

SOLID WASTE MANAGEMENT ADVISORY COUNCIL
February 22, 2005, 6:30 PM
Senator Hearing Room – Main Floor – Courthouse Square
555 Court Street NE, Salem OR 97301

ROUTINE BUSINESS: Michael Clark, Chair, called the meeting to order at 6:30 pm.

MEMBERS PRESENT: Robert Anderson, Larry Bevens, Colleen Bromagem, Michael Clark, David Furr, Joe Gordon, Russ Johnston, Mary Kanz, John Matthews, Judy Skinner, Thomas Smith, Ellen Twist, Glenn Zimmerman, Dennis Nielsen, Karlos Mason

MEMBERS EXCUSED: Thomas Smith announced the excused members: Susan Riches, David Phelps, Nora Schliske

MEMBERS ABSENT: Sarah Killion

PUBLIC SIGNED IN: Bonnie Sullivan, Carroll Johnston

STAFF PRESENT: Jeff Bickford, Carol Ault

APPROVAL OF MINUTES:

MOTION: Thomas Smith motioned to approve the minutes. The motion was seconded.

Discussion:

- Lori Brown should have been noted as “resigned”, not absent.
- Pg. 3 – Outstanding Items list – Mary clarified that the comments came from various council members and the statement should have said*discuss at next SWMAC meeting.*
- Pg. 2 – First Q&A – should be *quorum* not forum.
- Pg. 4 – third bullet – second sentence delete *are*
- Pg. 5 – Meeting review-Michael Clark’s comment: add if it *is*.....

Abstentions: None

Dissentions: None

RESULTS: Minutes approved with changes.

PUBLIC INPUT

Bonnie Sullivan thanked the staff for providing such a great training on Robert’s Rules at the January SWMAC meeting. Ms. Sullivan suggested that the council review the subcommittee lists so everyone would know who is on what subcommittee.

COUNCIL INPUT/ANNOUNCEMENTS/ NEW BUSINESS

- Michael Clark asked the ‘returning’ new members of the council if they had a need for a mentor. Ellen Twist and David Furr both felt they were okay, but if they needed help, they would ask. Mr. Clark volunteered to act as mentor for Colleen Bromagem.
- Judy Skinner shared information she’d read in the Waste News about a survey they’d done on 25 of the largest cities in the Northwest and 19 of them have no commercial recycling program at all.
- Ellen Twist commended Mary Kanz for the list of items that can be recycled. Mary explained that the Environmental Services staff put the list together and she distributed it.
- Joe Gordon suggested recruiting two new members for the Interview Subcommittee since Lori Brown and Kurt George were both on the subcommittee and are no longer on the council.
- Jeff Bickford mentioned that the following council members have resigned or decided not to sign up for another term: Kurt George, Citizen-at-large; Lori Brown, Citizen-at-large; Kelly Schrieber, Chamber of Commerce; and Karlos Mason, Citizen-at-large.
- Judy Skinner announced that she now has a job with Agri-Plas, but doesn’t foresee any conflict of interest issues.
- Discussion took place as to whether to change the March meeting date, due to Spring Break. It was decided to leave it as scheduled – March 22, 2005.

GROUP UPDATES:

BYLAWS PRESENTATION - Jeff Bickford & Thomas Smith, facilitating

- The bylaws were presented to the BOC about a month ago. Their feedback was incorporated into the bylaws.
- Two primary issues to begin the discussion were:
 1. The BOC feels that, because of the size of the council, deliberations and operations tend to become cumbersome.
 - The BOC suggested a steering committee consisting of 4-5 members of the council. What the steering committee would do is set the agenda; follow up with other sub-committees with presentations, etc.
 2. Suggestions to lower the number of members on the council.

MOTION: Thomas Smith moved to accept the revised bylaws as presented. The motion was seconded.

Discussion:

- Suggestion was made to go into a work session and then move toward a vote.
- Clarification was made as far as consensus. Jeff explained that the bylaws state that it’s consensus minus three. If there are greater than three “no” votes, the motion will fail.
- Thomas Smith explained that it is appropriate to discuss, within this motion, anything pertaining to the bylaws, since he moved that this document (bylaws) be accepted.
- Thomas Smith conducted the discussion on the revised bylaws. Jeff Bickford and Thomas explained the changes/additions that were made.

Section 1. Name: no change

Section 2. Mission statement: removed the bullets and added the points into the body of the mission.

Section 3. Principal statement was changed to Purpose of Advisory Council.

- Question about 3b.expected to preserve the public trust.....
 - Jeff explained that Glenis Chapin suggested this wording from Commissioner Carlson’s feedback.

Q. If we are representing the public’s interest, how is the public supposed to get in touch with the council?

A. By attending the council meetings or through the county staff.

- There was discussion on 5a (third bullet). Ellen Twist mentioned that there was a section in the Public Meetings Law booklet; there is a clear definition of people who need to announce a *perceived or actual conflict of interest*. Anyone with a *perceived conflict* of interest could say, “I have a conflict of interest because I work for “ABC Company”, but they may participate in the discussion.

