



## Legislation Details (With Text)

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**Final action:** 11/13/2018  
**Title:** Solid Waste Interlocal Agreement

**PURPOSE:** The purpose for this agenda item is to provide the Solid Waste interlocal Agreement to the Board for consent to enter into agreement with Orange County, towns of Hillsborough and Chapel Hill, UNC, and UNC-Health.

### Indexes:

### Code sections:

**Attachments:** 1. Interlocal Agreement for 11-13-18

Date	Ver.	Action By	Action	Result
11/13/2018	1	Board of Aldermen	approved	Pass

### TITLE:

Solid Waste Interlocal Agreement

**PURPOSE:** The purpose for this agenda item is to provide the Solid Waste interlocal Agreement to the Board for consent to enter into agreement with Orange County, towns of Hillsborough and Chapel Hill, UNC, and UNC-Health.

**DEPARTMENT:** Public Works

**CONTACT INFORMATION:** Joe Guckavan, [jguckavan@townofcarrboro.org](mailto:jguckavan@townofcarrboro.org), 919-918-7427

**INFORMATION:** The Interlocal Agreement between Orange County and the Towns of Carrboro, Chapel Hill, and Hillsborough regarding the provision of solid waste and recycling programs and services and disposition of solid waste and recyclables within Orange County.

Much thought and labor has gone into this agreement by Managers, staff and legal counsel from the Towns of Carrboro, Chapel Hill, and Hillsborough, Orange County, UNC and UNC-Health.

Orange County and Hillsborough are seeking approval from their boards at their November 13<sup>th</sup> meeting. Chapel Hill has scheduled November 28<sup>th</sup> for their Board.

Below is an executive summary of the agreement:

### OVERVIEW

The Interlocal Agreement (Agreement) is intended to foster cooperation and collaboration between the County and the Towns (Parties) regarding matters related to solid waste management. The Agreement provides a

flexible framework in which the Parties can make decisions for their mutual benefit to meet the evolving needs of the community while continuing to model environmental excellence and leadership exhibited by the intergovernmental partnership. This collaborative agreement is established and maintained based on cooperative trust among the Parties that is essential to the effective implementation of the Agreement and the local management of high quality solid waste and recycling services, programs, and facilities.

## **BACKGROUND**

Orange County and the Towns located within the county have successfully worked together for over 45 years to provide the community with solid waste and recycling services. As a result of this longstanding partnership, Orange County is recognized as an innovative leader in recycling and resource management. The Agreement is a mechanism for establishing how the partnership will function into the future, ensuring our community continues to be an effective leader in waste reduction and resource management.

## **PARTIES**

The Parties to the Agreement are Orange County, the Town of Chapel Hill, the Town of Carrboro and the Town of Hillsborough. While UNC Healthcare and the University of North Carolina-Chapel Hill (UNC-CH) are important stakeholders to the County and the Towns for planning current and future solid waste management, they are not parties to the Agreement. The Agreement acknowledges the vital role they play by continuing their participation on the Solid Waste Advisory Group and the Management and Oversight Committee.

## **TERM**

The Agreement continues until terminated by the Parties. An individual Party may withdraw upon sufficient notice and, in recognizing the economic effect on the other Parties, the payment of a withdrawal fee.

## **GOVERNANCE**

The Agreement establishes a Management Oversight Committee (“MOC”) made up of the County Manager and the Manager from each Town. In addition, UNC-CH and UNC Healthcare are invited to designate one representative from each entity to participate as non-voting members. The MOC provides a forum for the Managers and representatives from UNC-CH and UNC Healthcare to discuss issues related to solid waste and recycling programs, facilities and services, the operation and management of the enterprise and the rate structure and budget for the enterprise.

The Agreement also formally continues the Solid Waste Advisory Group with UNC and UNC-Health having voting rights except as to setting the Solid Waste programs fee.

## **PROGRAMS, SERVICES AND FACILITIES**

The Agreement continues the current programs, services and facilities provided by the County to the Towns, and ensures that significant changes to them would be considered by SWAG. Towns will notify MOC of any initiative that may impact the County programs, services and facilities; recognizes that initiatives within one jurisdiction have potential to impact all jurisdictions and funding

## **SOLID WASTE PROGRAMS FEE**

The Agreement requires that the County maintain a county-wide Solid Waste Programs Fee, and fee increases will be brought forward to MOC and presented to SWAG. If the increase is necessary for the County to fully

pay for the provision of the programs, services and facilities contemplated by the terms of the Agreement or meet contractual obligations with any contractor engaged in providing any of the programs, services or facilities contemplated by the Agreement, the County has the option to terminate the Agreement as it applies to any Town that fails to approve the Fee increase.

**FISCAL & STAFF IMPACT:** There is no immediate financial impact in the approval of the Agreement.

**RECOMMENDATION:** Staff recommends the Board authorize the manager to enter into the Solid Waste Interlocal Agreement.