

## Attachment C

**From:** Frank Clifton [<mailto:fclifton@orangecountync.gov>]  
**Sent:** Tuesday, April 16, 2013 2:00 PM  
**To:** [rstancil@townofchapelhill.org](mailto:rstancil@townofchapelhill.org); David Andrews; [eric.peterson@hillsboroughnc.org](mailto:eric.peterson@hillsboroughnc.org)  
**Cc:** Donna Baker; John Roberts; Gayle Wilson; Greg Wilder; Michael Talbert; [cgrier@orangecountync.gov](mailto:cgrier@orangecountync.gov); [jan.sassaman@pleresgroup.com](mailto:jan.sassaman@pleresgroup.com); Alice Gordon 2; Barry Jacobs; Bernadette Pelissier; Earl McKee; [gordonam@mindspring.com](mailto:gordonam@mindspring.com); Mark Dorosin; Penny Rich; Renee Price  
**Subject:** Solid Waste and Recycling Issues - Needed input and Follow Up

Gentlemen:

As we have discussed in recent months several issues related to recycling and solid waste management are in various stages of decision making. Within this email are highlighted projected steps, actions and requested feedback for each of you to review and respond accordingly. It is understood that some of the response requests highlighted herein require consideration/action by the respective elected boards representing each town and may take some time to complete. This email is intended to more formally ask your attention to these matters in a timely manner.

### **Landfill Closure:**

The Orange County landfill will close effective June 30<sup>th</sup>, 2013. It is expected that each of you has made arrangements to transport your household waste to an appropriate location. We want to finalize any outstanding disposal invoices in accordance with the end of fiscal year 2012-13 and we will make sure final billings for landfill disposal at the Orange County facility will be sent to you in a timely manner hopefully, to be processed in a similar manner. We begin post closure efforts shortly after June 30<sup>th</sup>.

### **Curbside Recycling:**

While I cannot predict the final decision the BOCC will make on curbside recycling I can provide a summary of the recommendations presented the BOCC and steps to implement an ultimate direction. There is a likelihood the BOCC will concur with my recommendation to use existing 'Recycling/Solid Waste' funds along with deferred CIP expenditures for recycling activities to continue existing services for a period running through June 30, 2014. As part of the FY 13-14 Budget Proposal I will recommend not levying the current fees for 'urban curbside, rural curbside and multi-family' recycling services. While the County transitions to another funding approach, we will use the funding sources as outlined.

Keep in mind this is simply a one-year action. Within FY 13-14 and before, the BOCC will need to determine how recycling (Curbside and Multifamily) will be funded. We have recommended three options with the understanding that two can be pursued by the County with or without Town concurrence with the other option taking at least one Town's participation to move forward. These options in order recommended to the BOCC are:

1. Create a Solid Waste Management Authority whose primary focus would be on recycling within Orange County. At least one Town would need to participate initially to allow this decision to move forward. While the Authority once created would focus on recycling options, it could with consent of the participants transition to handle other various aspects of solid waste including

the bulk hauling waste to transfer points outside the county; pursuit of a local transfer station and its operation; handling solid waste collection services either by contract or direct labor force for any participants requesting those services; and, possibly pursuing a path for alternative disposal operations inclusive of waste to energy or other similar functions. OWASA represents a similar model in structure.

2. Create a County Solid Waste Tax District (initially the entire unincorporated areas of Orange County) that could include the Town(s) at their option for curbside and multifamily recycling services. The District can be established in a timely manner allowing for its creation and a future levy of associated taxes for services to be provided. This option may or may not continue the base recycling and solid waste fees now levied by the County which may be dependent upon which Towns if any agree to be part of the Special Tax District for purposes of recycling. The District could be established within a few months with the tax levy to begin FY 14-15. The tax levy and continuation or adjustment to existing basic fees would be subject to final decisions if Towns may or may not participate and final estimated costs of services.
3. Creation of a limited County Solid Waste Tax District which would be designed to serve only those existing areas of unincorporated Orange County which currently have curb side recycling available. The district boundaries again could include or exclude the Towns at their option but a procedure and process for amending the boundaries does become more complex. This option could be established during FY 13-14 with no levy until FY 14-15. The process is more involved and technical in application than that laid out in the county-wide model.
4. A fourth option the BOCC directed for consideration would be the elimination of curbside and multifamily recycling with a reliance upon the County's convenience centers and drop-off sites. Again, in this option each Town would pursue any action within its authority for the continuation or discontinuance of curb side and multifamily recycling within Town limits.

I do encourage the BOCC to select and begin implementation of option 2 as identified above. I would ask that each of you begin your internal evaluations of these options and provide feedback as to whether your Town wants to be included in any action the BOCC might pursue toward a solution. That input is needed to address the ultimate decision with some degree of fiscal certainty. However, the County can move forward in a limited manner with 2 thru 4 above and allow the Towns to stand alone or join in later.

Obviously, time is needed to prepare any MOU's for the Towns to participate in the County's final selected solution alternative.

#### **Comprehensive Solid Waste Management Agreement Between the County and Towns:**

The County and Towns are loosely bound together in our solid waste and recycling efforts. The closure of the landfill ends the most formally acceptable agreement we have in place and if not, certainly does not cover very clearly many of the associated issues we all are involved in going forward. In past joint meetings of the Town and County elected leadership there have been discussions about where a new inter local agreement related to these matters stands. I am not sure there is a complete answer to that question. Do we need SWAB? Are we bound together for the greater good or are we collectively pursuing individual actions and options without considerations of the total? Actions are being pursued

independently of the collective interests of all. It is understood the Towns and County cannot continue without an established direction (either together or apart).

County and Town Staff had discussions around the parameters of a formalized agreement. There are still many unanswered issues and concerns that can only be addressed by the elected leadership of each governmental unit. Time is running out. The landfill is closing. Recycling funding and operational decisions need to be made now. Chapel Hill is considering a transfer station for its operations. We all begin hauling solid waste somewhere July 1<sup>st</sup>, 1013.

Please converse with your Mayors and see if there is consensus on how we move forward with a local agreement or not. While we all may prefer a collectively positive decision, even a decision to pursue individual goals is better than leaving these issues undecided much longer.

**Summary:**

Using Solid Waste/Recycling Reserves and CIP funds to allow a year's transition time is not an easy recommendation for me to make to the BOCC. It does avoid the immediate need to transition to another funding source in FY 13-14, but it also means the use of those funds will transfer to a future obligation on the County regardless of which decision is made in providing recycling services. I have made the BOCC aware of these issues, but that will not make the decision to properly fund recycling any easier when it needs to be made next fiscal period. Deferral is not avoidance.

Please review this information closely; let me know if you have questions; and advise when and how we might proceed to gain more input from our elected leaders to address these issues in a comprehensive manner. The debate on what to do with our solid waste went on longer than the life of the landfill. We cannot allow a decision on how we fund recycling to go on beyond the time frames outlined in this email.

Thanks for your involvement with these difficult issues and dedication to finding acceptable solutions. I ask Chair Jacobs to contact your Mayors to arrange discussions as needed to move these decisions forward.

Best wishes.

Frank W. Clifton, Jr.  
Orange County Manager  
200 South Cameron Street, P.O. Box 8181  
Hillsborough, NC 27278  
Office 919 245 2306 Fax 919 644 3004  
[fclifton@orangecountync.gov](mailto:fclifton@orangecountync.gov)  
[www.orangecountync.gov](http://www.orangecountync.gov)

"In dreams begins responsibilities – U2."