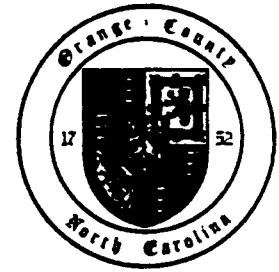


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ATTACHMENT 3

MOSES CAREY, JR., CHAIR
BARRY JACOBS, VICE CHAIR
VALERIE P. FOUSHEE
ALICE M. GORDON
STEPHEN H. HALKIOTIS

ORANGE COUNTY BOARD OF COMMISSIONERS
POST OFFICE BOX 8181
200 SOUTH CAMERON STREET
HILLSBOROUGH, NORTH CAROLINA 27278



April 15, 2005

The Honorable Kevin Foy, Mayor
Town of Chapel Hill
306 N. Columbia Street
Chapel Hill, NC 27516

Dear Kevin:

The Orange County Commissioners have noted with interest recent newspaper articles and an editorial that reported a Town consultant's potentially forthcoming recommendation that the Town Council consider discontinuing the collection of solid waste from commercial establishments in Chapel Hill.

We recognize that as we have received no official communication on this subject from the Town Council, we should not treat any such recommendation as representing the Town's official position. We also recognize the Council's prerogative to make decisions about how best to provide services, such as municipal solid waste collection, to its constituents.

Some Town officials and residents may not have been participants in or observers of the landfill reorganization discussions of the late 1990s that resulted in the solid waste management function transferring from Town to County responsibility. It may be important for them to understand the context within which the 1999 interlocal agreement on solid waste management was developed. It was widely understood at the time that the financial viability of the landfill and overall solid waste operation depended on committed partners – namely, the County and the three Towns – to ensure that solid waste under local government control continued to flow to the Orange County landfill. Revenue from the tipping fees paid by the local governments, as well as by private sector haulers, was and is essential to funding landfill operations and to helping to underwrite the costs of countywide recycling programs.

Section 2 of the interlocal agreement states unambiguously that the parties to the agreement will "deliver or cause to be delivered" all solid waste and recyclables under their control to the Orange County Landfill. Should the Town Council formally consider at some point the discontinuation by the Town of commercial waste collection services, the Board of Commissioners wish to convey our unequivocal expectation that the Town will take whatever steps it deems necessary and appropriate to ensure that all related solid waste and recyclable materials continue to be directed to the Orange County Landfill.

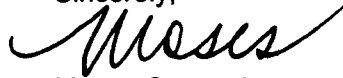
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We appreciate that the Towns of Carrboro, Chapel Hill, and Hillsborough have remained committed partners during the first six years of the interlocal agreement's operation. If it would be helpful to the Town, County staff will be happy to explore with Chapel Hill representatives how all parties may continue to observe both the letter and spirit of the agreement should the Town Council make future policy decisions that change its solid waste collection services.

Sincerely,

A handwritten signature in black ink, appearing to read "Moses", written in a cursive style.

Moses Carey, Jr.
Chair