



METROPOLITAN SERVICE DISTRICT
527 S.W. HALL ST., PORTLAND OR. 97201, 503/221-1646

A G E N D A SOLID WASTE POLICY ALTERNATIVES COMMITTEE

Date: April 5, 1982

Day: Monday

Time: 12:00 Noon - 2:00 p.m.

Place: Metro Offices, Conference Room A-1, A-2

- I. APPROVAL OF MARCH 22, 1982 MEETING MINUTES
- II. FOR DISCUSSION AND RECOMMENDATION
 - Transfer Station/Processing Center Franchise for Alexander's Dispos-Haul Systems, Inc.
 - Transfer Station/Processing Center Franchise for Metropolitan Disposal Corp.
 - Transfer Station/Processing Center Franchise for Marine Drop Box Company
 - Processing Center Franchise for Sunflower Recycling Composting Operation

MARCH 22, 1982

SOLID WASTE POLICY ALTERNATIVES
COMMITTEE

Members

John Trout
James Cozzetto
Howard Grabhorn
Edward Sparks
Dick Howard
Gary Newbore
Paul Johnson
Mike Sandberg
Bob Harris
Michael Sievers
Dave Phillips

Staff

Cheryl Morales
Terilyn Anderson
Dennis O'Neil
Bev Bailey
Norm Wietting
Tim Cauler
Evelyn Brown
Dave Sturtevant
Doug Drennen

Guests

Pete V. Viviano, Southeast Recycling
Merle Irvine, Alexander's Dispos-Haul
Dwight Long, Sunflower Recycling
Bob Brown, DEQ

Mr. Trout called the meeting to order. The minutes of March 8, 1982 were approved as written.

The meeting was turned over to Dennis O'Neil. Mr. O'Neil announced that the Metro Council would like to make two changes to the SWPAC By-Laws: 1) add another member. This would be John Gray who would represent Multnomah County. Kelly Wellington would then become the City of Portland representative. 2) Change the regular meetings from twice a month to once a month. Mr. Trout recommended that the meeting be the Monday before the last Council meeting of the month.

Dennis briefed the new members on the Disposal Franchise Ordinance. He explained that Metro would not be controlling the rates of the centers listed on the agenda, because they only take waste from the owner's collection company and not from other collectors or the public.

Teri Anderson explained the franchise application for Alexander's Dispos-Haul. The center being looked at was formerly owned by AID Disposal. Dennis explained that Metro had a limited agreement with AID. Committee members had these concerns:

1. There is a list of companies doing business under Alexander's name. Is there documentation showing how these are tied together? Could five or six separate companies be doing business together?

Teri Anderson answered that this has been investigated by our legal counsel and they are owned by Alexander's.

2. Is there requirement for proper land use?

Teri explained that the Ordinance says the franchisee must demonstrate proper land use approval in the application.

3. Have past due bills been cleared up by Alexander's?

Dennis explained that one-third of Alexander's bill has been paid and he is currently paying on the rest of the bill. There is about \$21,000 left to pay. The company is currently on a cash basis at St. Johns Landfill.

4. Is there a condition that if they collect in a franchised area other than their own and without the permission of the franchisee, that it would jeopardize their franchise?

Norm explained that the Disposal Franchise Ordinance says that the franchise applicant has a responsibility to comply with

ORS 459 and other applicable state and local rules. The Committee was concerned with what Metro would do if the franchisee doesn't comply. Norm felt it was up to the local jurisdiction. Some Committee members believed that a statement of compliance should be added to the Ordinance.

5. There is a history of neglect by certain transfer stations to pay current disposal fees at certain sites. Then user fees become delinquent. It also gives an opportunity to take putrescible materials to a site that has not been approved for putrescible waste.

Dennis explained that we have dealt with that (see Franchise SB-3 and 4). The putrescible waste that Alexander's receives must be disposed of in a Metro approved general waste landfill at the end of each day. Norm explained that this is subject to revocation upon failure to pay the fees as required. A Committee member asked that a clause be added stating that the franchisee be in good standing with the other landfills who are franchised. Norm explained that this had been suggested to legal counsel. The feeling was that Metro would become entangled in disputes about questionable landfill charges. A Committee member suggested that the franchise be denied if the applicant can't work within the system. There are ways to find out how much is owed. Norm said that our legal counsel felt that we would be acting like a court for disposal charge disputes.

6. What's the compatibility with these outside transfer stations with Metro's own program for transfer stations? Will we transfer - transfer and then landfill?

