

MSD BOARD OF DIRECTORS
MINUTES OF JULY 9, 1976 MEETING

BOARD MEMBERS IN ATTENDANCE

Ray Miller, Chairman
Miller Duris, Vice Chairman
Robert Schumacher
Connie McCready
James Robnett
Mel Gordon
Charles Becker

ADVISORS IN ATTENDANCE

Herb Hardy, Attorney
Bob Brown, DEQ

GUESTS IN ATTENDANCE

List attached.

STAFF IN ATTENDANCE

Charles Kemper
Warren Iliff
Cordell Ketterling
John Hanke
Jean Woodman

**METROPOLITAN SERVICE DISTRICT
BOARD APPROVAL**

NO. 76-613 DATE 7-23-76

	YES	NO	ABST.
BECKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DURIS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GORDON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McCREADY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBNETT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHUMACHER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MILLER, CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Jean Woodman
Clerk of the Board

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

76-601 MINUTES

Mayor Duris moved to approve the minutes of June 25, 1976. Commissioner Gordon seconded the motion. The motion carried unanimously by roll call vote. (Councilman Becker was not present for this agenda item.)

76-602 PUBLIC COMMUNICATIONS

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

76-603 CASH DISBURSEMENTS

Mr. Kemper reviewed the first two items on the cash disbursement listing, Check Numbers 484 and 485, stating that one covered the MSD employee health insurance and one for Workman's Compensation coverage. Due to the necessity of obtaining coverage prior to July 1, the staff issued the checks without Board approval. The Board did, however, approve obtaining the coverage under Action No. 76-553.

Commissioner Gordon moved to approve payment of Vouchers No. 484, 485 and 1001 through 1047 in the total amount of \$28,942.82. Commissioner McCready seconded the motion. The motion carried unanimously by roll call vote. (Councilman Becker was not present at this time.)

76-604 INSURANCE COVERAGE

Mr. Kemper reviewed two insurance policies with expiration dates in July 1976, one for the Zoo railroad equipment and one for liability on the Zoo elephant ride. Both insurance policies have been published for bids with two responses, one from Fred S. James and one from Frank B. Hall. Mr. Kemper stated that due to the differences in premiums and deductibles, staff was recommending approval of the Fred S. James quote for both policies.

Commissioner Gordon moved to approve staff recommendation to accept the proposal submitted by Fred S. James for insurance coverage on the railroad inland marine policy and the elephant ride liability coverage at the quoted premiums. Commissioner Schumacher seconded the motion. The motion carried unanimously by roll call vote.

76-605 EMPLOYEE BUS REDUCTION BENEFIT

The Board discussed a staff recommendation for continuance of a 20% discount for MSD employees on Tri-Met bus passes. Mr. Iliff indicated that this was an on-going policy at the Zoo and felt that it should be continued as an employee benefit and to relieve the parking situation on the Zoo grounds. Councilman Becker questioned whether by discouraging MSD employee parking at the Zoo facilities, the Board would be providing additional parking space for other facilities such as OMSI and the Forestry Center. Commissioner McCready suggested that the Board send a letter to OMSI and the Forestry Center requesting that they adopt a similar policy on bus ridership.

Commissioner McCready moved to approve a 20% discount on Tri-Met bus passes for MSD employees and volunteers. Commissioner Gordon seconded the motion. The motion carried unanimously by roll call vote.

76-606 ORDINANCE NO. 39 - SECOND PUBLIC HEARING

Commissioner Gordon moved to reschedule the second hearing on Ordinance No. 39 for July 23, 1976. Mayor Duris seconded the motion. The motion carried unanimously by roll call vote.

76-607 ORDINANCE NO. 42 - FIRST PUBLIC HEARING

An ordinance setting forth procedures for conducting contested case hearings.

Commissioner Miller asked if everyone in the audience had a copy of Ordinance No. 42 that wished one. There was no response.

Motion 76-607.A:

Commissioner Gordon moved to read Ordinance No. 42 by title. Mayor Duris seconded the motion. The motion carried unanimously by roll call vote.

The clerk read the ordinance title.

