



METROPOLITAN SERVICE DISTRICT

6400 S.W. CANYON COURT PORTLAND, OREGON 97221 (503) 297-3726

METROPOLITAN SERVICE DISTRICT BOARD

MINUTES OF AUGUST 10, 1973 MEETING

BOARD MEMBERS IN ATTENDANCE

Lloyd Anderson, Chairman
Robert Schumacher
Lorin Johnson
James Robnett

John Zaniker
Don Clark, representing Mel Gordon

TECHNICAL ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney
Melissa Brown, COR-MET
Ray O'Neil, Bartle-Wells
Gary Grimes, DEQ
Bill Culham, TAC
Jane Cease, CAC

STAFF IN ATTENDANCE

Charles C. Kemper
Merle Irvine
Jean Woodman

The clerk called the role and there being a quorum present the Board considered the following agenda items:

I. MINUTES

Mr. Gisvold introduced amendments to Section III and Section VI of the minutes of July 13, 1973, rewording the sections into a more detailed description.

Mayor Robnett moved to include the expanded descriptions under Section III and VI of the Minutes of July 13, 1973. Col. Johnson seconded the motion. The motion carried unanimously.

Col. Johnson moved to approve the minutes of July 13, 1973 as amended. Mayor Robnett seconded the motion. The motion carried unanimously.

II. HIDDEN VALLEY DISPOSAL SITE TESTIMONY

Mr. Watson, representing Land Reclamation, introduced written and verbal testimony which is attached. The testimony was entered into the records.

III. CRITERIA FOR SITE SELECTION

The Board considered the criteria for solid waste site selection developed by COR-MET for use in rating individual landfill sites. Miss Brown, of COR-MET, reviewed the criteria for the Board stating that the sites will be rated on both political considerations and technical and environmental considerations. She also stated that 33 sites have already been evaluated and rated under the technical and environmental considerations by COR-MET and by a technical group consisting of Charles Kemper, William Culham, City of Portland, Dave Yett, private industry, Ernie Schmidt, DEQ and Larry Theisen, of COR-MET.

Mayor Robnett questioned if the political bodies of each jurisdiction will be familiarized with the sites before rating them on the political considerations category. Miss Brown answered that they will be informed of key points of the sites and will also be shown the sites themselves before rating.

In response to Commissioner Anderson's feelings that a jurisdiction might not want a landfill in their area, Miss Brown stated that the discussion is oriented around each county and there is no discussion on exporting the wastes. As far as evaluating the sites are concerned, it is assumed that any waste generated within the county will remain within the county.

The COR-MET guidelines are meant to be used as a tool for coarse screening of sites for technical assistance to the COR-MET staff and the final recommendation will be presented to the Board for consideration at a later date.

The staff, TAC and CAC recommendation is to approve the use of the COR-MET guidelines.

Commissioner Schumacher moved to approve the COR-MET rating system for use in rough screening of solid waste disposal sites.

Mayor Robnett seconded the motion. The motion carried unanimously.

IV. SECOND READING AND PUBLIC HEARING OF TESTIMONY ON MSD TIRE
ORDINANCE AND MSD TIRE PROCESSING AND DISPOSAL REGULATIONS
ORDINANCE

The Tire Ordinance (Ordinance No. 3) and the MSD Tire Processing and Disposal Regulations Ordinance (Ordinance No. 4) received their first reading and public hearing on July 13, 1973. As a result of the first hearing the staff recommended several amendments to Ordinance No. 3, which amendments are underlined in the copies that have been mailed to the Board and which are available today to anyone who wants one.

Commissioner Anderson asked if there was anyone in the audience who did not have copies of the two Ordinances with the recommended amendments and who wanted them, stating that there were extra copies available. Several persons raised their hands and were given copies of the Ordinances. Commissioner Anderson asked again if anyone wanted a copy of the Ordinances. No one raised their hand or asked for a copy.

Mr. Gisvold, MSD Attorney, read the title pages for the Tire Ordinance and the Tire Processing and Disposal Regulation Ordinance.

Commissioner Anderson asked if there was anyone who wished to testify with respect to Ordinance No. 3 and Ordinance No. 4. The following testimony was heard:

- A. Woody Froom
President of the Oregon Tire Dealers Association
4601 SE Powell
Portland, Oregon

Mr. Froom was concerned with the storage and disposal of large tires over 48" in diameter. (Statement attached). Mr. Kemper stated that the Ordinance addresses itself to the problem, however, a site is not in operation now to handle the tires. He further stated that if staff time and funds were available, a recommended approach could be presented to the Board within two months.

Aside from the problem of disposal of large tires, Mr. Froom stated that the Tire Ordinances were acceptable as amended.

Metropolitan Service District
Minutes of August 10, 1973
Page 4

B. Dan Grimshaw
Grimshaw Tires
525 SE Union
Portland, Oregon

Mr. Grimshaw was concerned with the last sentence of Section IX paragraph 2 and requested that it be rewritten to read: "A tire retailer or scrap tire generator authorized to process tires may accept tires from any other person."