Norm replied that the trucks from most of these transfer stations would go directly to a recovery plant or landfill.

7. What impact would that have on the overall system? It would have an impact on system cost.

Norm pointed out that no Metro transfer stations were yet in operation. He stated that there is a five-year limit on the franchise agreement. At that point, if it does not fit the plan, then it would not be renewed.

A question was asked if AID had a franchise and if the inspector was asked to leave the premises? Norm answered that under the franchise agreement we have the authority to go on the site. Norm explained that AID did not have the permit they needed previous to this and that it had been an illegal operation. There was an agreement made and a certificate issued which was conditional on several terms. Those terms were not met and the agreement was cancelled. During the time the agreement was in effect, we had the right to go onto the property. There was

legal action taken; a notice of violation was issued, legal action began; an agreement was negotiated; the AID site was shut down; and the action was dropped.

Mr. Trout introduced Mr. Irvine, representing Alexander's. Mr. Irvine explained that Harold Alexander purchased the assets to AID, One Way, Plews Drop Box, etc. The facility they are applying for now was previously operated by Plew's. The problems Metro had were not with Harold Alexander, but with Plew. The action taken was against Plew.

A question was asked if SA4 prohibits him from taking recyclables from the public. Dennis said he can't take mixed solid waste from the public; he can take source separated material. Source separated material is exempt from the franchise. A comment was made that the material could be source separated with putrescibles in one box. Dennis said there is an exemption section of the ordinance and he would have to look that up.

A Committee member felt that past problems need to be looked at before the franchise can be approved. A Committee member suggested that a clause be added to SD12 saying, "This franchise shall be revoked if the franchisee is more than sixty days delinquent to any other franchised facility, this is subject to Section 20(3) of the franchise ordinance which reads..." A Committee member suggested that staff come back to the Committee with background material for every dealing they have had with Alexander, and have something on how Mr. Alexander is going to guarantee his performance under this franchise.

A question was asked on the bonding requirement. Teri said a \$25,000 bond is required. Dennis explained that it is a clean-up bond. Mr. Irvine said there is a sixty-day bond cancellation notice requirement from the bond company.

Mr. Trout gave the floor to Mr. Irvine. He explained that Mr. Alexander is trying to upgrade the image of his system. Payments and agreements have been made with Metro and he is meeting those requirements. He would suggest that the conditions that have been discussed here on enforcement action should be applied to all transfer stations applying for a franchise.

Merle was asked about dealings with other landfills and whether he had enough power in the company to guarantee that things would be better.

Merle said Alexander has come to an agreement with Jack Parker and he is talking to Killingsworth also. He wants to get back in the system and he needs to be given that opportunity. Merle said that one of his jobs is to try to ensure that whatever Alexander does is in the system.

Staff was asked where Metro was with flow control and can Metro stop solid waste from going across the Columbia River?

Norm answered that we do have flow control and could stop solid waste from going to unauthorized sites with a normal court process. Solid waste from the District has to go to an authorized site and that site pays user fees.

Mike Sievers moved that the staff report back to the Committee at their next meeting (either regular or special) with answers to the questions addressed. Mr. Howard seconded.

Dennis O'Neil pointed out that motions should list the specific questions for which the Committee still wanted answers so that staff time could be most effectively used. Teri Anderson reviewed the questions:

1. Whether the franchise agreement can require the franchisee to comply with local rules, regulations and ordinances, particularly collecting waste in franchised areas.
2. If the franchisee is delinquent in payment of disposal fees more than sixty days, can that provision be included in the franchise.

The Committee felt staff should also address the history of Metro's involvement with Alexander and include verification of the truth of statements about ownership of the companies.

Roll call vote:

Mr. Cozzetto: Abstain
Mr. Grabhorn: Aye
Mr. Howard: Aye
Mr. Harris: Aye
Mr. Johnson: Aye
Mr. Newbore: Aye
Mr. Phillips: Aye
Mr. Sandberg: Aye
Mr. Sievers: Aye
Mr. Sparks: Aye
Mr. Trout: Aye

The Committee moved on to the next application. Teri gave background information on Sunflower Recycling. She said they received about \$1,200/year for their composting operation. Teri also said that it is written into the agreement that if they receive more than ten cubic yards of solid waste a week, then they have to notify us and the terms of the agreement have to be reviewed and possibly modified. Since it's such a small operation, they have asked for variances from some of the provisions of the Ordinance. These are:

1. Public liability insurance: They have a policy that is \$300,000/year; the ordinance requires a higher policy.
2. Bond requirement: The minimum bond is \$25,000.
3. User fees
4. Franchise fee payments

If they don't get the variances, they will have to close down that part of their operation.

