COUNCIL COORDINATING COMMITTEE
SPECIAL MEETING

Minutes of the Meeting
of January 12, 1983

Committee Members Present:	Councilors Banzer, Deines, Oleson, and Van Bergen.
Committee Members Absent:	Councilor Bonner.
Other Councilors Present:	Councilors Etlinger, Hansen, Kafoury, Kelley, and Kirkpatrick.
Also Present:	Executive Officer Rick Gustafson.
Staff:	Donald Carlson, Andrew Jordan, Dan Durig, Ray Barker, Norm Wietting, Doug Drennen, and Craig O'Hare.
Testifiers:	Angus MacPhee, Disposal Industries, Inc. Richard Stein, Attorney, representing Disposal Industries, Inc. Dick Sadler, Route 1, Box 678, Dundee. Mayor Floyd Aylor, City of Dundee Maryetta Findley, Route 1, Box 621, Dundee. Thomas Saucy, Route 1, Box 320, Dundee.

A special meeting of the Council Coordinating Committee was convened at 6:00 P.M. by Chairman Jack Deines.

Chairman Deines stated that there was only one item on the agenda -- discussion of the Big Fir Landfill proposal.

Dan Durig, Solid Waste Director, introduced the staff involved with preparing the staff report. He said the Councilors should have before them a copy of the staff report, a copy of a letter from Ramsay, Stein, Feibleman & Myers, and a copy of the background report on the proposed Big Fir site. (copies attached to the agenda of the meeting). Mr. Durig then reviewed the staff report.

Chairman Deines explained the purpose of the meeting. He stated that the Metropolitan Service District was not involved in the land use decision regarding the landfill; that that was a Yamhill County issue. He said the proposed landfill was outside the boundaries of the Metropolitan Service District. He said he had not heard from the applicants for the landfill exactly what role they wanted Metro to play.

Mr. Richard Stein, attorney, 544 Ferry Street, S.E. Salem, Oregon, representing Disposal Industries, Inc., reviewed with the Committee his letter of December 28, 1982. He said Disposal Industries, Inc. perceived a need in the Metro area, with the uncertainties surrounding the burning plant, to help address the Portland area solid waste needs. He said they believed their proposal was a cost-effective and environmentally sound project. He said while it was true that State law did not allow Metro's involvement in the landfill land use decision, if the landfill were allowed they would be willing to negotiate a contract with Metro to assure that an environmentally safe operation was run at the site.

Chairman Deines asked Mr. Stein exactly what they wanted from the Metro Council. Mr. Stein responded that they were requesting a letter stating Metro's need for the site, and a commitment to transfer approximately 1,000 tons of solid waste per day to the site if certain conditions were first met by Disposal Industries.

Councilor Van Bergen stated that the bottom line seemed to be that unless Metro expressed their need for the landfill, the proposal wouldn't get off the ground. Mr. Stein agreed that if Metro didn't make the commitment, it would make it difficult to obtain the land use permit.

Councilor Etlinger asked staff how the Big Fir site would score environmentally when compared to the other sites Metro had reviewed before choosing the Wildwood site. Mr. Durig responded that the proposal had not been put through such a review. Councilor Etlinger asked Mr. Stein if it seemed fair to take garbage from one region and put it into another. Mr. Stein responded that the solid waste problem was a regional problem and that the Yamhill Comprehensive Plan committed the County to cooperating on a regional basis in the solid waste area.

Councilor Kafoury stated that the Council didn't really have any site review process in place in order to analyze the proposal against other locations. Mr. Stein responded that they understood that Metro wanted to preserve its options, but the problem they were facing was they were already in the hearings process in Yamhill County. He said Metro could, at this time, make a commitment of need for the facility, subject to subsequent approval by Yamhill County, DEQ and the negotiation with Metro of a satisfactory contract.

Mr. Dick Sadler, Route 1, Box 678, Dundee, representing the Citizens to Save Yamhill County Committee, stated that he was going to make a presentation of the major issues involved, and there were other people who wanted to make statements regarding the proposal. He

said Metro was being asked to make a commitment of need before the planning process was complete, and Yamhill County was being asked to make a commitment on the land use application before any geo-technical or cost analyses was done on the project. He said the proposed site was 400 acres and would be one of the largest land-fills in the state.

Mr. Sadler stated that the operator of the Riverbend site in Yamhill County had testified that that site could serve all of Yamhill County's needs for 37 years, without expansion.

Mr. Sadler then reviewed with the Committee the planning process in Yamhill County. He said the City of Newberg Planning Committee had voted 5 to 3 against the proposal; the Newberg City Council had a split vote, broken by the Mayor, 5-4 opposed; the City of Dundee Planning Commission was unanimously opposed to the proposal, as was the City Council of Dundee. He said other agencies, the Soil and Water Conservation Agency of Yamhill County and the USDA had opposed it. He said the Planning Advisory Committee for Newberg/Dundee had heard the proposal and had voted unanimously against it and the Dayton Planning Advisory Committee would hear the proposal within the week and make a recommendation. He said the next step was to go to the Yamhill County Planning Commission on January 20th and from there to the Board of Commissioners.

