

MSD BOARD OF DIRECTORS

MINUTES OF MARCH 22, 1974 MEETING

MEMBERS IN ATTENDANCE

Robert Schumacher, Chairman  
Miller Duris  
Mel Gordon  
Rod Roth  
John Zaniker

ADVISORS IN ATTENDANCE

Herb Hardy, Attorney  
Ernie Schmidt, DEQ  
Gary Grimes, DEQ  
Bob Brown, DEQ  
Fred Cope, Bartle-Wells  
Mike Kennedy, COR-MET  
Jane Cease, CAC

STAFF IN ATTENDANCE

Charles C. Kemper  
Merle Irvine  
Jean Woodman

I. MINUTES

Mayor Duris moved to approve the minutes of March 8th, 1974 as submitted. Commissioner Gordon seconded the motion. The motion carried unanimously.

II. ACCOUNTS PAYABLE

Commissioner Gordon moved to approve the Accounts Payable for Phase I of the Solid Waste Program as outlined on Pages 6 through 16 of the March 22, 1974 staff report.

Commissioner Roth seconded the motion. The motion carried unanimously.

III. REVIEW AND COMMENT CONCERNING THE MSD SOLID WASTE  
FINANCIAL PLAN

A. Legal Counsel Report Regarding Funding

Mr. Hardy, MSD Attorney, presented the Board with his firm's Attorney Opinion Letter No. 11, on the question of MSD's eligibility for State Pollution Control Bond funds for construction of the solid waste disposal facilities. It was his opinion that although there has been no formal policy established, the DEQ by ORS 449.685 has the authority to loan funds to the MSD for solid waste facilities upon those allowed obligations of MSD described in the Constitution and the Statute; that MSD is eligible for Pollution Control Bond funds from the State of Oregon; and that MSD is authorized to borrow from the Pollution Control funds upon the constitutional and statutory provisions for such borrowings.

Commissioner Gordon moved to accept and file the Cake Hardy Buttler McEwen & Weiss Attorney Opinion No. 11. Mayor Duris seconded the motion. The motion carried unanimously.

B. Technical Advisory Committee Recommendation

Mr. Kemper stated that the Technical Advisory Committee reviewed and approved the following policy decisions and action points:

Decision Point No. 1: Emphasis on tax exempt public financing which was used as a basis for developing the Financial Plan.

Decision Point No. 2: Utilization of 1) grants, and 2) loans from any appropriate DEQ, EPA or other agencies for this program, as pointed out in the report.

Decision Point No. 3: Fee structure based on 85% generated waste with necessary policing.

Decision Point No. 4: Adoption in concept of diversion of processible waste from non-processible sites as indicated in the report with approximately 2/3 of the waste from non-processible sites and necessary policing.

Decision Point No. 5: The use of capacity charges and differential gate fees to allocate transport costs on county-wide basis.

Decision Point No. 6: Use of gate fees to allocate initial land, construction and equipment disposal costs on a county-wide basis.

Decision Point No. 7: Equipment replacement on a lease purchase basis as set forth in the report.

The Technical Advisory Committee is also recommending approval of the MSD Solid Waste Financial Plan in concept.

Mr. Hardy cautioned the Board on Decision Points 5 and 6 recommending that any rate differences proposed by MSD be well justified.

C. MSD Financial Plan Action

Commissioner Gordon moved to adopt the Solid Waste Financial Plan in concept with the stipulation that additional financial work be performed to define rates and costs for the approved amended engineering plan and subject to legal review of Policy Decisions No. 5 and 6.

Commissioner Roth seconded the motion. The motion carried unanimously.

IV. DEQ COMMENTS REGARDING THE MSD SOLID WASTE PLAN

Mr. Ernie Schmidt, DEQ Solid Waste Administrator, addressed the Board stating that the DEQ was well satisfied with the progress of the Processible Solid Waste Program, the Non-processible Solid Waste Program and the Tire Processing Program. He further stated that the DEQ was in support of the proposed addition of air separation in the transfer stations and were considering the capability of extracting fuel from solid waste.

V. MSD/COUNTY AGREEMENTS - TIRE PROCESSING AND DISPOSAL PROGRAM

Tabled indefinitely.

VI. REVIEW AND COMMENTS - PROPOSED JOHNSON CREEK IMPLEMENTATION PLAN

Tabled until the April 12th, 1974 meeting.

VII. DESIGNATION OF 1974-75 BUDGET OFFICER

Commissioner Roth moved to appoint Charles Kemper as 1974-75 MSD Budget Officer. Mayor Duris seconded the motion. The motion carried unanimously.

VIII. NEW BUSINESS

- A. Mr. Kemper reported that the first Direction Committee meeting had been held on the 21st of March and officers elected. The Board extended an open invitation to Mr. Hardy to attend the Direction Committee meetings.
- B. Commissioner Gordon felt that the proposed meeting between the TRI-MET and MSD Boards should be reactivated. It was agreed to wait a month before doing so, and Commissioner Gordon will inform Mr. Drummond of TRI-MET of the Board's decision.
- C. Commissioner Roth moved to approve expenses for Chuck Kemper to attend the National Solid Waste Management Association in Houston, Texas. Commissioner Gordon seconded the motion. The motion carried unanimously.
- D. Commissioner Roth addressed the Board requesting a delay in submitting the county's recommendation for solid waste sites in Washington County. He felt a report would be available to the Board by the next meeting.

There being no further business to come before the Board, the meeting adjourned at 4:15 P.M.