in the upcoming year. If the amounts are not consistent with the adopted Plan, Triangle Transit will explain why. Then, Orange County, the Chapel Hill Transit Partners, and Triangle Transit will each identify which bus services from the Transit Plan will be paid for with the available money. Triangle Transit’s Board of Trustees is responsible for making sure that the services funded with the 1/2-cent sales tax and the vehicle registration fees are consistent with State law, local agreements, and the County Plan.

Once reviewed and approved by Triangle Transit, the County and the Chapel Hill Transit Partners can budget for and implement the planned services.

Next Steps Upcoming Bus Service Expansions

- The following services will be implemented in the upcoming fiscal year (July 2013 through June 2014):
- More frequent weekday service between Streets at Southpoint park-and-ride and UNC-Chapel Hill on Triangle Transit Route 800 (August 2013)
 - Later weekday service on Chapel Hill Transit routes CM, CW, D, F, and J (August 2013)
 - Improved Saturday service on Chapel Hill Transit routes CM, CW, and JN (August 2013)

Orange County and Triangle Transit are also working cooperatively to refine a bus service expansion program for central and northern Orange County to meet growing needs for local and regional transit travel. This program of services is expected to be completed by December 2013. The schedule for service expansions will be determined through this process.

Over the upcoming five years, Chapel Hill Transit, Orange Public Transportation, and Triangle Transit will implement new or expanded bus services. Residents will also see new bus shelters, park-and-ride lots and sidewalk connections to bus stops.

**MEMORANDUM OF AGREEMENT for
THE PRESERVATION OF CULTURAL, ARCHEOLOGICAL, AND
ENVIRONMENTAL RESOURCES
BETWEEN ORANGE COUNTY, NORTH CAROLINA,
AND THE TOWN OF HILLSBOROUGH, NORTH CAROLINA**

This Memorandum of Agreement is entered into this ____ day of _____, 2014, by and between Orange County, North Carolina (County) and the Town of Hillsborough, North Carolina (Town), (referred to collectively as the “Parties”).

WHEREAS, Orange County and the Town of Hillsborough are public entities of North Carolina and are eligible to enter into a binding contractual relationship with one another; and

WHEREAS, the parties desire to enter into this Memorandum of Agreement (hereinafter referred to as Memorandum) in order to establish the mutually agreed upon conditions to identify, share, and protect cultural and -archeological resources within the county; and

WHEREAS, the parties are both significant property owners in the county and each own property within the other’s land use jurisdiction; and

WHEREAS, the parties each undertake projects which could endanger the noted resources if the presence of the resource is unknown; and

WHEREAS, this agreement furthers Orange County 2006 policy regarding cultural and archeological resources applying to construction projects on county-owned property or to projects receiving significant levels of county or State/Federal funding (policy attached); and

NOW, THEREFORE, the following Memorandum is hereby entered into by the County and the Town.

Definitions

The Town and County mutually agree to the definitions of the types of resources to be covered by this agreement as follows:

Cultural Resources - Remnants of human society and occupation of an area or vicinity after the introduction of European cultures into the area that have historical value or importance. This includes the built environmental as well as man-made modifications to the natural environment.

Archeological Resources - Remnants of human society and occupation of an area or vicinity before the introduction of European cultures into the area. This includes the built environmental as well as man-made modifications to the natural environment.

Shared Responsibilities

The Town and County shall:

DRAFT

- Cooperatively develop a Resource Map of known resources of each type existing within the County.
- Properties owned by the Town and County shall also be identified on this Resource Map.
- Meet annually to update the Resource Map with new resources that are identified through the development review process or other study by either entity. This step shall include consultation with the State Historic Preservation Office for possible amendments to its database.
- Share the Resource Map with different departments and divisions within each jurisdiction in advance of any ground-disturbing activity that could impact a resource and determine whether there is a reasonable assumption that the activity could have an adverse impact on a resource.
- —Both entities consult to assess the impact of any proposed ground-disturbing activities on these resources, then come to an agreement on a mitigation or documentation strategy.”
-

Orange County Responsibilities

Orange County shall maintain the Geographic Information System data layers associated with this agreement and make them available to the town as needed.

