

Item Title: Approval of Fifth Amendment to Memorandum of Understanding with the Town of Morrisville for the West Wake Solid Waste Facility (Formerly Convenience Center # 3)

Specific Action Requested:

That the Board of Commissioners authorizes the County Manager or Designee to execute a Fifth Amendment to the Memorandum of Understanding with the Town of Morrisville for the Use Master Plan and Feasibility Study of Wake County Convenience Center #3 and the Morrisville Public Works Facility, subject to conditions acceptable to the County Attorney.

Item Summary:

Purpose: The Board of Commissioners approves Memoranda of Understanding (MOUs) with other local governments. This action modifies an existing MOU between the County and the Town of Morrisville for the scope and design of a potential capital project.

Background: Wake County has established convenience centers throughout the County to provide recycling and waste disposal services to residents in the unincorporated area. Convenience Center # 3 is located along Aviation Parkway just outside the limits of the Town of Morrisville. This site is located adjacent to the Town's existing Public Works Facility at 414 Aviation Parkway.

Due to the proposed widening of Aviation Parkway and increased demand for services from community growth, the Town and County desire to jointly redevelop this Town-owned site for their respective facilities. In October 2017, the Board of Commissioners approved a Memorandum of Understanding with the Town for a Joint Use Master Plan and Feasibility Study for these facilities. Since that time, four previous Amendments have been executed between the parties. The Fifth Amendment includes conditions for Wake County to continue with the Design and Construction of a New Solid Waste Facility, named West Wake Solid Waste Facility (WWSWF), on the Morrisville Property located at 414 Aviation Parkway.

Strategic Plan: This action supports routine County operations.

Fiscal Impact: Funding for the overall project is budgeted in the Solid Waste Element of the Capital Improvement Program. There is no fiscal impact to the FY2026 budget.

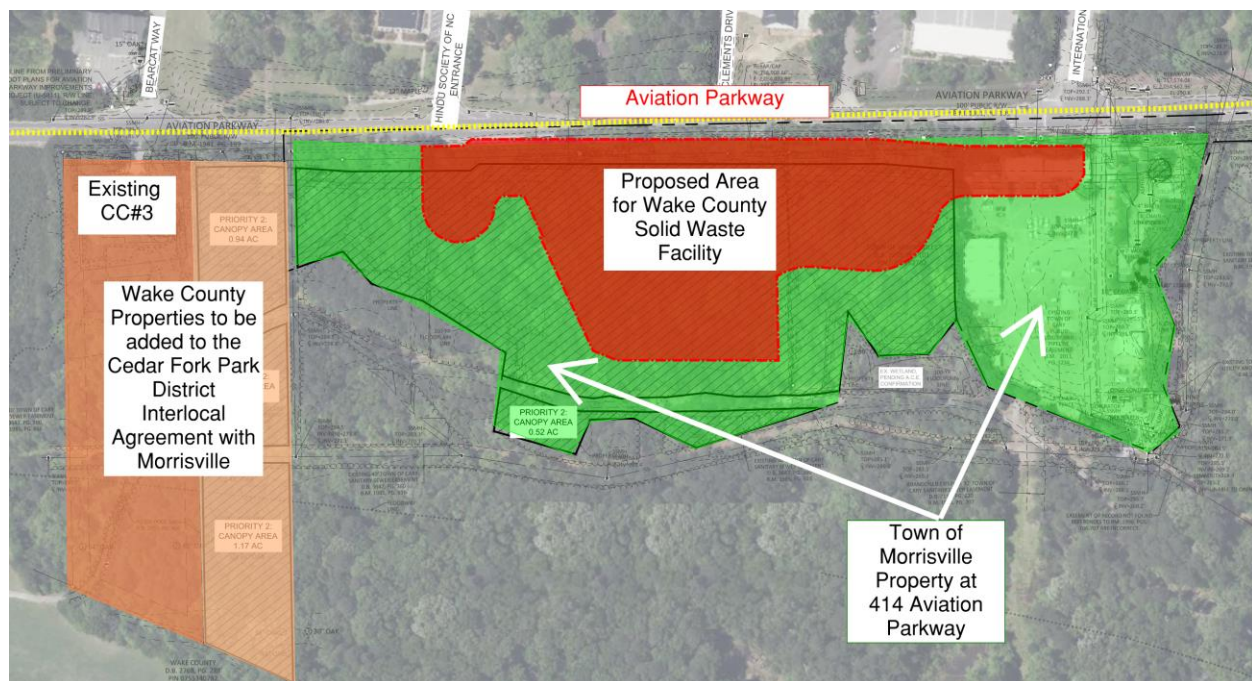
Additional Information:

On November 18, 2024, the Board of Commissioners approved a Fourth Amendment to the Memorandum of Understanding that allocates cost between the County and Town

to provide additional design, permitting and bidding services for road improvements along Aviation Parkway, as required for this project. This action also appropriates funds received from the Town for its share of this work. Three prior amendments, approved between 2019 and 2023 defined the scope of the shared project through schematic design and full design studies.

During the Spring of 2025, the Town of Morrisville informed the County that they will withdraw from the Joint Master Plan and will not develop a Morrisville Public Works Facility at the 414 Aviation Parkway property. Instead, the Town has purchased an existing facility that they plan to renovate and relocate their Public Works Department.

The Town has agreed to allow the County to proceed with the design and construction of a new Solid Waste Facility on a portion of the Town owned property located at 414 Aviation Parkway. In return, the County has agreed to allow the Town to use 6.93 acres of County-owned property located at 262 and 266 Aviation Parkway by adding these two properties to the existing Cedar Fork Park District Interlocal Agreement. See map below for reference:



The Fifth Amendment, for consideration today, is to set forth the understanding of the Parties as it relates to the conditions that must occur in order for the County to proceed on its own with a plan to design and construct a new West Wake Solid Waste Facility, to be located on a portion of the 414 Aviation Parkway Property and for the County and Town to amend the existing 2007 Interlocal Agreement for Cedar Fork District Park (“ILA”) to allow the Town’s use of the two County Properties

There is no anticipated cost for the Fifth Amendment. Both parties will agree to use each other’s property at no cost. Each party will be responsible for all costs associated with design, construction and operation of the leased property. Morrisville Town Council approved the Fifth Amendment on August 12, 2025.

Given this change in scope, the site layout for various components of this project will need to be redesigned. With this in mind, the updated schedule anticipates the project will be bid later in 2026. At the conclusion of the bid phase, staff will present to the Board of Commissioners the Construction Contract for award recommendation. At that time, a ground lease agreement and the amendment to the original 2007 Interlocal Agreement (ILA) will be also prepared and presented to the respective boards for approval. Upon approval from the respective elected boards, and upon execution of a ground lease, the County will begin construction, which is projected to be in Fall 2026.

Attachments:

1. Fifth Amendment to Memorandum of Understanding