

SOLID WASTE ADVISORY COMMITTEE MEETING
OF
MAY 20, 1998

Members Present:

Don Morissette, Chair
Ralph Gilbert, East County Recycling
Lee Barrett, City of Portland
Rick Winterhalter, Clackamas County
Steve Schwab, CCRRA
Loreen Mills, City of Tigard
Tam Driscoll, City of Gresham
JoAnn Herrigel, City of Milwaukie
Jeff Murray, Far West Fibers/Recycling Industries
Lynne Storz, Washington County
Dan Schooler, BFI
Frank Deaver, Washington County
Tom Miller, WCHA
Jeanne Roy, Portland Citizen
Garry L. Penning, Waste Management of Oregon
Merle Irvine, Willamette Resources
David White, ORRA/Tri-C
Dean Kampfer, MDC/USA Waste of Oregon
Doug DeVries, STS
Marti Roberts Pillon, DEQ
Bruce Warner, REM Director

Guests:

Ray Phelps, WMO	Kent Inman, American Compost	Dick Jones, Citizen
Scott Bradley, USA Waste	Easton Cross, BFI	Leslie Kochun, DEQ
Bruce Broussard, USA Waste	Todd Irvine, WRI	Michael Leichner, WCHA
Jon Angin, USA Waste of Oregon		
Diana Godwin, Regional Disp Co.		

Metro:

Jim Watkins	Kelly Hossaini	Steve Kraten
Paul Ehinger	Aaron Brondyke	Berit Stevenson
Doug Anderson	Scott Klag	John Houser

I. Call to Order & Announcements

Chair Morissette explained that each of the issues would be discussed but that he would restrict some of the debate on some of the items in the interest of getting through each of the issues and hopefully drawing a conclusion. Chair Morissette explained that he is looking for a majority vote on each of the issues. He said that he would have to leave early for a meeting but that REM Director Bruce Warner has agreed to chair the meeting when he leaves.

II. Approval of April Minutes

Garry Penning made a motion to approve the minutes from the 4/15/98 SWAC meeting. JoAnn Herrigel seconded the motion. The minutes were approved unanimously.

III. REM Director's Update

There were no updates due to time constraints.

IV. Work Session on Revised Code

Chair Morissette said there were three areas of the 15 issues that have options where the staff did not make a specific recommendation. Chair Morissette asked the Committee if they would like to make a motion to accept REM staff recommendations as presented.

Mr. Miller suggested those issues where there is specific concerns be discussed. Mr. Miller said he would make a motion for the Committee to accept staff recommendations with the exception of Issues 1, 3, 4.

Ms. Roy commented that she believed all of the issues would be discussed, one-by-one and suggested that be done.

Mr. Miller withdrew his motion.

Mr. Warner outlined the procedure for the discussions: Staff will give a 10-15 second framing of the issue and the options that staff recommended; the Chair will ask for a motion; about 5 minutes for discussion and a vote. He said they would use a timer to help move the discussion along.

ISSUE 1 (page 2)

Related to the entry requirements for selected facilities. There are three options: Staff recommends option #2.

Dean Kampfer moved to accept staff recommendation, Option 2. Garry Penning seconded the motion.

Jeanne Roy asked if Option 2 was staff's recommendation before the work group. Mr. Warner said it was not, that it had changed from Option 1 to Option 2.

Mr. Anderson explained that staff was seeking originally to get a geographic dispersion of local transfer stations. He said the issue was to try to provide reasonably equal accessibility across the region. He said the subgroup argued that private initiative will do that anyway and that some of the concerns staff had about facilities clustering transfer stations across from transfer stations is not likely to happen. Staff concurs with these findings.

Rick Winterhalter said he was concerned that a facility grows, reaches the 50,000 ton limit and would they then have to go through an analysis on the RSWMP in order to continue business.

Mr. Anderson replied yes, under the current code.