A suggestion was made to vary the size of the bond. Teri explained that the minimum size of the bond is set by another ordinance. Staff will have to check if we can change the size of the bond.

Dwight Long from Sunflower Recycling introduced himself. He explained how the composting operation worked. He also explained the other operations such as recycling pickup. Mr. Pete Viviano of SE Recycling said that the City of Portland recognizes that the drop center cannot be both a drop center and a processing center.

A question was asked that if we grant a variance from the user fee, at what point do we say that it's a minor amount and we don't charge a user fee? Dennis answered that that is why we put a limitation on how much they could take without review of this variance.

Mr. Trout asked for a motion to have this application be deferred until the next meeting, as Alexander's application is deferred. Mr. Johnson made the motion. Mr. Sparks seconded.

Roll call vote:

Mr. Cozzetto: Abstain
Mr. Grabhorn: Aye
Mr. Howard: Aye
Mr. Harris: Aye
Mr. Johnson: Aye
Mr. Newbore: Aye
Mr. Phillips: Aye
Mr. Sandberg: Aye
Mr. Sievers: Aye
Mr. Sparks: Aye
Mr. Trout: Aye

The Committee continued on with the other applications. Teri said that MDC's application is not yet complete. Teri gave

background information for Marine Drop Box. Marine has had a permit for a long time, and just needs to change it to a franchise.

Mr. Newbore made a motion that the same things that the Committee asked staff to investigate on Alexander's and Sunflower apply to MDC and Marine Drop Box and that they be deferred to the next meeting. Mr. Grabhorn seconded. Dennis pointed out that Marine Drop Box would be going to Council this Thursday.

Roll call vote:

Mr. Cozzetto: Abstain
Mr. Grabhorn: Aye
Mr. Howard: Aye
Mr. Harris: Aye
Mr. Johnson: Aye
Mr. Newbore: Aye
Mr. Phillips: Aye
Mr. Sandberg: Aye
Mr. Seivers: Aye
Mr. Sparks: Aye
Mr. Trout: Aye

Mr. Phillips made a motion that we recommend to Council that they defer any action on Marine Drop Box's application until this Committee can re-review that application having the information requested on the other two applications. Mr. Harris seconded.

Roll call vote:

Mr. Cozzetto: Aye
Mr. Grabhorn: Aye
Mr. Howard: Aye
Mr. Harris: Aye
Mr. Johnson: Aye
Mr. Newbore: Aye
Mr. Phillips: Aye
Mr. Sandberg: Aye
Mr. Seivers: Aye
Mr. Sparks: Aye
Mr. Trout: Aye

The Committee moved on to the update of the transfer stations. Doug Drennen gave the Committee a handout explaining the history and existing situation for constructing a transfer station in Washington County. Washington County haulers have met with agencies and community members to look into beginning the construction of a transfer station. The question that Washington County is asking is who is going to build the transfer station and when will it be built? Doug said some of the haulers are looking into this from the private side. Metro has basically

Solid Waste Policy Alternatives Committee

March 22, 1982

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provided technical information with regard to cost and Metro's involvement. We will continue to meet with agencies and local jurisdictions in upcoming weeks. Doug explained that Bob Olson introduced at the last Council meeting a resolution to construct a facility in Washington County. It was referred to Regional Services Committee. Doug pointed out that this is not a commitment of Metro to build it. A question was asked if any sites have been identified. Doug said no specific sites have been identified. Mr. Sandberg said that the haulers have one or two sites that they have been looking at seriously.

