



METROPOLITAN SERVICE DISTRICT

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

MSD BOARD OF DIRECTORS

S P E C I A L M E E T I N G

March 5, 1976

BOARD MEMBERS IN ATTENDANCE

Miller Duris, Vice Chairman
Robert Schumacher
James Robnett
Charles Becker

ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney
Bob Brown, DEQ

GUESTS IN ATTENDANCE

List attached.

STAFF IN ATTENDANCE

Charles Kemper
Merle Irvine
Cordell Ketterling
Jean Woodman

There being a quorum present the considered the following item of business:

76-485 MSD EMERGENCY ORDINANCE NO. 36 - PUBLIC HEARING

Mayor Duris opened the public hearing for consideration of MSD Emergency Ordinance No. 36, an ordinance amending the effective date of Ordinance No. 32 and 33 and declaring an emergency.

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

Commissioner Schumacher moved to read Ordinance No. 36 by title only. Mayor Robnett seconded the motion. The motion carried unanimously by roll call vote.

The clerk read Ordinance No. 36 by title.

Mr. Irvine reviewed the ordinance stating that it was in response to the direction given MSD by the Emergency Board on February 20, 1976, to purchase the south processing station site known as the Rossman Site. In order to prove ability to repay the loan of \$176,000 granted for purchase of the property, MSD must amend the effective date of Ordinance No. 33, rate ordinance, to become effective upon signing of the DEQ loan offer and acceptance. Also in amending Ordinance No. 33, Ordinance No. 32 establishing the solid waste management plan and its procedures was amended.

Mayor Duris asked if there was testimony from the public and the following people addressed the Board:

1. Dick Wertzel
Local #281

Mr. Wertzel requested clarification of the ordinance as to when the user fee would come into effect. Mr. Gisvold answered that the ordinance would not become effective until after court settlement of the litigation between MSD and DEQ and then after the DEQ Loan Offer and Acceptance Document was developed and signed. He stated that in the meantime staff would begin notifying the jurisdictions of the possible increase in rates for the collection industry. Mr. Wertzel asked for a time schedule on these proceedings, and Commissioner Schumacher stated that it could not be anticipated, however, probably not less than 60 days.

2. Carl Miller
Refuse Industry, Washington County

Mr. Miller addressed the Board stating that if the State grant the MSD \$176,000, the user fee could become effective the next day, and requested a date that the user fee would come into effect. He was concerned as to when the industry should begin their procedure for increasing the rates to the public. Mr. Gisvold answered that he was not familiar with the industry's procedures, but that staff could begin taking steps to notify the jurisdictions of the impending increase in fees and urge their cooperation. He suggested that the industry take the initial steps and approach the jurisdictions with their anticipated increase and come back to the MSD Board with their problems. Mr. Wertzel was still concerned that the fees could become effective

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immediately, and Commissioner Schumacher assured him that the effective date was contingent upon signing of the Loan Offer and Acceptance of the \$176,000 from DEQ, however, DEQ has stated that they would not loan the money to MSD without a favorable determination by the courts of MSD's ability to borrow the money.

Mayor Duris asked if there was further testimony from the public, and there was no response.

Commissioner Schumacher moved to adopt MSD Emergency Ordinance No. 36. Councilman Becker seconded the motion. The motion carried unanimously by roll call vote.

The special meeting of the MSD Board of Directors adjourned at 12:45 P.M.