

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT**
Meeting Date: December 10, 2002

Action Agenda
Item No. 8-1

SUBJECT: Approval of Recommendations from the Greene Tract Work Group

DEPARTMENT: County Manager

PUBLIC HEARING: (Y/N)

No

ATTACHMENT(S):

6/26/02 Work Group Resolution
(incorporates Map of Concept Plan)

INFORMATION CONTACT:

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PURPOSE: To consider formal approval of the recommendations from the Greene Tract Work Group regarding the disposition of the 104 acres of the Greene Tract that remain in joint ownership.

BACKGROUND: The solid waste management interlocal agreement signed by the County and Towns in September 1999 and amended in March 2000 lays out parameters under which the Greene Tract owners are to resolve the ultimate disposition of the approximately 104 acres of that parcel that remain in joint ownership. The agreement also addresses how the Solid Waste/Landfill Enterprise Fund is to be reimbursed if the property is put to uses that are not related to the solid waste enterprise. The interlocal agreement anticipated that the Greene Tract owners would reach agreement on the disposition of the property during a bargaining period that concluded on April 17, 2002 (the two year anniversary of the effective date upon which Orange County assumed overall responsibility for solid waste management in Orange County).

The Greene Tract Work Group provided an interim report to the three governing boards in the form of a resolution dated March 21, 2002. That resolution requested that each of the three governing boards approve an extension to the bargaining period to allow the completion of discussions that could lead to consensus on a concept plan for the remainder of the Greene Tract. All three governing boards approved an extension of the bargaining period, which led to the Work Group (with Commissioners Brown and Carey representing the BOCC) reaching consensus on a concept plan for the ultimate disposition of the 104 acres of the Greene Tract remaining under joint ownership. The accompanying resolution and concept plan map reflect the Work Group's recommendations.

The BOCC received a report on the Work Group recommendations at the October 15, 2002 meeting, and indicated general concurrence with the Work Group recommendations. Since that time, the governing boards of Carrboro and Chapel Hill have both acted to accept the Work

Group recommendations. This agenda item provides the BOCC with the opportunity to take formal action to accept the Work Group recommendations, as outlined in the accompanying Work Group resolution.

FINANCIAL IMPACT: There is no financial impact associated directly with the discussion of the resolution. However, the County and Towns will be obliged to reimburse the Landfill Enterprise Fund for the original 1984 purchase price of \$608,000, plus interest, if, as recommended by the Work Group, the Greene Tract is used for purposes other than those of the solid waste system. As directed by the Board at the October 15 meeting, the Manager will confer with the Carrboro and Chapel Hill Town Managers to develop recommendations by March 2003 back to the respective governing boards regarding the structure, timing, and source of reimbursement funding to the Landfill Enterprise Fund.

RECOMMENDATION(S): The Manager recommends that the Board approve the recommendations outlined in the accompanying Greene Tract Work Group resolution.

GREENE TRACT WORK GROUP

A RESOLUTION REPORTING THE RECOMMENDED CONCEPT PLAN FOR THE PORTION OF THE GREENE TRACT THAT REMAINS IN JOINT OWNERSHIP

WHEREAS, Orange County and the Towns of Carrboro and Chapel Hill acquired the property known as the Greene Tract in 1984 as an asset of the joint solid waste management system; and

WHEREAS, title to 60 acres of this property was deeded exclusively to Orange County in 2000 under provisions of the 1999 interlocal "Agreement for Solid Waste Management"; and

WHEREAS, under the same interlocal agreement the County and Towns agreed to bargain in good faith during the two year period following the effective date of the agreement to determine the ultimate use or disposition of the balance of the acreage on the Greene Tract; and

WHEREAS, the end date of the "bargaining period" as defined in the agreement was April 17, 2002, the second anniversary of the date upon which the County assumed overall responsibility for solid waste management in Orange County; and

WHEREAS, the Greene Tract Work Group considered direction from the respective governing boards, comments from interested citizens and organizations, and information developed by staff in response to Work Group inquiries in developing a recommended concept plan for the balance of the Greene Tract; and

WHEREAS, the Work Group reported to all three governing boards in a resolution dated March 21, 2002 that it had reached substantial agreement on a concept plan providing for approximately 78 acres to be earmarked for open space protected by conservation easements and approximately 15 acres to be earmarked for affordable housing but had not yet reached agreement regarding what designation should be placed on the remaining 11 acres; and

WHEREAS, the Work Group had recommended in that March 21, 2002 resolution that the following additional steps be taken:

- The area shown on the concept plan as open space should be protected by executing a conservation easement between appropriate parties
- The Board of County Commissioners should consider protecting its 60 acre portion of the Greene Tract by executing a conservation easement with an appropriate party
- The Chapel Hill Town Council should consider initiating a small area planning process to examine desirable land uses for the Purefoy Road area
- The property should be renamed in a manner that recognizes the significance of this area as the headwaters for three important streams (Bolin Creek, Old Field Creek, and Booker Creek)
- The governing boards should take note of the public investment already made in the general vicinity of the Greene Tract, as cataloged in an accompanying table; and

WHEREAS, the governing boards of all three jurisdictions approved resolutions extending the bargaining period beyond April 17, 2002 in order to allow the Greene Tract Work Group additional time to try to reach consensus on the basic uses to be established for the approximately 11 acres at that time unresolved; and

WHEREAS, the Work Group received a technical report from the County Engineer outlining the basic alternatives available and approximate costs for providing sewer service to a portion of the Greene Tract, which service would be necessary for the economical and practical provision of affordable housing; and

WHEREAS, the Work Group concluded by consensus that "the carrying capacity of the land" should be the determining factor in establishing how much of the unresolved 11 acres should be earmarked for specific purposes, and that the ridge line reflected on the accompanying concept map determines the portion (approximately one-third) of the 11 acres that can practically be used for affordable housing served by a sewer line that would access the Greene Tract via Purefoy Road:

NOW, THEREFORE, BE IT RESOLVED THAT the Greene Tract Work Group does hereby recommend that the Carrboro Board of Aldermen, the Chapel Hill Town Council, and the Orange County Board of Commissioners accept the accompanying map as the Work Group's consensus recommendation for a concept plan for that portion of the Greene Tract not deeded exclusively to Orange County, with the acreage to be set aside for open space protected by conservation easements approximating 85.90 acres and the acreage for affordable housing approximating 18.10 acres;

BE IT FURTHER RESOLVED THAT the Greene Tract Work Group does hereby recommend to the three governing boards that the acreage for affordable housing be placed in the Land Trust;

BE IT FURTHER RESOLVED THAT the Greene Tract Work Group does hereby recommend to the three governing boards that the Managers investigate options for reimbursement of the Solid Waste/Landfill Enterprise Fund for the portions of the site designated for affordable housing and open space; and

BE IT FURTHER RESOLVED THAT the Greene Tract Work Group does hereby recommend to the three governing boards that the triggering mechanism for reimbursement to the Solid Waste/Landfill Enterprise Fund should be formal action taken by all three boards to approve conservation easements protecting the designated open space, with such approvals taking effect no sooner than July 1, 2003, and no later than July 1, 2005.

This, the 26th day of June, 2002.

Moses Carey, Jr.
Chair
Greene Tract Work Group

Greene Tract Concept Plan

Approved by the Greene Tract Workgroup, 6/26/02

