

**MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT**

**SPECIAL MEETING
April 26, 1984**

Councilors Present: Councilors Bonner, Deines, Hansen, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

Councilors Absent: Councilors Banzer, Etlinger, Kafoury, and Oleson.

Also Present: Rick Gustafson, Executive Officer.

Staff Present: Don Carlson, Jennifer Sims, Dennis Mulvihill, Andy Cotugno, Steven Siegel, Sonnie Russell, Warren Iliff, Kay Rich, Dan LaGrande, Dan Durig, Doug Drennen, and Norm Wietting.

A special meeting of the Council of the Metropolitan Service District was called to order at 5:40 p.m. by Presiding Officer Kirkpatrick for a work session on the FY 1984-85 budget.

Presiding Officer Kirkpatrick stated that responses to the questions and issues raised by the Council at the April 16 meeting had been distributed (a copy of the responses is attached to the agenda of the meeting).

Councilor motions and comments in response to the material included the following:

Motion: Councilor Hansen moved that a budget note be added that the Criminal Justice Program be identified as the Council's first priority for the expenditure of additionally identified funds. Councilor Kelley seconded the motion.

Councilor Van Bergen stated that he thought the Criminal Justice program should be a priority but was reluctant to support the motion to give it the Council's "first" priority. He suggested that the word "first" be deleted from the motion.

Councilor Hansen accepted the suggestion as a friendly amendment to his motion. Councilor Kelley concurred.

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Vote: The vote on the motion that the Criminal Justice program be identified as a Council priority for the expenditure of additionally identified funds resulted in:

Ayes: Councilors Bonner, Deines, Hansen, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

Nays: None.

Absent: Councilors Banzer, Etlinger, Kafoury, and Oleson.

Motion carried.

Councilor Bonner stated that while he was interested in pursuing a process which would lead to the adoption of regional recycling goals, that he had been persuaded by the staff and the Executive Officer that during the Solid Waste Systems Planning process such goals might be discussed. He said that if that process did not result in what he had in mind, he would raise the issue again with the Council.

Councilor Deines argued that Metro should take DEQ to court to make equitable the charges assessed by DEQ. He said the Council should delete the fees from the budget. Mr. Gustafson responded that it was his understanding that if the Council consciously decided not to pay the fees, they could be personally liable. He stated that one of the legislative issues Metro would be pursuing during the next session would be to have the legislation changed regarding the fees.

Councilor Waker said he was in agreement with Councilor Deines' statements, but wasn't sure what to do about the problem. Councilor Williamson suggested that the Council appropriate the funds to legally fight it. Mr. Gustafson stated that legal research could be conducted without a budget increase. Councilor Van Bergen stated that Metro should seek a declaratory ruling of the DEQ rule through the Administrative Procedures Act for an exclusion as another political entity. He said they could pursue that course and if it did not work, they could pursue resolution with the legislature.

Presiding Officer Kirkpatrick stated that the sense of the Council seemed to be to pursue the matter legally and that if there were no objections, staff would be directed to return with a report on the issue.

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Councilor Deines stated that the proposed work program for the new public involvement position in Solid Waste did not propose using that person to work with people to site additional limited use landfills. Mr. Gustafson responded that traditionally the Council had left limited use landfills to the private sector, and that the engineering staff should be used to help find technically feasible sites rather than the public involvement staff.

Mr. Gustafson urged that Metro contract for a lobbyist. He said the cost to Metro in the long term would be less to contract than to hire in-house personnel. Presiding Officer Kirkpatrick stated that the Budget Review Committee had discussed the issue at length and recommended hiring a staff person to assist the contracted lobbyist. Councilor Kelley stated that she supported an in-house lobbyist and was opposed to contracting. Councilors Bonner, Williamson, Deines, Hansen and Van Bergen stated that they supported the contracting for a lobbyist. Councilor Williamson stated that they could change their minds at a later date if someone was found who could do the job and wanted to work for six to nine months.

Motion: Councilor Williamson moved approval of the proposed budget as recommended by the Budget Review Committee, with the budget note regarding the Criminal Justice Program. Councilor Bonner seconded the motion.

Vote: The vote on the motion resulted in:

Ayes: Councilors Bonner, Hansen, Kelley, Kirkpatrick, Van Bergen, Waker, and Williamson.

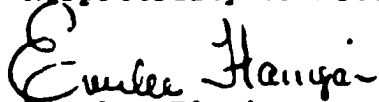
Nays: None.

Absent: Councilors Banzer, Deines, Etlinger, Kafoury, and Oleson.

Motion carried.

There being no further business, the meeting adjourned at 6:30 p.m.

Respectfully submitted,


Everlee Flanigan
Clerk of the Council