After no further discussion, the meeting was adjourned.

bb

1982 CALENDAR

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SOLID WASTE POLICY ALTERNATIVES COMMITTEE

NAME	REPRESENTING	ADDRESS	PHONE	TERM OF OFFICE
James Cozzetto	Collection Industry	P.O. Box 11457 Portland, OR 97211	285-0576	Feb. 1982-84
Shirley Coffin Vice Chairman	Public, Washington County	65 SW 93rd Portland, OR 97225	292-9338	Feb. 1982-84
Howard Grabhorn	Landfill Operators	Route 1, Box 849 Beaverton, OR 97402	628-1866	Feb. 1982-84
John Gray	Public, Multnomah County	3918 SE 116th Portland, OR 97266	288-7086	Feb. 1982-84
Robert Harris	Public, Clackamas County	32660 Lake Point Ct. Wilsonville, OR 97070	794-2370	Feb. 1982-84
Dick Howard	Multnomah County	Dept. of Public Works 2115 SE Morrison Portland, OR 97214	248-3623	No Limit
Paul Johnson	Construction Industry	Copenhagen Utilities and Construction P.O. Box 429 Clackamas, OR 97015	654-3104	Feb. 1982-84
Gary Newbore	Landfill Operators	c/o Reidel Internat'l P.O. Box 3320 Portland, OR 97208	222-4210	Feb. 1982-84
Dave Phillips	Clackamas County	Dept. of Env. Services 902 Abernethy Rd. Oregon City, OR 97045	655-8521	No Limit
Mike Sandberg	Washington County	Dept. of Public Health 150 N. First St. Hillsboro, OR 97123	648-8609	No Limit
Mike Sievers	City of Portland	Office of Public Works 621 SW Alder St. Portland, OR 97205	248-4390	No Limit
Edward Sparks	Recycling Industry	Publishers Paper Co. 4000 Kruse Way Pl. Lake Oswego, OR 97034	635-9741	Feb. 1982-84
John Trout Chairman	Collection Industry	Teamsters Local 281 1020 NE Third Ave. Portland, OR 97232	236-8171	Feb. 1982-84
Kelly Wellington	Public, City of Portland	1513 SE Ash, #2 Portland, OR 97214	239-5083	Feb. 1982-84
Bob Brown Ex Officio	DEQ	P.O. Box 1760 Portland, OR 97207	229-5157	No Limit
Norman Harker Ex Officio	Clark County	Clark Co. Public Works P.O. Box 5000 Vancouver, WA 98668	(206) 699-2451	No Limit

SOLID WASTE POLICY ALTERNATIVES COMMITTEE

BY-LAWS

ARTICLE I

NAME

This Committee shall be known as the SOLID WASTE POLICY ALTERNATIVES COMMITTEE.

ARTICLE II

PURPOSE

1. To provide advice and assistance to the Executive Officer, Metro Council and Council Regional Services Committee regarding regionwide solid waste related issues.

2. To provide a forum for public, private and citizen representatives to develop and evaluate regionwide policy alternatives concerning the beneficial use and disposal of solid waste generated in the region together with its impact on collection, and with the siting, construction and operation of the necessary facilities.

3. To advise on alternative courses of action which Metro may undertake to alleviate or resolve the short- and long-term solid waste problems of the region.

ARTICLE III

MEMBERSHIP-VOTING-MEETINGS

Section 1. MEMBERSHIP

a. The Committee shall be representative of the general public and of persons involved in production, source separation, collection, beneficial use and disposal of solid waste, and the siting, construction and operation of necessary facilities.

b. Membership shall include:

Cities & Counties

Clackamas County	1
Multnomah County	1
Washington County	1
City of Portland	1

General Public

Clackamas County	1
Multnomah County	1
Washington County	1
<u>City of Portland</u>	<u>1</u>

Industry

Collection	2
Landfills	2
Recycling	1
Construction Industry	1

c. Ex officio -- Clark County, Oregon Department of Environmental Quality (DEQ), Federal Environmental Protection Agency (EPA).

Section 2. APPOINTMENT and TENURE

a. Each member appointed to represent cities and counties shall be designated by the jurisdictions they represent and shall be staff employees. All other appointments shall be made for a term of two (2) years and shall be made by the Presiding Officer of the Metro Council in accordance with procedures of the Metro Council.

b. Each member shall serve until removed by the Presiding Officer, or the appointing cities or counties, or as determined under Section 2 (c) of this Article.

c. Absence unexcused by the Committee Chairperson from three (3) consecutive regularly scheduled meetings shall constitute removal of the voting member from the Committee.

d. Additional members may serve on the Committee upon nomination by the Metro Council Regional Services Committee and concurrence by the Presiding Officer of the Metro Council, in accordance with procedures of the Metro Council.

e. Ex officio members, without vote, may serve on the Committee upon nomination by the Metro Council Regional Services Committee and concurrence by the Presiding Officer of the Metro Council, in accordance with procedures of the Metro Council.

Section 3. VOTING PRIVILEGES

Each member of the Committee, except ex officio members, shall be entitled to one (1) vote on all issues presented at regular and special meetings at which the member is present.