Mr. White said he had a problem with the 50,000 tons being a default and that it meant that once you hit that mark you were required to take on other responsibilities. He asked if there were other alternatives, were you required to go under 50,000, and if Metro concluded another transfer station wasn't necessary where would that leave the operation. He believes the private sector will do its own needs analysis and determine whether or not they even want to take on the responsibility of going over to a regional transfer station.

Mr. Warner said that what Metro is saying is that through growth a facility reaches that 50,000 ton mark, there needs to be a checkpoint and a discussion on what the needs of the region is and how we are going to meet the needs of the public.

Chair Morissette stated there has been a motion, and called for the vote.

Yes: Jeanne Roy, Garry Penning, Merle Irvine, Dean Kampfer, Ralph Gilbert, JoAnn Herrigel, Don Morissette,

No: Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, Lynne Storz, Dan Schooler, Frank Deaver, Tom Miller

The motion is defeated.

Steve Schwab makes a motion to accept Option no. 3. Tom Miller seconded the motion:

Yes: Dean Kampfer, David White, Tom Miller, Frank Deaver, Lynne Storz, Jeff Murray, Tam Driscoll, Loreen Mills, Steve Schwab

No: Jeanne Roy, Dan Schooler, JoAnn Herrigel, Ralph Gilbert, Don Morissette

Option 3 passes with majority vote

ISSUE 2 -- Designated Facility/System Credit

Staff recommended Option 2

Tom Miller moved to adopt staff recommendation. Steve Schwab seconded the motion.

Yes: Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Dan Schooler, Ralph Gilbert

No: Jeanne Roy

Option 2 passed by a majority

ISSUE 3 10% Eligibility Requirements

Staff recommends Option 1

Dave White moves to accept option 3 with the amendment of eliminating the word "reduce" and keep **eliminate**. Loreen Mills seconded the motion.

Jeanne Roy announced that she would support Option 2. She said the direction we want to heading is to always keep recyclable materials as pure and uncontaminated as possible. She said that is the way we can save resources and avoid pollution.

Jeff Murray agrees with Jeanne but has a different approach on what would cause that. He thinks you should count source-separated and encourage haulers and MRFs to continue to bring in source-separated vs. allowing it to be put back into garbage. He believes that counting it will help.

The Chair called for a vote on Mr. White's motion:

Yes: Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer.

No: Jeanne Roy, JoAnn Herrigel, Dan Schooler, Ralph Gilbert

The motion by David White (as amended) to accept option 3 but take out the word "reduce" and leave "eliminate" was the majority vote

ISSUE 4 -- Tonnage Limits for local transfer stations

Staff recommended Option 1

Jeanne Roy moved to accept option 1, Lee Barrett seconded motion.

A vote was called.

Yes – Jeanne Roy, Merle Irvine, Dean Kampfer, Ralph Gilbert, JoAnn Herrigel, Dan Schooler, Garry Penning, Don Morissette, Lee Barrett

No -- David White, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller

The vote is nine to nine.

Rick Winterhalter moved to accept option 3, eliminate the limitation, and with the amendment that staff will revisit in a year after development of some standards. Tom Miller seconded the motion

A vote was called

Yes – Dean Kampfer, David White, Merle Irvine, Garry Penning, Ralph Gilbert, Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller

No -- Jeanne Roy, Dan Schooler, JoAnn Herrigel, Don Morissette

Rick Winterhalter's motion to accept Option 3 with the amendment as stated.

ISSUE 5 Allow direct haul of putrescible waste to Columbia Ridge Landfill

Staff recommended Option 1

Garry Penning made a motion to accept Option 1. JoAnn Herrigel seconded the motion.

Tom Miller proposed to amend Mr. Penning's motion: accept Option 1, but eliminate the 3rd bullet in Option 1 as written in the issues papers (elimination of the demonstration of net system savings)

Mr. Penning withdrew his motion. Mr. Miller restated his proposal as a motion: Mr. Miller moved to accept Option 1 with the amendment of eliminating the 3rd bullet in Option 1 as written in the issue papers.