MOTION: David Furr moved to amend the motion to strike the words *not deriving an economic benefit from solid waste and/or recycling* from 5a-third bullet. The motion was seconded.

Discussion: Thomas Smith reminded the council that there could only be two amendments to a motion, so suggested the bylaws are totally reviewed, then make any other amendments as one large amendment to the motion.

Q. Did the BOC have any suggestions as to the number of council positions they’d prefer?

A. Jeff answered that one of the commissioners suggested narrowing the number to 12-14. The positions would be balanced with lay positions and business positions.

Section 4. Goals no changes

Section 5. Membership

- Discussion as to the number of members on the council.

Section 6. Appointment

6d. Jeff explained that the BOC wouldn’t appoint someone “against their will”, but they might reappoint them without a written request from that person. Mary Kanz clarified that in the final version of the bylaws, 6d. should read: *Members may be reappointed by the Commissioners.*

Section 7. Member’s Duties & Expectations

- Section C was combined into Section 7.
- Second to last bullet – Oregon Public Meeting’s Law Ellen Twist suggested to add: *& Public Records Law*

Q. What sorts of things would be included in the Record’s Law that’s not in the Meeting’s Law?

A. Allowing people to see documents. Perhaps ask Legal Department if it’s necessary.

Section 8. Termination

- Section 8e is a new section and the only change to Section 8.

Q. What methodology is to be followed in the termination process?

A. If there is a member that doesn't come to the meetings, the absences will be noted as excessive and a motion will be forwarded to the BOC to ask for removal of that member. If there is a contentious situation, disruptions or other matters, that also will be up to the BOC for removal or not.

- Second bullet under 8b: Prefer absent/excused members be listed at the beginning of the meeting.

Section 9. Meetings

- Section 9b is likely to change if a steering committee is formed.
- Section 9a: change the word *meet* to *be in accordance with*.....
- Section 9b-sixth bullet has been added to the revised bylaws.
- Section 9c- minimum number of votes to pass a motion was added.

Section 10. Officers

- Section 10a (3) came from staff and BOC.
- Section 10a (2) this refers to terms of Chair and vice chair. Discussion took place and suggestion was made to revamp this section as follows: *The chairperson shall serve a one-year term. At the end of the one-year term, the vice-chairperson shall become the chairperson and the Commissioners shall appoint a new vice-chairperson. Should the chair be unable to complete his/her term, the vice-chairperson shall serve the remainder of the term as chair and then serve one full year as chair.*
- Suggestion regarding the chair and vice chair having to be Lay Persons: Jeff suggested addressing this in section 10a (1) as follows: *SWMAC shall nominate and recommend to the Commissioners individuals for the positions of chairperson and vice chairperson, which must be a Lay Person.* Ellen Twist commented that it should be more clear that the chair and vice chair are from the eight layperson positions. Judy Skinner suggested it read *SWMAC shall nominate and recommend to the Commissioners lay members for the positions of the Chair and vice chair.* Michael Clark suggested the wording be as follows: *The Commissioners recommend members at large for the positions of Chairperson and vice chairperson.*
- Section 9e. Jeff explained conflict of interest. More discussion followed.

Section 10. (Discussion cont.)

- Section 10b – duties of officers was just moved from other sections. Suggestion was made to add to Section 10b(2): *Record excused and absent members.* This will be left under Section 8b, also. Also under duties of vice chairperson, there was question as to whether the vice chairperson could act as parliamentarian if he is filling in as Chairperson for that meeting. This can be dealt with if the situation arises.
- Section 10c – Orientation for the Chairperson & vice chairperson was added.

Section 11. Special Committees: No changes in wording.

Section 12. Changes in Bylaws – no changes, just renumbered.

Section 13. Guidelines for community relations

- Section 13a. The only change is the following wording was added:*at the approved agenda time.*

- It was noted that the “Eighth Revision” date will be recorded when the bylaws are finalized.
- More discussion took place about new member orientation and the Master Recycler Class.
- Section 10a. More discussion took place regarding vice chairperson becoming Chairperson and the terms of each. There were a lot of suggestions and scenarios discussed.
- Suggestion was made to adopt Section 1 and move on, rather than try to include all the changes/suggestions in one motion.

MOTION: Joe Gordon moved to postpone the bylaws discussion until the March meeting. The motion was seconded.

In favor: 11

No votes: 2 – Glenn Zimmerman and Bob Anderson.

Discussion: Bob Anderson stressed that the council hasn’t really formally discussed how these suggested changes are going to be made to the bylaws. Who clarifies all these issues?

Thomas Smith clarified that the original motion was to approve the revised bylaws. Then there was an amendment for 5a(third bullet). From Robert’s Rules, there can only be two amendments, so the second amendment would have to include all of the suggestions/changes discussed at this meeting.

Jeff Bickford suggested a vote to defeat the original motion and make a motion to continue discussion of the bylaws at the March meeting.