Mr. Sadler said while there were not a lot of houses right next to the site, if a two mile circle were drawn around it, which was one of Metro's criteria in selecting a landfill, the entire city of Dundee would be within it. He said the site was immediately upstream from one of the city of Dundee's wells. He said Dundee had become the center of one of the most promising non-polluting industries in Oregon, the wine industry, and a landfill at the base of that industry would do great harm. He said the area had also long been known for its nuts and agricultural produce in general.

Mr. Sadler said it would be a shame and unfair to Yamhill County residents if Metro was to come out in support of the proposal, without completing a site review process. He said Metro should stay neutral until the land use planning process was complete. He said if Metro committed 1,000 tons a day to Yamhill County, it would affect everything Metro had been trying to do for the past five years. He said the quoted $10.00 a ton figure was unsupported and low given the commitments Mr. MacPhee had made, and suggested that environmental controls would be sacrificed.

Mayor Floyd Aylor, City of Dundee, stated for the record that the City had adopted Resolution No. 83-3 on January 3, 1983 which proposed to the County Commissioners that they turn down the

application for the landfill. He said along with that Resolution was an addendum explaining the reasons why the City of Dundee had taken the stand. He said the city had an agreement with the County Commissioners, established June 17, 1981, called the Dundee Urban Area Growth Management Agreement, which set forth the area of influence and in which the landfill fell as well as the watershed. He said he was also submitting to the Committee their City Planner's report which reviewed the Proposed Big Fir Landfill with respect to the Dundee Comprehensive Plan. He said there had been numerous meetings in the City of Dundee with the Planning Commission and the Council and that at none of the meetings did a citizen testify in favor of the proposal. (copies of the Resolution, Agreement and City Planner Report are attached to the agenda of the meeting)

Ms. Maryetta Findley, Route 1, Box 621, Dundee, representing the Citizens to Save Yamhill County Committee, stated that the Committee had 5,406 signatures on a petition in opposition to the landfill. She said the signatures represented 50% of the population of the Cities of Newberg and Dundee. She said they were continuing to seek signatures and anticipated a higher percentage.

Mr. Thomas A. Saucy, Route 1, Box 320, Dundee, presented background information on the landfill site. He said he had lived on the farm where the landfill is now proposed. He then showed several slides of the site and the types of agricultural products gown on it.

At this time, the Committee recessed for ten minutes.

Mr Stein was then allowed time for rebuttal. He stated the issue was an emotional one and they believed that in the process that had been set up in Yamhill County, the questions raised by the opponents would be answered. He said they stood by the $10.00 a ton figure set out in his letter of December 28th. He said there were no environmental problems with the site currently operated by Mr. MacPhee and there would be none with the Big Fir site. He said while the site was a large one, only 30 acres at any one time would be open with the rest of the land closed, in agricultural use or reclaimed, if it was a completed cell. He said the visual impact would be minimal--that it would not be visible from 99W, and at any one time there would only be a small operating face open which may be seen from the hills. He said the property was currently a tree farm and the reclaimed use of the property would be as a tree farm and/or greenhouses that would take advantage of the heat that rises as a result of the solid waste decomposing. He said the opponents seemed to be making a value judgement that agricultural was better than forestry and that state law did not make that presumption--LCDC goals 3 and 4 placed agricultural and forestry on the same footing. And finally, he said, they were required to take an exception under

LCDC Goal 2 in order to develop the site and the very first criteria of the exceptions procedure was the establishment of need. He said without a commitment from Metro on need, the project would be difficult if not impossible to get off the ground.

Mr. Sadler countered the rebuttal by stating that whether Mr. MacPhee was the operator of the landfill or not was not relevant to the land use process. He said he was surprised that Mr. Stein was unaware of ORS 459.055 which enumerated specific provisions for the siting of landfills in farm use areas and didn't speak to forestry. He said there was no question that Metro had a need for landfills, but the greater question was whether Metro had a need for the Big Fir site. He said Metro couldn't make that decision under the present circumstances.

Chairman Deines stated that the Committee would work with the staff to draft a recommendation for the Metro Council's consideration on January 18, 1983.

Councilor Kirkpatrick commented that she appreciated the way the audience had conducted themselves and how organized the arguments were on both sides.

Chairman Deines agreed with Councilor Kirkpatrick's comments and thanked everyone for attending.

There being no further business, the meeting was adjourned at 7:53 p.m.

Written by Everlee Flanigan

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