David White pointed out that if you examine page 17 (option 1, second bullet) of the report (which is an unrelated item) pg. 17 of report “while it may be feasible to demonstrate a net system savings as a requirement for beginning direct haul. Long term arrangements . . .” Mr. White said he interprets that to say it would be very difficult to do what bullet #3 says and that is why Mr. Miller is recommending elimination of that language. Jeanne Roy said she still feels that is a Metro responsibility to make sure that the system costs are considered.

Chair Morissette called for the vote:

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampf

No -- Jeanne Roy, Dan Schooler, Ralph Gilbert, Don Morissette, JoAnn Herrigel

Tom Miller’s motion passed as amended: Option 1 with elimination of 3rd bullet

ISSUE 6 Direct Haul – savings recipient
Staff recommended Option 1

Loreen Mills moved to accept staff recommendation. Tam Driscoll seconded the recommendation.

Chair Morissette called for the vote:

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampf, Ralph Gilbert, Don Morissette

No -- -0-

Abstention: Jeanne Roy, Dan Schooler

The motion to accept Option 1 passed with a majority vote

ISSUE 7 Fiscal Impact to the Solid Waste System
Staff is still working on that issue

Chair Morissette wanted the record to show that a SWAC recommendation could not be forwarded to REMCom from this meeting. Chair Morissette encouraged SWAC members to contact staff and relay their opinions before REMCom’s meeting.

ISSUE 8 Impact of the proposed code on the excise tax
The Committee set aside to discuss as the last issue

ISSUE 9 If direct haul allowed is it a franchise or a license?

Staff recommended Option 1

David White moved to accept Option 1. Steve Schwab seconded the motion.

Chair Morissette called for the vote:

Yes – Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Ralph Gilbert, Jeanne Roy, Don Morissette

No -- Dan Schooler

The motion to accept Option 1 passed with a majority of the votes

ISSUE 10 – Requirement or use of Metro's existing transportation contract

Staff recommended Option 1A recommendation

Loreen Mills made a motion to accept Options 1A and B. Garry Penning seconded the motion

Discussion: Change "or" in the staff recommendation to "and." Loreen Mills agreed that was her intent. Ms. Mills said she would actually prefer 1A, but if 1B becomes available to the region she would like the region to be able to avail themselves of this option.

Marv Fjordbeck said that "and/or" always means "or"

Chair Morissette called for the vote:

Yes – Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Ralph Gilbert, Jeanne Roy

No -- Dan Schooler

Loreen Mills motion to accept Option 1A with an option to use 1B if it becomes available

ISSUE 11 Proceed or delay Code Revisions due to perceived impact of the merger of USA

Waste/Waste Management

Staff recommended Option 1

Dean Kampfer moves to accept Option 1. Steve Schwab seconded the motion.

Jeanne Roy asked why not continue to prohibit vertical integration? Mr. Anderson replied that the main issue about vertical integration was concern about pricing. He said that Metro regularly grants variances on the basis that there are competing facilities and no one is constrained to use a facility.

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Ralph Gilbert,
No -- Dan Schooler
Abstention: Jeanne Roy

The motion by Dean Kampfer to accept Option 1 was accepted by a majority vote

ISSUE 12 Council/Executive Officer responsibilities under revised Code
Staff recommendation is Option 2

Chair Morissette commented that his requested addition (to Option 2) that Council is always notified when action is happening so the "call up" opportunity is not missed was not included but he wants Option 2 amended to say this. So with that modification, the staff recommendation is Option 2 (with notification to council)

Rick Winterhalter moved to accept Option 2. Merle Irvine seconded the motion.

Ray Phelps from the gallery asked that when you are authorizing the council to call it up, does that require formal action. He asked would it take a majority of the council or could one Councilor call it up. Chair Morissette said current language is that once councilor can bring anything forward.