Town of Hillsborough Responsibilities

The Town of Hillsborough shall provide data from its current evaluation of town owned parcels for the potential presence of resources as the data become available as well as other relevant data.

Memorandum of Agreement Terms and Conditions

The parties to this Memorandum agree that this Memorandum shall be effective from ___/___/___ to ___/___/___ unless terminated earlier by either party.

This Memorandum shall be reviewed at least every five (5) years prior to March 1st and may be terminated by either party upon 90 days of written notice.

The Memorandum contains the entire understanding of the parties and shall not be altered, amended or modified, except in writing executed by both parties.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum to be signed by its Managers.

FOR AND ON BEHALF OF
ORANGE COUNTY:

FOR AND ON BEHALF OF
TOWN OF HILLSBOROUGH:

DRAFT

County Manager

Town Manager

Date

Date

This Memorandum has been approved as to form and legal sufficiency.

County Attorney

Town Attorney

Date

Date

Attachment 5b-1

**Letter of Intent between Orange County and the Town of Hillsborough,
Approved this 3rd day of December, 2013.**

Orange County is very interested in continuing our long and successful partnership with the Town of Hillsborough (the "Town") with regard to recycling and waste reduction. Our state-leading programs are the model for success in reducing local government waste disposal and our longstanding local recycling partnership is a model of intergovernmental cooperation and effectiveness.

The Town wishes to continue participation in the recycling program. The most timely and least complicated manner in which to proceed would be for the Town to authorize the County to charge and collect a fee for urban curbside recycling within their town limits. The County would provide turnkey urban curbside recycling services including new roll carts for all Town residents. It is the Town Attorney's opinion that municipalities have the authority to charge for the urban curbside recycling services and to authorize the County to provide the services.

Orange County Intends to:

- **Immediately proceed with a Request for Proposals (RFP) for Collection Services and Roll Cart acquisition (carts may be available by piggybacking);**
- **Immediately assist the Town with the Town's application for DENR Roll Carts Grants;**
- **Draft an interim agreement for the Purchase of Roll Carts using grant funds with the Town (and with the Towns of Carrboro and Chapel Hill) whereby**
 - **The County will purchase roll out carts for the Town solely for use in the Urban Curbside Recycling Program, and**
 - **The Town will use funds resulting from a grant awarded to the Town for the purpose of implementation of curbside recyclable collection to offset the County expenditure on roll carts;**
- **Negotiate in good faith with the Towns to finalize a new comprehensive Solid Waste Interlocal Agreement as soon as possible but no later than June 30, 2014;**
- **Implement the conversion to roll carts for the urban curbside recycling programs as soon as contracts have been approved or purchase authority provided, but no later than July 1, 2014.**

The Towns Intend to:

- Immediately apply for DENR Roll Carts Grants with the County's Assistance as needed;
- Negotiate in good faith with the County to execute an interim agreement for the Purchase of Roll Carts for the Town whereby
 - Town will reimburse the County for the cost of the roll out carts from the DENR Roll Carts Grant award within 30 days of receipt of the grant funds;
- Negotiate in good faith with the County to finalize a new comprehensive Solid Waste Interlocal Agreement as soon as possible but no later than June 30, 2014;
- Assist the County with the implementation of a conversion to roll carts for the urban curbside recycling programs as soon as contracts have been approved but no later than July 1, 2014;
- Include in the Town's 2014/2015 Budget Ordinance a section authorizing the County to charge and collect a fee for urban curbside and multi-family recycling within Hillsborough's town limits and provide urban curbside and multi-family recycling services including new roll carts for all Town residents.



