

MSD-Washington County

June 12, 1975

JOINT RESOLUTION

NO. 19

A Resolution Approving the Solid Waste Management Plan and Delineating the Respective Areas of Responsibility Between The Metropolitan Service District and Washington 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 Washington County.
2. The MSD is authorized by law to dispose and provide facilities for disposal of solid wastes.
3. Washington County has adopted Ordinance No. 59, as amended, regulating the collection and disposal of solid wastes and Ordinance No. 83, as amended, regulating solid waste disposal sites.
4. Washington County presently has no landfills open to the public accepting putrescible solid wastes.
5. 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.

6. 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.

7. The Plan was adopted by the Board of Directors of MSD on May 10, 1974.

8. The Plan was approved by the DEQ on May 24, 1974.

9. The concept and implementation of the Plan was approved by Washington County on June 11, 1974.

10. The Plan includes a Solid Waste Energy Recovery Program (Program) that will meet the DEQ goals of 90% material recovery and reuse by 1982.

11. At the 1975 legislative session, MSD will request pollution control bond funds from the State of Oregon for implementation of the Plan.

12. 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.

13. The MSD has asked for and is processing bids from private industry to implement the private industry participation in the Plan.

14. In order to protect the health, safety and welfare of the people of Washington County, to provide for the continued disposal of solid waste generated within Washington County, and to maximize resource recovery, Washington County and the MSD hereby make the following resolutions.

## RESOLUTIONS

15. RESOLVED: Washington County will:

a. Approve, support and assist in seeking legislative support for the Plan and the future funding for implementation of the Plan.

b. Maintain authority for the collection of solid wastes generated within the 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.

16. 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 by complying with local and state regulations.

b. In cooperation with Washington County, regulate and control the disposal of all solid wastes generated within the County.

c. In compliance with Washington 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 nonprocessable landfills.

d. Provide assistance, if requested, to the County and the solid waste industry in the determination of collection rates.

e. By contract with MSD, Washington 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: Both parties:

a. Pledge their mutual good faith cooperation to achieve the purposes of this Resolution.

b. Agree with the things to be done by the other party.

c. Agree that should MSD be unable to meet its timetable for development, and the disposal of solid waste, or should Washington County have a need for services before MSD is capable of providing same or in excess of same, Washington County may after showing just cause to MSD, seek alternative or supplemental facilities.

d. 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: June 17, 1975

WASHINGTON COUNTY, OREGON

By: *[Signature]*  
Chairman

DATED: *7/15/75*

METROPOLITAN SERVICE DISTRICT

By: *[Signature]*  
Chairman

APPROVED WASHINGTON COUNTY  
BOARD OF COMMISSIONERS

MINUTE ORDER # 75-358

DATE 6-17-75

BY *[Signature]*  
CLERK OF THE BOARD

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 75-367

DATE 7-11-75

BY *[Signature]*  
CLERK OF THE BOARD

1 IN THE BOARD OF COUNTY COMMISSIONERS

2 FOR WASHINGTON COUNTY, OREGON

3 In the Matter of Allowing Washington )  
4 County Collectors to Pass on to )  
5 Customers MSD User Fees Pursuant to )  
Section 16, Washington County )  
Ordinance No. 59 )

RESOLUTION AND ORDER

NO. 76-183

6 The above-entitled matter came on regularly before the Board  
7 at its meeting of July 13, 1976; and

8 It appearing to the Board that on July 6, 1976, by Resolu-  
9 tion and Order No. 76-173 it established a rate structure for  
10 solid waste collection in the unincorporated areas of Washington  
11 County as authorized by Section 16 of Washington County Ordinance  
12 No. 59; and

13 It appearing to the Board that the Metropolitan Service  
14 District has adopted MSD Ordinance No. 33, which imposes on the  
15 Washington County Solid Waste collector a disposal fee which  
16 the collector is required to pay prior to the disposing of solid  
17 waste and that MSD, pursuant to MSD Resolution No. 24, recommends  
18 that Washington County allow the franchise refuse collectors to  
19 pass on to their customers the aforementioned user fee; and

20 It appearing to the Board that prior to the franchise hauler  
21 passing the fee to the customer that all requirements of Section  
22 16 of Ordinance No. 59 must be adhered to and therefore it is  
23 appropriate at this time to consider the MSD user fee as part of  
24 the previously approved rate structure; it is, therefore

25 RESOLVED AND ORDERED that the MSD user fee be passed on by  
26 the franchise hauler to the customer based on staff findings and

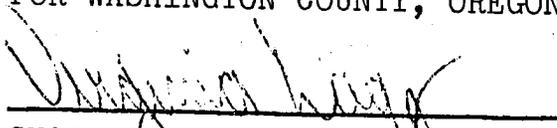
1 recommendations hereby attached and incorporated herein as  
2 Exhibit "A" in accord with the rate structure as set forth in  
3 recommendation No. 1 of Exhibit "A"; and it is further

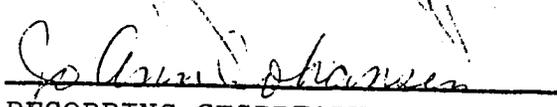
4 RESOLVED AND ORDERED that this Board finds that the rate  
5 structure incorporated herein is just, reasonable and sufficient  
6 to provide proper service to the public and meets the standards  
7 for rates as set forth in Section 16 of the Solid Waste Control  
8 Program Ordinance of Washington County.

9 DATED this 13th day of July, 1976.

11 BOARD OF COUNTY COMMISSIONERS  
12 FOR WASHINGTON COUNTY, OREGON

	AYE	NAY	ABSENT
13 DAGG	—	X	—
14 HEISLER	X	—	—
MILLER	X	—	—
15 PATERSON	X	—	—
16 SHEPHERD	—	X	—

13   
14 CHAIRMAN

15   
16 RECORDING SECRETARY



# WASHINGTON COUNTY

ADMINISTRATION BUILDING — 150 N. FIRST AVENUE  
HILLSBORO, OREGON 97123

## BOARD OF COMMISSIONERS

VIRGINIA DAGG, Chairman  
RICHARD C. HEISLER  
RAY MILLER  
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MICHAEL SHEPHERD

## DEPT. OF PUBLIC HEALTH

HARRY A. KEMP  
Director, Public Health Services  
ROOM L-6  
(503) 648-8881

## METROPOLITAN SERVICE DISTRICT USER FEE

### STAFF REPORT

REQUEST: To allow Washington County collectors to pass onto their customers Metropolitan Service District user fees.

The Metropolitan Service District has requested by Resolution No. 24 that Washington County allow the franchised refuse collectors to pass on to their customers the users fee imposed by Ordinance No. 33.

County Counsel has indicated by the attached opinion that a user fee must be reviewed as a rate under Washington County Ordinance No. 59.

### FINDINGS

1. The Metropolitan Service District has adopted Ordinance #33 Imposing a disposal user fee.
2. The collector will be required to pay the fee prior to disposing of solid waste.
3. The Washington County Solid Waste Ordinance No. 59 prohibits the collector from passing on to the customer the users fee unless approved by your Board.

### RECOMMENDATION

Approve the Metropolitan Service District disposal user fee with the following conditions:

1. The user fee not exceed: 9¢ - per month per can  
17¢ - cubic yard noncompacted  
28¢ - cubic yard compacted  
1.11 - Ton

If the user fee imposed by Metropolitan Service District is higher than the above, a rate review request be made for the higher rate.

2. If a user fee less than above is set by Metropolitan Service District, the collector shall not charge more than the adopted user fee.
3. The user fee not be charged by the collector until imposed by Metropolitan Service District.

MFS:aat