In discussion Mr. Gisvold stated that his concern was that the ordinance requires processing centers to accept all scrap tires and Mr. Grimshaw was requesting a change that would allow a tire retailer or scrap tire generator to accept tires at his own discretion for processing

Mr. Knapp objected to allowing a competitor to take select tires and leave the large tires to those required to take them for processing.

The Board was in agreement to leave Section IX item 2 as written. (Mr. Grimshaw's statement is attached).

C. Gene Plew
Land Reclamation, Inc.

Mr. Plew requested clarification on Page 5 Section XII asking that as a landfill operation, do they have to accept all scrap tires as brought to them.

Mr. Kemper stated that the intent was that a site would accept all tires as a holding area and a charge would be made to hold those tires and transport them to a processing center.

Mayor Robnett felt that the disposal site would be under the danger of having to accept all of the big tires and it should be clarified to accepting only those tires that can be shredded and processed.

Commissioner Schumacher stated that the operator could charge what he felt was necessary in handling these large tires, and that he could in this way control the quantity and quality of the tires he accepts.

As no more persons in the audience wished to testify, the Board considered a request from Columbia County to join into an agreement with the MSD which would authorize Mickey's Sanitary Fill as a tire processing center. The letter from Columbia County Board of Commissioners, dated August 8, 1973, will be entered into the official record.

Mr. Gisvold proposed the following additional changes in the MSD Tire Ordinance:

Section I. 7. amended to read "Scrap tire means any tire, new or used, whether or not it is in such condition as to be reused, recapped, or otherwise salvaged and is being discarded for any reason."

Mayor Robnett moved to accept the proposed amendment to Section I item 7. Commissioner Schumacher seconded the motion. The motion carried unanimously.

Mr. Grimshaw objected to the word "'recapped'".

Commissioner Schumacher moved to amend the word "recapped" to "retread" throughout the Ordinances. Mayor Robnett seconded the motion. The motion carried unanimously.

Mr. Gisvold proposed amending Section III item 3.c. to read: "Tire carriers engaged in the business of retreading tires and who are carrying tires to be retreaded."

Commissioner Schumacher moved to approve the amendment to Section III item 3.c. Col. Johnson seconded the motion. The motion carried unanimously.

Commissioner Schumacher moved the adoption of the Tire Ordinance (Ordinance No. 3) with the amendments recommended by the staff and with the amendments to Section I.7 and Section III3.c. just approved by the Board and that the effective date of the Ordinance be 30 days subsequent to the completion of the 12 tasks delineated on Page 2 of the August staff report or as many of those tasks as this Board deems necessary.

Mayor Robnett seconded the motion. The motion carried unanimously

Commissioner Schumacher moved for adoption of the MSD Tire Processing Regulations Ordinance (Ordinance No. 4).

Col. Johnson seconded the motion. The motion carried unanimously.

V. LEGAL COUNSEL REPORTS

A. Change in Task 1 of the Solid Waste Work Scope

Mr. Gisvold stated that the amendment to the contract with DEQ re-allocating funds under the Public Information Exchange Program is ready for signature. DEQ has submitted a letter to the Board authorizing the change.

B. Comments on Tabloid Publication

Mr. Gisvold stated that an Opinion letter No. 9 was issued from his office stating that the District could spend public monies to inform and educate the public on the findings, conclusions and recommendations of the consultants on the Solid Waste Management Study. He also stated, however, that a public body cannot spend money to advocate a pro or con issue before the voters, and if the consultant's final recommendation is a financing package to go before the voters, caution should be taken that the tabloid be objective and express the opinions of the consultants only.

VI. JOHNSON CREEK ENGINEERING STUDY

Mr. Kemper requested authorization from the Board to embark on a program that would lead to construction of flood control measures in the Johnson Creek Basin. It is staff's recommendation that Johnson Creek be approved for investigation of the flood control problem and that a cost estimate be developed for enabling staff and consultants to prepare an assessment role and other administrative functions for this study.

Commissioner Schumacher moved to authorize staff to investigate the flood control situation on Johnson Creek and that item No. VII. 1. of the August staff report be accomplished.

Col. Johnson seconded the motion. The motion carried unanimously.

Mr. Norman Fulton, of the Corps of Engineers, gave a brief discussion on the existing engineering work being done by the Corps on Johnson Creek. Mr. Fulton stated that the engineering and economics study has been assigned to the consultants of Haner, Ross, and Sporseen to determine feasibility, benefit cost ratio analysis, and land use planning. He also stated that an Environmental Impact Statement is being prepared for Johnson Creek and an engineering report from the consultants will be ready by the end of September. It is the Corps' opinion that the study so far is still feasible and justifies recommending to Congress approval for the construction funds. The MSD should be addressing itself to right-of-way, the change in utilities, and any change in the bridges rather than to engineering design.

VII. NEW BUSINESS

- A. Mrs. Cease of the Citizen Advisory Committee requested that two citizens be appointed to the committee to replace Mr. Iverson and Mr. Doak who have resigned.

Commissioner Anderson ordered that this request be transmitted through the Board to the jurisdiction involved for action.

- B. The first Solid Waste Information Slide Show was presented to the Board members.

The meeting adjourned at 3:50 P.M.