

WHATCOM COUNTY SOLID WASTE ADVISORY (SWAC) COMMITTEE MINUTES

July 27, 2017

Members Present:

Barbara Brenner, Riley Grant, Eric Johnston, Amber Jones, Martin Kuljis, Larry McCarter, and Troy Lautenbach

Members Absent:

Casey Heinle, Ed Nikula, Greg Young, and Mark Peterson

Staff Present:

Jeff Hegedus, Janice Deptuch

Others Present:

Rodd Pemble - SSC, Steve Gilmore – Republic Services, Ted Carlson – City of Bellingham, Polly McNeill – Summit Law Group, and Calvin DeHartog – Nooksack Valley Disposal.

1st Order of Business: Elect a Temporary Chair

As per bylaws, when both chair and vice-chair are absent, a temp chair must be elected. Motion made to elect Larry McCarter by 1st Barbara Brenner and 2nd by Larry McCarter. Approved by all.

Call to Order:

The regular meeting of the Whatcom County SWAC was called to order on Thursday, July 27, 2017 at 5:33 p.m. in the Garden Level Meeting Room by Temp Chair, Larry McCarter, he deferred to Jeff Hegedus.

Approval of Minutes:

The minutes for the January 26, 2017 SWAC meeting were approved as written. The motion for approval was made by Riley Grant and 2nd by Amber Jones. Motion approved by everyone, except Troy Lautenbach who abstained (he was absent from this meeting).

Whatcom Food Network Presentation and Review of Community Food Assessment Chapter on Waste Organics

Marti and Dianna provided an overview of the organizations work and activities, and presented the Community Food Assessment with a highlight of the section on waste food organics. The goals of the Whatcom Food Network are social justice, collaboration & participation, thriving community, and environmental stewardship. They have forums twice a year that are lively and engaging where they talk about food waste. They did a community food assessment, which WSU took the lead on. They interviewed key informants, then drafted a summary, and are taking summaries to different groups. They came to SWAC for input on whether or not they missed anything under the organization section, and suggestions were made to add Genesis, Andgar, Food Banks, and Department of Ecology. The SWAC group had lots of discussion about organic waste, and Anaerobic Treatment units.

Waste Tire Collection Amnesty Event

As a follow-up to last year's successful event, staff recently conducted a countywide two day Waste Tire Amnesty collection event, at the Birch Bay-Lynden Rd. solid waste handling facility, and cleaned out an estimated 10,200 waste tires from 550 customers from back yards, farms and ravines. The event was well received by the community, and leveraged a Department of Ecology program that covered all waste tire transportation and recycling costs. There are size and weights constraints.

Also the group had some discussion on the waste pharmaceutical program. We are still waiting on approval for the feasibility study, and talked about the July 4th cleanup of 4.25 tons of trash and fireworks, Larry McCarter offered RDS help for next year's cleanup.

Proposed Amendment to WCC 8.13, *Solid Waste Disposal District*, Regarding the Solid Waste Excise Privilege Tax

As approved by the Solid Waste Advisory Committee on April 27, 2017 and the Solid Waste Executive Committee on July 18, 2017 it is the staff recommendation that the excise tax also be levied on solid waste transported by residential and commercial self-haulers, as per RCW 36.58.140, rather than only on solid waste transported by certificated and franchised haulers. Levying the excise tax, equitably, at the current established rate of \$8.50 per ton, would generate an estimated \$422,000 in additional revenue for solid waste services. As per WCC 8.13.140, Annual review of tax requirements, the actual excise tax rate would be reviewed annually and adjusted as appropriate. The proposed amendment will be delivered to council for consideration, and SWAC discussed implementation details.

Proposed Repeal of WCC 8.14, *Garbage Pass-Through Fee*

In 1997, due to a solid waste legal arbitration ruling, as per Ordinance the surcharge rate was necessarily repealed and solid waste services became unfunded. To provide funding for solid waste services, use of the existing per ton pass-through fee, as per WCC 8.14, was considered. However, the same legal issues that resulted in repeal of the surcharge rate made the pass-through fee legally untenable as a funding option. Instead, as per Ordinance 97-41, the existing solid waste excise tax was utilized to fund solid waste services.

Because the garbage pass-through fee was considered legally untenable following the 1997 solid waste legal arbitration ruling, and has not been used since as a funding mechanism, it is the staff recommendation that WCC 8.14, Garbage Pass-Through Fee, be repealed in its entirety.

In 1990, Ordinance 90-1 levied a solid waste excise tax on all solid waste 'collected by each residential dwelling and by each business or institution in the District,' and

a surcharge rate, whereby 'Any person not paying the tax shall pay a surcharge rate equal to 125 percent of the usual rate charged for use of county disposal facilities.'

There was discussion in the SWAC group regarding the pass-through fee and the repeal of the ordinance.

Motion was made to repeal WCC 8.14, *Garbage Pass-Through Fee* in its entirety

Was made 1st Barbara Brenner and 2nd by Eric Johnston, Larry McCarter abstained and the rest all in favor.

Open Session, Announcements, Agenda Items

Larry McCarter would like to see Flow Control as an agenda item

Eric Johnston would like to see the work plan for 2018-2019 as an agenda item.

Adjournment

A motion to adjourn the meeting was made 1st by Barbara Brenner and 2nd by Eric Johnston, all in favor. Meeting adjourned at 7:00 p.m.

CERTIFICATION

I hereby certify this to be a true and correct copy of the minutes of the Whatcom County Solid Waste Advisory Committee meeting held January 26, 2017.

Attest: _____
Janice Deptuch, Clerk III
Whatcom County Health Department

Mark Peterson, Chair
Whatcom County Solid Waste
Advisory Committee