

MSD - Clackamas County

J O I N T R E S O L U T I O N

No. 17

A resolution approving the Solid Waste Management Plan and delineating the respective areas of responsibility between the Metropolitan Service District and Clackamas County for implementation of the plan.

RECITALS

1. The Metropolitan Service District (MSD) is a municipal corporation organized and existing under the provisions of ORS Chapter 268. The area served by MSD includes the metropolitan portions of Clackamas County.
2. The MSD is authorized to dispose and provide facilities for disposal of solid wastes.
3. Clackamas County adopted a Waste and Solid Waste Ordinance on June 10, 1970 which franchises collection and disposal.
4. Clackamas County has a public nuisance abatement program which is financed by Franchise Fees.
5. Clackamas County presently regulates one landfill open to the public accepting putrescible solid wastes.
6. The development of new putrescible landfills in the MSD area is substantially limited by the goals and regulations of the Department of Environmental Quality (DEQ) of the State of Oregon.
7. The MSD has prepared and completed a Solid Waste Management Plan (Plan) to maximize resource recovery and to provide for disposal of all solid wastes generated in the MSD area.
8. The Plan was adopted by the Board of Directors of MSD on May 10, 1974.
9. The Plan was approved by the DEQ on May 24, 1974.
10. The concept and implementation of the Plan was approved by Clackamas County on June 10, 1974.
11. The Plan includes a Solid Waste Energy Resource Recovery Program (Program) that will meet the DEQ goals of 90% material

recovery and reuse by 1982.

12. At the 1975 legislature session, MSD will request pollution control bond funds from the State of Oregon for implementation of the Plan.
13. The MSD Board of Directors has adopted a policy statement indicating that the Plan will be implemented with the cooperation and participation of private industry.
14. The MSD has asked for and is processing bids from private industry to implement the private industry participation in the Plan.
15. In order to protect the health, safety and welfare of the people of Clackamas County, to provide for the continued disposal of solid waste generated within Clackamas County, and to maximize resource recovery, Clackamas County and the MSD hereby make the following resolutions:

RESOLUTIONS

16. RESOLVED: Clackamas County will:
 - a. Approve, support and seek legislative support for the Plan and the funding for implementation of the Plan.
 - b. Maintain authority for the collection of solid wastes generated within Clackamas County, including the regulation and control of collection rates.
 - c. Within the inherent limitations of being the land use governing and regulatory authority within this jurisdiction, assist the MSD with site selection of processing/transfer and disposal facilities located within the County's jurisdiction.
 - d. Assist the MSD in controlling the flow of solid wastes to MSD facilities or facilities designated by MSD.
 - e. By contract with MSD, Clackamas County will provide the local aspects of a solid waste nuisance abatement program subject to the adoption of a MSD solid waste disposal rate ordinance.

17. RESOLVED: The MSD will:

- a. Provide the design, construction and operation of solid waste processing/transfer facilities to handle solid wastes generated within the county.
- b. Regulate and control the disposal of all solid wastes generated within the county.
- c. In compliance with Clackamas County land use regulations, develop a nonprocessable (demolition) solid waste program that will include landfill regulations, quality of service criteria, site selection criteria, program management, enforcement, and a time schedule for activation of non-processable landfills.
- d. Provide assistance, if requested, to the county and the solid waste industry in the determination of collection rates.
- e. MSD will contract with Clackamas County to provide the local aspects of a solid waste nuisance abatement program subject to the adoption of a MSD solid waste disposal rate ordinance.

18. RESOLVED: Both Parties:

- a. Pledge their mutual good faith cooperation to achieve the purposes of this Resolution.
- b. Agree that should MSD be unable to meet its time table for development or should Clackamas County have a need for services before MSD is capable of providing same or in excess of same, Clackamas County may, after showing just cause and with MSD approval, seek alternative or supplemental facilities.
- c. This Joint Resolution shall remain in full force and effect until modified by consent of both parties or notice of termination given by written notice 180 days in advance of date of termination.

DATED: 3/5/75

CLACKAMAS COUNTY

by Thomas D. Selford
Chairman

[Signature]
Commissioner

[Signature]
Commissioner

DATED: 7/15/75

METROPOLITAN SERVICE DISTRICT

by [Signature]

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 75-367

DATE 7-11-75

BY [Signature]
CLERK OF THE BOARD