



# METROPOLITAN SERVICE DISTRICT

527 S. W. HALL, PORTLAND, OREGON 97201 222-3671

## MSD BOARD OF DIRECTORS

### MINUTES OF THE NOVEMBER 28, 1975 MEETING

#### MEMBERS IN ATTENDANCE

Robert Schumacher, Chairman  
Ray Miller  
Mel Gordon  
Charles Becker  
Miller Duris

#### ADVISORS IN ATTENDANCE

Dean Gisvold, MSD Attorney  
Bob Brown, DEQ

#### GUESTS IN ATTENDANCE

List attached

#### STAFF IN ATTENDANCE

Charles Kemper  
Merle Irvine  
John Hanke  
Jean Woodman

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

#### 75-425 MINUTES

Commissioner Gordon moved to approve the minutes of the November 14, 1975 Board meeting. Councilman Becker seconded the motion. The motion carried by roll call vote.

75-426 PUBLIC COMMUNICATIONS

Commissioner Schumacher asked if there was anyone in the audience that wished to address the Board on matters not listed on the meeting agenda, and there was no response.

75-427 ACCOUNTS PAYABLE

Commissioner Gordon moved to approve the Accounts Payable list Vouchers No. 288 through 297 in the total amount of \$4,864.04. Mayor Duris seconded the motion. The motion carried unanimously by roll call vote.

75-428 JOHNSON CREEK DRAINAGE MANAGEMENT PROGRAM

This agenda item was not taken in order and Commissioner Gordon was not present.

Mr. John Hankee, of the MSD staff, stated that it had been staff's intention to give a complete presentation on the status of the MSD Johnson Creek Drainage Management Program. However, as two of the major jurisdictions involved with the Johnson Creek Program were not present Mr. Hankee proposed delaying the presentation for a Special Board meeting on the 19th of December. The Board members were in agreement with scheduling the Special Board meeting for the 19th. Mr. Hankee distributed copies of the Johnson Creek Drainage Management Program report for the Board's review.

75-429 MSD SOLID WASTE MANAGEMENT AND OPERATION PROGRAM RATE SCHEDULE ORDINANCE NO. 33 - Third Public Hearing

This item was considered out of agenda order.

Commissioner Schumacher opened the public hearing to receive testimony on Ordinance No. 33. The ordinance has received two prior hearings without comment thus far from the collection industry.

Commissioner Schumacher asked if there was anyone in the audience that wished a copy of the ordinance and there was no response.

75-429.A

Commissioner Gordon moved to read Ordinance No. 33 by title only. Mayor Duris seconded the motion. The motion carried unanimously by roll call vote.

The clerk read Ordinance No. 33 by title. An ordinance establishing a user fee for the administration, implementation and operation of the areawide Solid Waste Management Program and prescribing an effective date.

Mr. Irvine reviewed the ordinance stating it would be used to repay the loan money to the State of Oregon on Pollution Control Bonds, and to pay for Phase I administrative costs.

Mr. Irvine read the following letters received to be read into the records as testimony:

1. W. F. Brown  
2416 NE 18th Avenue  
Portland, Oregon 97212

Mr. Brown stated in his written testimony that garbage should be separated at its source and that the money proposed for construction of the transfer/processing stations would be better spent in providing trucks capable of collecting different types of refuse. (Letter attached.)

2. Ernest Schmidt  
Department of Environmental Quality

Mr. Schmidt stated in his letter that the DEQ had received MSD's request to delay the loan repayment date; but would however, require adherence to the payback schedule as originally presented. (Letter attached.)

3. LaVelle & Yett, Inc.

LaVelle & Yett, Inc., submitted two recommended amendments to Ordinance No. 33, both to the rate schedule. One amendment provided that small public loads be rated at 15¢ per load; and the other exempting such material as earth sand, stone, crushed stone, and concrete for use as cover at the landfill. (Letter attached.)

In reviewing the LaVelle & Yett amendments, Mr. Gisvold recommended amending the rate schedule to include public vehicles at 15¢ per load as A.3., and adding B for the exemptions of cover material.

Commissioner Schumacher requested public testimony and the following was received:

A. Dave Miller

Mr. Miller addressed the Board regarding the LaVelle & Yett amendments stating that he felt the two-wheel trailers and trucks should be defined as to size.

The Board members felt this could be accomplished by eliminating the semi-colons in the proposed amendments and using commas.

Commissioner Schumacher asked if there was anyone else in the audience that wished to testify on Ordinance No. 33 and there was no response.

75-429.B Mayor Duris moved to amend the rate schedule to Ordinance No. 33 to read as follows:

"A. The following user fees shall be paid by the operators of the waste disposal sites in accordance with Ordinance No. 32.

1. Non-compacted solid waste 15¢ per cubic yard delivered.
2. Compacted solid waste 26¢ per cubic yard delivered.
3. All material delivered in private cars, station wagons, single and two-wheel trailers, and trucks with rated capacities less than one ton will be computed at a fixed fee of 15¢ per load.

"B. Inert material, including without limitation, earth, sand, stone, crushed stone, crushed concrete and broken asphaltic concrete used at a landfill for cover, diking or road base and for which no dumping charge is made shall be exempt from these fees."

Commissioner Gordon seconded the motion. The motion carried unanimously by a roll call vote.

75-429.C Mayor Duris moved to adopt Ordinance No. 33 as amended. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

75-430 ORDINANCE NO. 34 - First Public Hearing

Cancelled.

75-431 RESOURCE RECOVERY BYPRODUCT ENVIRONMENTAL ASSESSMENT

The Board reviewed modifications proposed by staff and the Solid Waste Committee. Modifications submitted by John Knapp, of Resource Recovery Byproducts, were also considered. Staff recommendation is to accept the Resource Recovery Byproducts Environmental Assessment with the proposed modifications, recognizing that the site is an alternative to the North Portland Road site, and directing continuation of discussions between RRB and MSD for compatibility of the two systems.

75-431.A Commissioner Gordon moved to approve the amendments to the Resource Recovery Byproducts Environmental Assessment as outlined in the staff report and in Mr. John Knapp's letter dated November 24, 1975. Mayor Duris seconded the motion. The motion carried unanimously by roll call vote.

75-431.B Mayor Duris moved to approve the amended Resource Recovery Byproducts Environmental Assessment. Commissioner Gordon seconded the motion. The motion carried unanimously by roll call vote.

75-432 SOLID WASTE PROGRAM SCHEDULE

Mr. Kemper presented the Board with an amended schedule for presentation of the Solid Waste Program to the State Emergency Board. He stated that

75-433 MSD RESOLUTION NO. 22

The Board considered Resolution No. 22 honoring Burton Wilson for his service to the Metropolitan service District.

Mayor Duris moved to approve Resolution No. 22. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

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There being no further business to come before the Board, the meeting adjourned at 2:50 P.M. Tapes of this meeting are on file at the MSD Office. Roll call votes on all motions are also on file at the MSD Office.