

**AGENDA ITEM FOR ADMINISTRATIVE MEETING**

( ) Discussion only  
(X) Action

FROM (DEPT/ DIVISION): Community Development/Planning Division  
PROGRAM: Solid Waste Advisory Committee

SUBJECT: Humbert's Refuse Rate Increase Request

<p><b>Background:</b> On July 25, 2023 Humbert's Refuse presented a rate increase request to the Solid Waste Advisory Committee (SWAC). The SWAC voted to recommend this rate increase request to the Board of Commissioners for final approval. A public notice of this rate increase request will be published in the EO on January 6, 2024.</p>	<p>( ) INFORMATIONAL: (X) <u>ACTION REQUESTED:</u> The SWAC has voted to recommend this rate increase request from Humbert's Refuse to the Board of Commissioner's for final approval. Staff is asking for the Board of Commissioners to consider this proposal and vote to approve or deny the request. Adopt Order No. <b>BCC2024-019</b></p>
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ATTACHMENTS:

1. Letter from Humbert's Refuse
2. Excerpt of minutes from 07/25/2023 SWAC meeting regarding this request
3. Copy of public notice of current & proposed rates published in the East Oregonian 01/06/24
4. Proposed Order

OTHER:

- 1.

Submitted By: Gina Miller, Staff Liaison for the SWAC

\*\*\*\*\*For Internal Use Only\*\*\*\*\*

Checkoffs:

- ( ) Exec. Asst.
- ( X ) Dept. Head (copy)
- ( ) Human Resources (copy)
- ( ) Budget (copy)
- ( ) Fiscal
- ( X ) Legal
- ( ) (Other – List:

To be notified of Meeting:

Gina Miller  
 Katy King & Cindy Granger, Humbert's Refuse  
 Michael McHenry, SWAC Chair

Needed at Meeting:

Same as above

PLEASE RETURN THIS FORM AND ATTACHMENTS TO OFFICE MANAGER

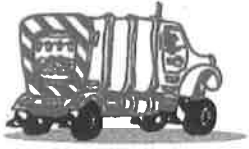
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Scheduled for meeting on: February 4, 2024

Action taken:

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Follow-up:



# Humbert Refuse

Residential · Commercial  
Construction drop box service available

**PO Box 727  
Athena, OR 97813**

**541-938-4188  
humbertrefuse@outlook.com**

July 24<sup>th</sup>, 2023

Umatilla County Board of Commissioners  
c/o Umatilla County Solid Waste Committee  
216 SE Fourth Street  
Pendleton, OR 97801

RE: Proposed Rate Increase

Dear Commissioners and Committee Members:

Our last rate increase was in March 2022. Our cost comparisons for the last 12 months of operations had a 22% increase. While some of these were foreseeable there have been a handful of exponential expenses we couldn't have planned for: fuel being at its highest rate we have ever seen, increasing insurance premiums and parts/labor costs continuing to go up in the double-digit percentages.

Today, we are requesting a rate increase of 10% for the residential and commercial weekly collection services provided. An approximately 15% increase on drop box services, provided to both residential and commercial customers within our area of operations. Rate for disposal at the landfill we are requesting an additional \$10 per ton. Prior owners had not frequently increased rates their last increase was June 2013, which left us coming in at much lower rates than we should have been at. My proposal is that going forward we will request smaller increases annually to get to where we need to be, hopefully in the next 5 years.

We are requesting this rate increase to build our reserves to continue to offer the level of service provided by our predecessors. As well as, for increased operating expenses, aging equipment, ongoing improvements to the existing landfill site, new permitting and increased rates required by the Department of Environmental Quality. As well as future site construction: including transfer station (proposed in rural Milton-Freewater area) with space for what we will need to provide expanded recycling requirements per the Recycle Modernization Act Senate Bill 582 and to continue to meet changing demands of the industry.

The proposed effective date for the increase will be March 1, 2024.

We appreciate your time and considerations; we are ready to field any questions at this meeting.

Sincerely,

A handwritten signature in cursive script that reads "Katy King". The signature is written in black ink and is positioned above the printed name "Katy King".

Katy King

# Solid Waste Advisory Committee of Umatilla County

## Franchisee Rate Change Request Worksheet

This worksheet should be utilized when a franchisee is preparing to present a rate change request to the Solid Waste Advisory Committee (SWAC). The SWAC meets quarterly, so please submit your request *at a SWAC meeting that is at least 90 days prior to your proposed effective date*. This time frame is required to give appropriate time for consideration of the request by the SWAC, a public notice period, and presenting the request to the Umatilla County Board of Commissioners for consideration.

Franchisee Name: Sanford & Sons LLC dba Humbert Refuse Phone #: 541-938-4188

Requested effective date: 3-1-2024 Date received by SWAC: 7-25-2023

**Step 1:** Franchisee will submit written request for a rate increase with the following information:

- a) Letter of request detailing need for request, date of last increase, requested effective date, and intended use of revenue generated by this rate increase; and
- b) Spreadsheet of current rates and proposed rates.

