



METROPOLITAN SERVICE DISTRICT

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

MSD BOARD OF DIRECTORS

MINUTES OF AUGUST 30, 1974 MEETING

BOARD MEMBERS IN ATTENDANCE

Robert Schumacher, Chairman
Miller Duris
Mel Gordon
Connie McCready

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney
Mike Kennedy, COR-MET
Ken Meng, Washington County

ACTION NO. 74-197

DATE 9-13-74

BY Jean Woodman
CLERK OF THE BOARD

GUESTS ADDRESSING THE BOARD

Lee Kell, Attorney

STAFF IN ATTENDANCE

Charles C. Kemper
Merle Irvine
Rena Smith
Jean Woodman

There being a quorum present, the Board considered the following items of business:

I. MINUTES

Commissioner Gordon moved to approve the minutes of August 9, 1974 as submitted. Commissioner McCready seconded the motion. The motion carried unanimously.

II. PUBLIC COMMUNICATIONS

Commissioner Schumacher asked if there was anyone in the audience that wished to address the Board on an issue that was not specifically covered on the meeting agenda. There was no response.

III. EMERGENCY ORDINANCE NO. 17 - PUBLIC HEARING

Commissioner Schumacher opened the public hearing to consider Ordinance No. 17 establishing procedures and standards for evaluating applications for tire carrier permits and processing center authorizations, and declaring an emergency.

Commissioner Schumacher asked if there was anyone in the audience that did not have a copy of the ordinance and wished one. There was no response.

Mayor Duris moved that the Ordinance No. 17 be read by title only. Commissioner McCready seconded the motion. The motion carried unanimously.

Mr. Kemper read Ordinance No. 17 by title.

Board discussion followed and Mr. Kemper explained that it had been determined by staff that the procedure for evaluating tire program applications be in ordinance form rather than as an administrative procedure. Commissioner McCready questioned the wording of "no less than four days written notice" in Section IV, and it was agreed to amend it to read "no less than four days nor more than 10 days" which is in compliance with the open meetings law. Section "XI" on Page 5 of the Ordinance was in error and should read "IX". Commissioner McCready also questioned Section VIII. g. on Page 5 of the ordinance feeling that this would be difficult to determine, and it was agreed to eliminate the words "the economic" from the sentence.

Commissioner McCready moved to amend Section IV and Section IX to include "nor more than 10 days written notice"; to correct "XI" on page 5 to read "Section IX"; and to strike the words "the economic" under Section VIII.g. Mayor Duris seconded the motion. The motion carried unanimously.

Commissioner Schumacher asked if anyone in the audience wished to testify to Emergency Ordinance No. 17 and there was no response.

Commissioner Gordon moved to adopt Ordinance No. 17 as amended and declare an emergency. Commissioner McCready seconded the motion. The motion carried unanimously.

IV. ORDINANCE NO. 19 - DISCUSSION

Ordinance No. 19 amends Ordinance No. 3 stating MSD intent toward state and local laws, ordinances, zoning regulations, franchise agreements and other regulations that apply to tire carrier or tire processing center permits authorized by MSD. This is a discussion item. The required two public hearings will be held during the next two regular meetings of the Board.

Mr. Gisvold reviewed the ordinance stating that the ordinance merely clarifies MSD's intentions in the administration of the Tire Program, in that the applicants must comply with the county ordinances as well as the MSD ordinances.

Commissioner Schumacher asked if anyone in the audience wished to discuss Ordinance No. 19 and there was no response.

V. POLICY STATEMENT ON THE MSD TIRE PROGRAM

The Board members reviewed the draft MSD Policy Statement on the Tire Program. The Policy Statement clearly indicates the purpose of the MSD Tire Disposal Program and the intended relationship between MSD and local jurisdictions.

Commissioner McCready felt that item No. 2 should be amended to add "or, with MSD permission, outside the area". Mr. Gisvold stated that No. 2 provided for taking outside the MSD area by considering "disposal site" in the broad sense and it need only be authorized by MSD.

Commissioner McCready moved to adopt the Policy Statement as drafted. Mayor Duris seconded the motion. The motion carried unanimously.

VI. PRIVATE INDUSTRY PARTICIPATION IN THE MSD SOLID WASTE PROGRAM

Mr. Kemper reviewed this agenda item stating that MSD began considering private industry participation in the Solid Waste Program in early June. The Solid Waste Committee is at present considering alternative structures for utilizing private industry/MSD relationship in developing the system. The Board reviewed the SWC sub-committee report dated August 19, 1974. This report will be discussed in detail and other alternatives considered at the September 9, 1974 Solid Waste Committee meeting. Mr. Kemper stated that a decision on private industry participation in the program will have to be made prior to submittal of MSD Obligation No. 1 proposal to DEQ scheduled for September 20, 1974.

VII. MSD/CRAG CONTRACT

Commissioner Schumacher stated that a meeting should be set up with representatives of CRAG to review the MSD/CRAG contract and bring it to an equitable conclusion. Commissioner Gordon indicated that he had some input to the contract and would like to be involved. Commissioner McCready and Mayor Duris also wished to be involved in the proposed meeting with CRAG. It was agreed that the Board sub-committee report back no later than September 27, 1974 with their recommendation.

Commissioner McCready moved to authorize extension of the existing MSD/CRAG contract to October 31, 1974. Commissioner Gordon seconded the motion. The motion carried unanimously.

VIII. CONSOLIDATED WASTE SERVICES, INC. PROPOSAL

Mr. Kemper presented the Board with the Consolidated Waste Services, Inc. proposal for management and operation of the solid waste facilities. This proposal was developed by the Solid Waste Industry as an alternative in private industry/public participation in the program. Staff recommendation is to authorize review of the proposal by the Solid Waste Committee.

Mr. Lee Kell, Attorney for the Solid Waste Industry, addressed the Board. His statement is attached.

Commissioner Schumacher questioned the relationship of Ch. 34 1974 laws, special session and Mr. Gisvold stated that his office has started a study on this and would have it available at the next meeting. The Board felt that the Solid Waste Committee, the Attorney, and other private individuals should review the report. The Board also felt that MSD would be receiving other proposals that will have to be considered, and they discussed the criteria and specifications that will determine the viability of the various proposals.

Commissioner McCready moved to direct staff to submit the Consolidated Waste Service, Inc. proposal to the Solid Waste Committee for review and direct legal counsel to report back to the Board on September 13, 1974 on Chapter 34, 1974.

Mayor Duris seconded the motion. The motion carried unanimously.

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The Board received the preliminary Environmental Assessments on the transfer/processing site locations developed by COR-MET.

There being no further business to come before the Board, the meeting adjourned at 3:20 P.M.