Mr. Winterhalter and Mr. Irvine said they are fine with their motion.

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Ralph Gilbert,
No -- Dan Schooler
Abstention: Jeanne Roy

The motion by Rick Winterhalter to accept Option 2 was accepted by a majority vote

ISSUE 13 Public process used for review of franchises and license applications
Staff recommendation is Option 4

David White moved to accept Option 1 and 3 which he would renumber Option 5. Mr. White said the hauler association believes that DEQ hearing and Metro hearing may not always have same interests. Loreen Mills seconded the motion.

JoAnn Herrigel felt it would be more efficient to use Option 4.

Merle Irvine explained that what Mr. White wanted was to give Metro Council to "call up" any issue whether it was a franchise or a license.

Loreen Mills commented that this group (SWAC) should not be telling Metro whether or not their Council has the right or the authority to call something up. She said that clearly it is her belief that Council should have that right however

Marty Roberts Pillon (DEQ) said that sometimes during hearings there is an expectation that DEQ may be responsible for doing something that is actually Metro's responsibility or vice versa. It is her suggestion that a DEQ hearing be an option.

Mr. White said his concern was that if DEQ was not interested in a hearing on some matter that eliminated a public process.

Ms. Mills said that in seconding the motion, she just wants to say that she is not in disagreement with DEQ's position that it be optional, but feels that it has always been optional. She believes that at any time DEQ and Metro wants to work together, they can, there is nothing to prevent that happening.

David White restated that his motion is acceptance of Option 1 and 3 (Option 5). Loreen Mills seconded the motion.

Jeanne Roy stated she didn't understand this motion. She doesn't see how option 1 and 3 can be combined.

Mr. Warner, restating what Mr. White was saying is that we have a public process, a notification, get written comments and we respond, but unless the Council wants to call it up, that is the limits of the public participation. If a council member does call it up, there would be a public hearing.

Chair Morissette called for the vote

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Ralph Gilbert, Jeanne Roy
No -- Dan Schooler

The motion of David White to accept Option 1 and Option 3 (for a new Option 5) was accepted by a majority vote

ISSUE 14 Annual license fees
Staff recommended Option 2

Tom Miller moved to accept staff recommendation of Option 2. Lee Barrett seconded the motion

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Dan Schooler, Ralph Gilbert

Abstention: Jeanne Roy

The motion of Tom Miller to accept Option 2 was passed with a majority vote

ISSUE 15 Voluntary certification of clean MRFs

Staff recommended Option 1 or 2

Jeff Murray made a motion to accept Option 2. Loreen Mills seconded the motion.

Merle Irvine asked what would happen if a facility doesn't volunteer to be certified?.

Mr. Warner replied that in that event the facilities local government would deal with that problem.

Lee Barrett commented that the City of Portland may decide that if a facility does not want to be a part of the voluntary certification, it may be that the franchised haulers would be prohibited from taking recycled materials to their facility.

Jeanne Roy wanted to know if either Option 1 or Option 2 would work for Mr. Barrett?

Mr. Barrett said the City of Portland would prefer Option 1.

Dean Kampfer asked what are the pros and cons of 1 over 2? It is his opinion that 1 is the better option?

Jeff Murray said that certification turns into a regulation for a clean facility. The present Statement of Exemption follows Metro's policy on clean facilities.

Lee Barrett said that his comment about Option 2 is that it looks like it is specified exactly what they would report and that doesn't help him a great deal. He said City of Portland only cares about residential materials delivered to a facility, not commercial.

Jeff Murray said that the reality is that unless we give a detailed report on tonnages and they know specifically where the materials came from (which jurisdiction) and this material came from solely residential versus commercial He said we don't have control of that information in the first place.

Dean Kampfer said the certification is purely voluntary and if your local jurisdiction requires it you will do whatever is necessary in order to become certified.