Section 4. MEETINGS

a. Regular meetings of the Committee shall be held [on the Monday of the week of a regularly scheduled Metro Council meeting] once each month at a regularly scheduled date, time and place established by the Committee Chairperson.

b. Special meetings may be called by the Committee Chairperson as required.

Section 5. CONDUCT of MEETINGS

a. A majority of the voting members shall constitute a quorum for the conduct of business. The act of a majority of the voting members present at meetings, at which a quorum is present, shall be the act of the Committee.

b. All meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised.

c. The Committee may establish other Rules of Procedure as deemed necessary for the conduct of business.

ARTICLE IV

OFFICERS AND DUTIES

Section 1. OFFICERS

The officers of the Committee shall be a Chairperson and a Vice-Chairperson elected by the voting members of the Committee.

Section 2. TERM OF OFFICE

Each officer shall hold office during the fiscal year or until relieved of the position. Officers may hold succeeding terms of office, but may serve no longer than three (3) consecutive years.

Section 3. DUTIES

The Chairperson shall preside at all meetings he/she attends and shall be responsible for the expeditious conduct of the Committee's business. The Vice-Chairperson shall perform all duties of the Chairperson in his/her absence.

Section 4. ADMINISTRATIVE SUPPORT

Metro shall supply staff, as necessary, to record actions of the Committee and to handle times and places, and citizen participation activities.

ARTICLE V

SUBCOMMITTEES AND TASK FORCES

The Committee Chairperson, with the consent of the Committee, may appoint Task Forces from among its members and other interested persons. Composition and term of service shall be determined according to mission and need. Task Forces shall be given a specific Charge and time for reporting as an integral part of their establishment.

ARTICLE VI

REPORTING PROCEDURES

The Committee shall make its reports, findings and recommendations to the Council Regional Services Committee. Any such reports and recommendations shall also be sent to the Executive Officer. If there is any conflict between the position of the Committee and the Executive Officer, the Executive Officer will notify the Council Regional Services Committee and the matter will be discussed by the Regional Services Committee and other interested parties and a recommendation forwarded to the Metro Council. The Solid Waste Policy Alternatives Committee shall adopt procedures which adequately notify affected jurisdictions and interested parties on matters before the Committee.

ARTICLE VII

AMENDMENTS

These By-Laws may be amended or repealed only by the Metropolitan Service District Council.

DO/srb
4886B/285

SOLID WASTE ADVISORY COMMITTEE

GUESTS AND ADVISORS IN ATTENDANCE

DATE 4-5-82

Jim Parr
GUEST OR ADVISOR

metro
AFFILIATION

JOHN T. ROBT

COLLECTION INDUSTRY

MICHAEL SIEVERS

CITY OF PORTLAND

Kelly D. Wellington

Public, City of Portland

EDWARD SPARKS

RECYCLING INDUSTRY

Dick Howard

Mult Co

Terlyn Anderson

Metro

DENNIS O'NEIL

Metro

Michael A. Holston

Metro

Cheryl Morales

Metro

Ben Bailey

Metro

Bob Harris

Public - Clackamas Co.

Shirley Coffin

Public - Wash Co.

J.L. Long

Metro Disposal Corp.

Howard Anderson

Landfill Wash. Co.

Daniel D. Phillips

Clackamas DES

Michael Borg

Oak Grove Disposal Co. Inc.

Lloyd Hodge

Rossmann Sanitary Service, Inc.

DOUGLAS KOOYMAN

KELLER DROP BOX, INC.

Roger van Gelder

Sunflower Recycling

MERLE IRVINE

Alexander's Dispos. Haul

KEN SCHOLZ

" " "

Bob Bischel

AND DISPOSAL

BOB BROWN

DEQ

(over)

Cancilla & Son Sant Jan
Pete V. Trivino

Hudson & PASSO
Industry

SOLID WASTE ADVISORY COMMITTEE

ATTENDANCE AND VOTE RECORD

Meeting Date 4-5-82

ATTENDANCE RECORD			VOTING RECORD																				
member	here	not here*	item	yes	no	abst	item	yes	no	abst	item	yes	no	abst	item	yes	no	abst					
COZZETTO	X	XXXX	CHAIR ATTEND SUBJECT: RSC	X			SUSPEND TILL CLAR.	X			SUBJECT:				SUBJECT:								
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* E = Excused Absense

U = Unexcused Absense