Joe Gordon withdrew his motion to postpone. This was agreeable with the second.

David Furr withdrew his motion for the amendment. This was agreeable with the second.

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MOTION: Thomas Smith repeated the original motion, which was to accept the revised bylaws as written.

YES VOTES: NONE

NO VOTES: Robert Anderson, Larry Bevens, Colleen Bromagem, Michael Clark, David Furr, Joe Gordon, Russ Johnston, Mary Kanz, John Matthews, Judy Skinner, Thomas Smith, Ellen Twist, Glenn Zimmerman, Dennis Nielsen, Karlos Mason

RESULTS: The main motion was defeated unanimously.

MOTION:	Thomas Smith moved to refer this back to the Bylaws Subcommittee for changes and discussion of the steering committee and the possible reduction in the size of the SWMAC. There was a second.
Discussion:	NONE
In favor:	Unanimous
Results:	Motion passes unanimously.

Members on the Bylaws Subcommittee are: Mary Kanz, Thomas Smith, Russ Johnston, and Michael Clark.

GROUP UPDATES:

PVC SUBCOMMITTEE REPORT: Ellen Twist reporting.

- Ellen Twist read a portion on parliamentary laws from the Attorney General’s Public Records Meeting Manual. The goal of notice for any meeting is twofold to provide general notice to the public at large and to provide actual notice to specifically interested persons. Since notice wasn’t given and the time is near the end, Ellen suggested this be deferred to the March council meeting.
- Glenn Zimmerman clarified that this meeting was noticed to the public by being posted on the SWMAC web site, listed in the Statesman Journal, and other media and posted at the Courthouse.
- Jeff explained that the PVC Subcommittee is giving an update on what the recommendation is going to be, but there is not intended to be any motion happening tonight. This way it will be recorded in the minutes what the subcommittee is intending to do next month regarding PVC.

Ellen announced that the PVC Waste Reduction Subcommittee would like to submit the following motions to the SWMAC for consideration:

1. To increase the amount of medical waste accepted by Marion County Waste-to-Energy Facility for disposal from outside the county from 1500 tons to 2500 tons per calendar year.
2. Prepare and carry out a promotion and educational campaign to eliminate materials that may be suspected of releasing dioxin and/or toxins when incinerated, including the personal and/or commercial unregulated burning of solid waste, commonly known as backyard burning.
3. Marion County use all additional revenues received by the acceptance of out-of-county medical waste to support #2, as well as increased monitoring around facilities, waste reduction, reuse, recycling, public education and composting.

Ellen e-mailed this information to the subcommittee members not present at the meeting. Russ Johnston e-mailed Ellen asking for more input. Russ’s motion reads as follows:

- I move that the current annual capacity limit of 1500 tons for acceptance of medical waste accepted from outside Marion County be raised to 2500 tons with the following stipulations:
- a. Provide an active campaign to educate the public about PVC regarding purchase and disposal as well as personal burning of solid waste. ie; backyard burning.

- b. Add a PVC collection site with no charge to residents to be located at the Salem-Keizer Transfer Station, North Marion County Transfer Station and Brown’s Island Demolition Landfill and advertise its availability.
- c. Continue present annual PVC collection events that are held and advertise when and where these will be held to increase participation.
- d. Provide data back to SWMAC annually on out-of-county medical waste tonnage, new contracts, revenues and how these funds are spent.

Jeff Bickford added that something was mentioned that wasn’t discussed at the PVC subcommittee meeting was that there would be free PVC disposal everyday at Brown’s Island, but not at North Marion Facility or the Salem Transfer Station. It would be free on the annual PVC collection event at the Salem Transfer Station, which is on Earth Day every year, but not on an every-day basis because of lack of space and additional costs.

Suggestion was made to change the wording: ‘The PVC Subcommittee submit the following recommendations’, rather than ‘submit the following motion’. So noted.

STAFF UPDATES: by Jeff Bickford

- Getting ready to put a 5-acre top-cap on part of the ash cell this summer at NMCDF and will hire a construction quality assurance engineering firm to make sure it’s installed correctly. This will be up for bid sometime mid-April and will be in the \$700,000 range.
- HHW Facility is getting close, hoping for late March. This is on the BOC Agenda for March 2. City of Salem’s fire and building codes have slowed things down. There are a couple issues they didn’t mention in the plan review.

AGENDA FOR NEXT MEETING: March 22, 2005

- * Bylaws 60 min.
- * PVC 60 min.

Carol will include the subcommittee list with the minutes. Mary Kanz mentioned that the steering committee would be working on this list.

Bob Anderson handed out an article called Dumpstoppers. A copy will be included with the minutes for those who didn’t get a copy. See Attachment #1.

Meeting Review: None

MOTION:	Thomas Smith moved to adjourn. The motion was seconded.
Discussion:	None
Abstentions:	None
Dissensions:	None
Results:	Motion passes. Meeting adjourned at 9:20 pm.