Lee Barrett said he wants to make sure that he has the right to go to a facility and personally watch a recycling truck empty its contents so that he can make a determination as to the status of a recycled material. He said he cannot rely on a number on a piece of paper that will give him the information he needs. He needs to physically see it happening. Mr. Barrett said he wants to see an option adopted that will ensure his right to enter a facility and watch the proceedings. He asked for a clarification: Under this option, does the local jurisdictions have the ability to go on the premises of any MRF and watch what is happening?

Mr. Murray said they don't have a problem with anyone calling and making arrangements to come to a facility and watch what happens, but he doesn't believe any facility actually processes a material as soon as it is delivered. He said that residential and commercial material may be sitting there for a week at a time. Mr. Murray told Mr. Barrett that the solution he was looking

for was very, very complicated and he didn't see either of these options settling that issue other than how much stuff is landfilled out of a facility versus how much material is brought in.

Mr. Anderson said that under the current code, clean MRFs are exempt, and the basis of their exemption is whether they take only source-separated material. Mr. Anderson said, however, in current and proposed code, Metro retains the right of access in order to validate that the "exemption" is in place. Any government partner could join Metro in their inspections.

Mr. Barrett said that his understanding of what the "co-mingle group" was asking the City of Portland, is to ensure that clear glass is separate from everything else and other mixed glass must be separate from clear glass and everything else and under that scenario, I need to be able to verify this is happening. He asked if he it was necessary for a local government person to be accompanied by a Metro person to accomplish this task.

Mr. Barrett then asked for a friendly amendment to Option 2 stating local jurisdiction representatives have the right to go on the premises of any MRF to observe trucks bringing materials and personnel processing materials.

Loreen Mills seconded that motion. Ms. Mills did say however that it is her belief that local government representatives have always had the right at any time to observe procedures at a facility and if they are denied that right local jurisdictions have the right to decide to not allow their haulers to use the facility.

Chair Morissette called for a vote

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Jeanne Roy, Dan Schooler, Ralph Gilbert
No -- Dean Kampfer

Lee Barrett's motion to accept Option 2 with the amendment to allow local government representatives the right to go on the premises of any MRF to observe trucks bringing in materials and personnel processing materials passed with a majority vote.

Chair Morissette left for a meeting, thanked the Committee for their assistance in moving along the issues and turned the meeting over to Mr. Warner to chair.

ISSUE 16

Increasing the allowance for contamination of source-separated materials in calculation of the Regional System Fee Credits (Note: this is not part of code but Administrative Procedures)

Staff recommendation: Option 1

Lee Barrett made a motion to accept the staff recommendation. Garry Penning seconded the motion.

Yes -- Lee Barrett, Rick Winterhalter, Steve Schwab, Loreen Mills, Tam Driscoll, JoAnn Herrigel, Jeff Murray, Lynne Storz, Frank Deaver, Tom Miller, Garry Penning, Merle Irvine, David White, Dean Kampfer, Dan Schooler, Ralph Gilbert, Dan Schooler, Jeanne Roy

Mr. Barrett's motion to accept staff's recommendation for Option 1 was passed unanimously.

ISSUE 7

Impact of the proposed code on excise tax
Staff recommended Option 2 or 4

Mr. Warner said he wanted to stress the policy objective on this issue. Staff is trying to ensure that the current excise tax policies favoring material recovery remain intact after the revision of the Solid Waste Regulatory Code.

Note: Ralph Gilbert had to leave and asked the Clerk to reflect that he voted for Option 2 on Issue 7.

Jeanne Roy made a motion to accept Option 2. JoAnn Herrigel seconded that motion.

Ms. Roy commented that she didn't fully understand and could someone illustrate an example on the chalkboard?

Mr. Penning asked for a clarification on option 2. He said that in the front door, on the tip fee, there are things that already have excise tax on it. He said disposal has excise tax, \$14/User Fee, and would those be exempt?