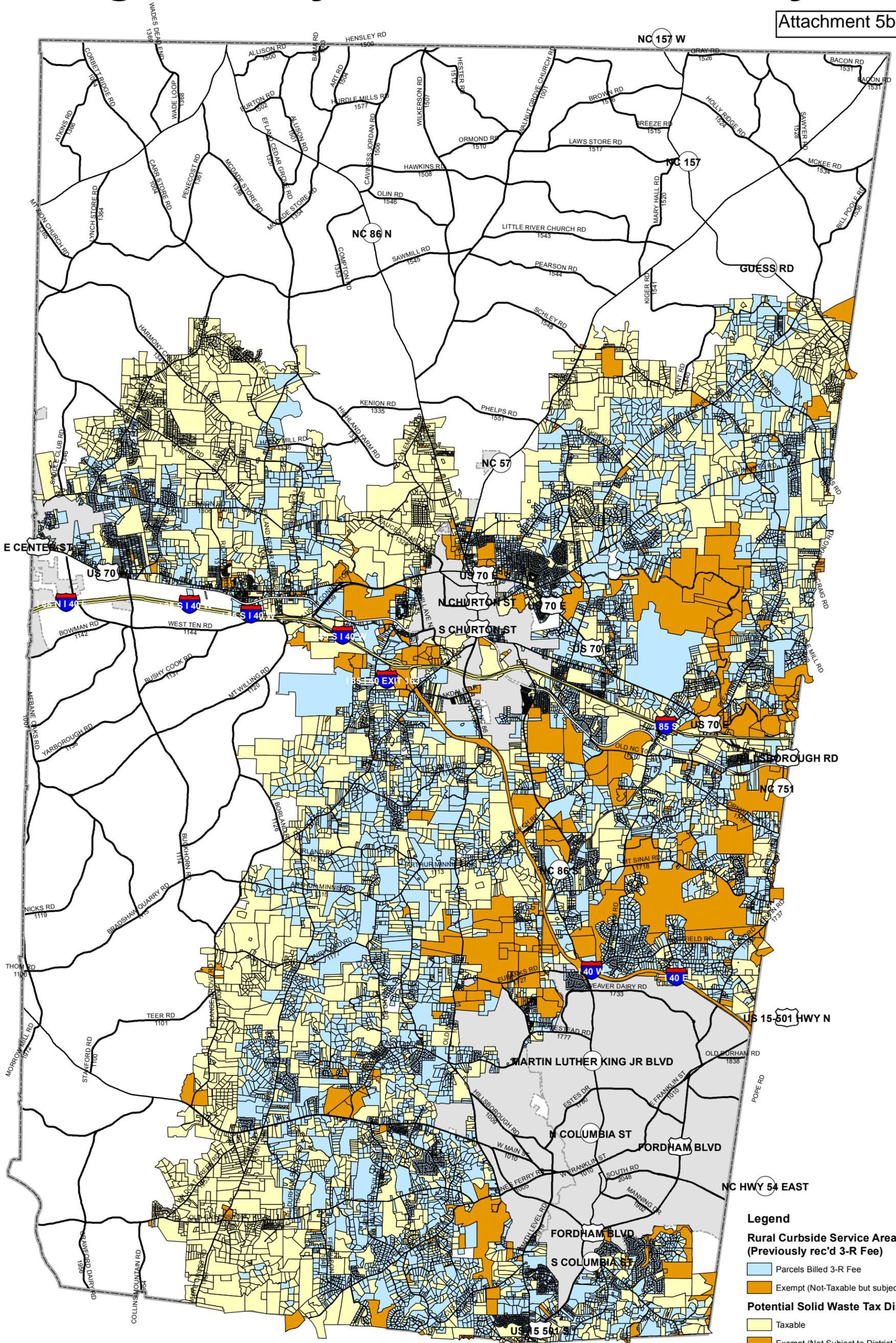
County Manager



Town Manager

Orange County Rural Curbside Recycling

Attachment 5b-2



This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The county and its mapping companies assume no legal responsibility for the information on this map.

Date: 1/9/2014

1 inch = 10,000 feet



Layer	Parcel Count	Total Evaluation(Excludes Exempt)
Rural Curbside Service Area	12,547(Includes 63 Exempt)	\$3,515,438,581
Potential Solid Waste Tax District	7,987(Includes 631 Exempt)	\$937,454,584
Total	20,534(Includes 694 Exempt)	\$4,452,893,165