Mr. Hankee reviewed the ordinance sections and there was some discussion on preference between the Board holding hearings or contracting with a hearings officer and what procedure would then be followed. Mr. Hardy stated that the hearings officer

would hold the public hearing and make recommendation to the Board on an order and up to that time, if good cause is shown, additional evidence or material may be presented for consideration. Once the matter is before the Board, the Board must either approve or reject the hearings officer's findings. Mr. Hardy stated that the procedure was well known and used in administrative law.

Commissioner Miller asked if there was anyone in the audience that wished to speak to Ordinance No. 42. There was no response.

Motion 76-607.B:

Commissioner Gordon moved to set the second hearing date for Ordinance No. 42 for July 23, 1976. Mayor Duris seconded the motion. The motion carried unanimously by roll call vote.

76-608 WASHINGTON COUNTY TRANSFER SYSTEMS AGREEMENT

The Washington County Transfer Systems proposal for mini-transfer stations in Washington County was before the Board for second consideration. Mr. Kemper stated that the only contact staff has had with the Washington County group was a discussion with their attorney Demar Batchelor. Mr. Batchelor had requested a joint meeting between the MSD Board and Washington County Transfer Systems.

Commissioner Gordon moved to approve the MSD Attorney recommendation to direct staff to discuss the concepts of the Washington County Transfer Systems' proposal in terms of its relationship to the Solid Waste Management Plan and the cost consequences to the District. Councilman Becker seconded the motion.

In discussion Commissioner McCready stated that in considering the possibility of an agreement with WCTS, she had some points she wished included. The Board was in agreement that the discussions were still in the exploratory stage and all concerns would be answered prior to an attempt to develop an actual agreement between MSD and WCTS. The Board recognized WCTS's need for some agreement to allow them to spend time and money in developing working parameters; however, they did not feel they could commit themselves prior to some conclusion on the Board's requirements of WCTS. Mr. Hardy stated that any communications between the Board and WCTS would be solely for information to submit such

a contract to public bidding. Commissioner Miller stated that a public bid on the program would be one stipulation, as a representative from Washington County, that he would require.

The question was called and the motion carried unanimously by roll call vote.

76-609 FINANCIAL CONSULTANT CONTRACT

The Board considered a proposed agreement between MSD and White, Weld & Co., and Price-Waterhouse to assist staff in negotiating with Publisher's Paper or a private fuel user, for sale of the light combustible byproduct. Mr. Ketterling explained that White, Weld was an investment bankers firm from New York, and was one of several firms contacted during negotiations on the Parker Northwest contract. He felt that with White, Weld's ability to guarantee sale of a tax exempt bond issue, and their enthusiasm over the MSD project, a contract between the two organizations would be appropriate and desirable. Commissioner McCready was concerned about payment for the financial consultants, and Mr. Ketterling stated that White, Weld would be submitting payments as the work scope progressed and MSD would recapture its expenses through sale of bonds. Mr. Hardy felt that underwriting of the program with the name of White, Weld would be considered favorably at the State Emergency Board.

Commissioner Schumacher moved to approve a contract between the Metropolitan Service District and White, Weld & Co., Inc., at a maximum consulting fee of \$11,000, subject to legal counsel review, and authorize the Chairman's signature. Commissioner Gordon seconded the motion. The motion carried unanimously by roll call vote.

OTHER BUSINESS

76-610 DEQ Grant Offer and Acceptance

Commissioner Schumacher moved to approve the DEQ Grant/Loan Offer and Acceptance in the amount of \$175,000, subject to legal counsel review and authorize the Chairman's signature. Commissioner McCready seconded the motion. The motion carried unanimously by roll call vote.

76-611 Solid Waste Advisory Committee Membership

Commissioner Schumacher moved to approve the appointment of Ron Perkins to the MSD Solid Waste Committee to represent the City of Portland. Commissioner McCready seconded the motion. The motion carried unanimously by roll call vote.

76-612 MSD Checking Account Signatures

Mr. Kemper requested amendment of the Board's previous decision to authorize John Wilson's signature for signing MSD checks, stating that Mr. Wilson would be doing the major banking deposits. Mr. Kemper suggested Merle Irvine as the replacement signature.

Councilman Becker moved to authorize Charles Kemper, Warren Iliff and Merle Irvine as the approved check signers. Mayor Duris seconded the motion. The motion carried unanimously by roll call vote.

There being no further business to come before the Board, the meeting adjourned at 3:25 P.M.