Mr. Warner said those would be exempt. He said it would essentially operate just like the Forest Grove Transfer Station, for the things that they pay and other portions of their fee -- those would be deducted from the payment that would be remitted on a monthly basis to Metro. He said the intent is not to "double" count on those.

Mr. Murray said that on Option 2 he was still not clear on what was defined as wet waste at the door and what was not.

Mr. Strachota illustrated an example on the board. He said you have the incoming into the facility -- there is no excise tax on the source-separated, none on the tip fee on the dry (as it is currently), but there could be an excise tax on the tip fee collected on the wet incoming. Mr. Strachota said there is an administrative problem of classifying the waste, as well as for staff to double-check that with your records is an additional problem. He said excise tax on the Regional System Fee is collected on the residual from the dry waste when it is disposed of. He said that if the facility is direct-hauling to Columbia Ridge it would get a credit for any excise tax that is in the tip fee. Mr. Strachota said under Option 2 there is relatively no change in theory in the amount of excise tax collected with the exception of the amount that might be recovered from the wet waste.

Mr. Strachota said the difference with Option 4, is there is a differential on the direct-haul. There is no excise tax on the source-separated nor on the dry as currently and none on the incoming wet. We will collect on the disposal (and the residual on the dry waste) that is direct-hauled to Columbia Ridge and divide by the number Metro estimates it will lose in excise tax which gives you a differential rate (from \$1.50 to \$2.00), which is collected on the tons disposed. The difference is there is no administrative costs for Metro on the incoming (not having to track the waste). It is easily tracked on the outgoing because it is weighed at the landfill (and we will receive that info from their regular recordkeeping).

Mr. Schwab indicated he was preliminarily for Option 4, but his question is can you actually put a line-item in that goes directly to excise tax since its always been a function of percent of revenue.

Mr. Warner replied that Metro's attorney has not made a determination on that. He said it this is the recommendation of the group, that is what REM will try to pursue.

Mr. Kampfer indicated that Option 4 made the most sense to him, it keeps Metro whole and it is administratively doable.

Mr. Miller said that one of the things that continues to confuse him is that Metro generates revenue off of the transportation component based on the number of times it runs through that system. If it stops running the tons through there and the excise tax is based on revenue, not operations, then it seems that that component which is now the cost and the value of that component now being absorbed by someone else, there isn't any excise tax due on that component. He said it seems like we are setting up an awkward arrangement here for calculation purposes. He said that at the meeting he understood that we were going to apply the excise tax on all disposed waste and if an adjustment had to be made from 8.5 to 8.6% to make the system whole, we would do that as opposed to trying to track all the different destinations of this material and make sure that the transportation component was covered.

Mr. Warner called for a vote on the motion for Option 2.

Yes: Jean Roy, Ralph Gilbert

No: everyone else

Abstentions: no

The motion for adoption of Option 2 was rejected by a majority vote.

Mr. Kampfer moved to adopt Option 4. Merle Irvine seconded the motion.

Mr. DeVries said he was unclear on where the surcharge would be collected.

Mr. Strachota said Metro would probably add the excise when we billed the facility that was direct-hauled under Metro's contract. He said they had not worked out the administrative process yet.

Mr. Warner called for a vote on Option 4.

Yes: Lee Barrett, Rick Winterhalter, JoAnn Herrigel, Dan Schooler, Jeanne Roy, Garry Penning, Merle Irvine, Dean Kampfer

No: David White, Loreen Mills, Steve Schwab, Rick Winterhalter, Lynne Storz, Frank Deaver, Tom Miller, Jeff Murray

Abstention: Tam Driscoll

The vote on Option 4 resulted in a tie between the yes votes and the no votes.

Mr. Warner said that concluded the issue papers and thanked everyone for their time and effort. He especially thanked everyone who participated in the subgroups which resulted in four meetings of five hours each. Mr. Warner said he could not guarantee that staff would agree with all of the decisions the Committee had made but would strongly take them into consideration.

There was no other business and the meeting was adjourned.

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