



METROPOLITAN SERVICE DISTRICT

1220 S.W. MORRISON, ROOM 300, PORTLAND, OREGON 97205

(503) ~~222-3678~~ 248-5470

BOARD OF DIRECTORS

MINUTES OF SEPTEMBER 8, 1978 MEETING

BOARD MEMBERS IN ATTENDANCE

Robert Schumacher, Chairman
Connie McCready
Sidney Bartels
Miller Duris
Lyle Salquist
Dennis Buchanan

BOARD MEMBERS NOT IN ATTENDANCE

James Robnett

GUESTS IN ATTENDANCE

List attached.

STAFF & ADVISORS IN ATTENDANCE

Dean Gisvold, Attorney
Charles C. Kemper
Cordell Ketterling
Merle Irvine
Bob Keech
A. McKay Rich
Jean Woodman

METROPOLITAN SERVICE DISTRICT BOARD ACTION

NO. 78-1153 DATE 9-22-78

BARTELS
BUCHANAN
DURIS
MACREADY
ROBNETT
SALQUIST
SCHUMACHER

	YES	NO	ABST.
BARTELS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DURIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MACREADY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBNETT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SALQUIST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHUMACHER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Jean Woodman
Clerk of the Board

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

78-1146 MINUTES

Councilman Bartels moved to approve the minutes of August 25, 1978, as submitted. Commissioner Buchanan seconded the motion. The motion carried unanimously by roll call vote.

78-1147 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. There was no response.

78-1148 CASH DISBURSEMENTS

Councilman Bartels moved to approve payment of checks 03560 to 03665 for check registers dated August 30, 1978, and August 31, 1978, in a total amount of \$27,440.28. Commissioner McCready seconded the motion. The motion carried unanimously by roll call vote.

78-1149 PLEW'S DROPBOX CIVIL PENALTY

Mr. Irvine reviewed the report before the Board outlining the issuance of a civil penalty against Plew's Dropbox Service for depositing a load of demolition material onto a public street. Upon the request of Plew's, the matter was processed through a contested case hearing before a hearings officer. Mr. Irvine reviewed the hearings officer's Order No. 78-004 finding Plew's in violation of MSD Code Section 12.02.060(1)(f), and recommending a penalty of \$50 for the violation. Staff felt, however, that after receiving a letter from Plew's indicating their regret of the incident, that the \$50 fine should be mitigated to \$25, and this was staff's recommendation to the Board.

In discussion, Councilman Bartels stated that violations of this type should be prosecuted through the courts and in the jurisdiction involved and should not be a function of MSD. He did not feel staff should be placed in the enforcement role. He also felt, however, that since the violation did occur and since it was a wilful act by Plew's, that the penalty should not be reduced.

Mr. Watson, Attorney for Plew's Dropbox Service, requested to argue the matter, however, Commissioner Schumacher stated that the case had already been argued before a hearings officer, and would not allow further testimony.

Councilman Bartels moved to adopt the hearings officer's order No. 78-004 concerning Plew's Dropbox Service as the final order. Commissioner Duris seconded the motion. The motion carried. Commissioner Schumacher voted against the motion stating that he was in agreement with staff's recommendation to mitigate the civil penalty from \$50 to \$25.

78-1150 PROJECT PLANNING

Mr. Kemper introduced the two work tasks, "Citizen Transfer Station Implementation" and "Durham Site Feasibility", as resulting from the adoption by the Board of the "MSD Siting Alternatives Report" and the work plan contained in the report. He stated that this was a discussion item and no action was required. Reports on both work tasks were included in the staff report.

Citizen Transfer Station Implementation - Mr. Kemper reviewed the work scope as contained in the staff report stating that the major purpose of the facilities would be to discourage public use of the landfills. The work scope covered service area locations and several financing methods with public and private participation. Mr. Kemper stated that criteria for the buildings, equipment and operation should be standardized for all locations. Ownership of the land, and other land-use problems were also a part of the work scope. Requests for proposals for design will be developed and made public in December with responses due after the first of the year.

Durham Site Feasibility - Mr. Kemper stated that staff determined a need in the southern part of the area for a landfill after closure of the Rossman Site and the Durham Pits appeared to be the only feasible site. Mr. Keech reviewed the work scope on the Durham project as shown in the staff report covering three phases, "Preliminary Assessment", "Project Design", and "Project Implementation Phase". Full operation of the project is not anticipated until after 1980.

Upon the suggestion of Commissioner Duris, staff will meet informally with the Board of Washington County Commissioners to discuss use of the Durham Pits.

No action was taken.

78-1151 and 78-1152 TRAVEL REQUESTS

Commissioner Buchanan moved to approve the following travel requests:

- . A trip to Washington D. C., for Cordell Ketterling to meet with EPA's Technical Assistance Team and consultants at a cost not to exceed \$680.00.
- . A trip for the Zoo Division's Educational Director to attend the International Association of Zoo Educators conference in Washington, D.C., from September 26 to 29, 1978, at a cost not exceed \$466.00.

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

The meeting adjourned at 2:40 P.M.