*SWAC may request additional information from the franchisee if it feels that the justification given is not adequate for the rate increase.*

**Step 2:** The Committee will review the request and interview the franchisee at a regularly scheduled quarterly meeting. The Committee will determine if the request complies with Umatilla County Ordinance Chapter 50 Section 070 and that the information is complete for publication.

**Step 3:** The County will publish the Public Notice in the East Oregonian (official media source for the County). The franchisee requesting the rate increase will be billed for the cost of this public notice. The requesting franchisee will be responsible for posting this same public notice for a period of 14 calendar days in three (3) prominent places in the service area affected.

*\* Note: Public notices should contain the following: schedule of current and proposed rates, statement of whether this will increase or decrease the present rates, and an invitation to the public to submit written remonstrances to the Committee, due before the expiration of the public notice period (14 days from date of publishing).*

**Step 4(a):** If there are remonstrances the Committee shall, within 30 days of the publishing of the notice, hold a public hearing on the proposed rate or schedule. If there are no remonstrances timely filed, the Committee shall forthwith recommend to the Board of Commissioners that it establish, modify and establish as modified, or deny the proposed rate schedule.

**Step 4(b):** Any interested party may present evidence at the public hearing. The Committee may require the franchisee to produce additional information, as the Committee deems appropriate. Following the public hearing, the Committee must make their recommendation (approve, modify, or deny) to the Board of Commissioners within 7 days.

**Step 5:** Within 14 days of receiving the Committee's recommendations, the BOC shall, by order, establish, modify or deny the proposed rate increase.

**Comments:** Letter and rates provided and presented at 7-25-2023 SWAC meeting, by Katy King, owner.

Jan 2024 - publish public notice EO 01/06/24

Tentatively scheduled for Board of Commissioners 02/01/24

## Committee Minutes

**CTUIR:** Ashley Picard presented this report. She said that their total tons for the 2<sup>nd</sup> quarter were up 48% over last year. She attributed this to the Tribe buying 6 properties after the 2020 flood and demolished the homes to clean up the properties. Their drop boxes are up 12% over last year and everything else seems to be static with last year. They are currently down 2 drivers, but getting by.

**Eastern Or:** Jimmy Doherty presented the report. Jimmy stated that they are up by 16% over 2022, and he attributes this to weather. Roll offs have picked up from last quarter. He will be looking for a new roll off driver, as his current one is looking to retire. He has continued to build new custom containers, and they are working well for them. Jimmy reported that his secretary left the business so he is training a new one currently. They are running without their backup truck as he lent it to Heppner. They are finding the same problem with finding quality candidates for drivers that other franchises are seeing. Discussion followed on their driver positions and hours/benefits offered to them.

**Humbert's Refuse:** Katy King presented their report. She said that they will be discussing a rate increase later in the meeting. Their operations continue to be static compared to last year, but they are also down a driver. They continue to work on their grant process for an electric truck and may have their truck by December. Katy stated they are also working on the Air Quality permit through DEQ for the landfill. They are having to hire a consultant to assist them and this will end up costing them over \$20,000. It's a very difficult process. They need new route trucks, as their newest one is 20 years old.

Laurie Gordon asked who Katy was working with at DEQ regarding the Air Quality permit, and Katy will send this information to her.

**Pendleton Sanitary:** Denise Hodson presented their report. She said that they continue to move their cardboard inventory, with one load scheduled to go out. Keystone RV has been shut down for 4 out of 7 months, and this has resulted in a 7.1% down turn in commercial sales. Scrap metal sales are down 30% and non-ferrous metals are down 74%, both with large impacts. They have sold 663 yards of compost this year, up 33.4% over last year. Nelson Farms bought most of that but public sales are picking up. They have a new 930 loaded scheduled to be delivered in September, and two Western trailers to be delivered in December. Their 3.5% rate increase for county customers went into effect July 1<sup>st</sup>. They have replaced 2 long term drivers who are retiring. They also replaced their shop mechanic and he is doing well. Their teamster contract expired in June and are in negotiation for the new contract. They will be asking for a 10% wage increase.

Discussion followed on the Keystone shutdowns and what causes them. Chair McHenry says it is mainly related to economic changes.

## RATE INCREASE REQUEST

Katy King read their request letter to the committee (see attached), and passed out copies. They are asking for a 10% increase for all residential and commercial customers, 15% for drop box rates as well as an increase on landfill charges. She noted that increase permit costs from DEQ is part of the reason that they are needing a rate increase. They propose this rate increase to go into effect March 1<sup>st</sup>, 2024. Their rate increase spreadsheet showing existing and proposed rates is also included. Mr. Fiumara asked Katy some questions pertaining to their Air Quality permit and the associated testing process. Chair McHenry asked questions about the drop box rates. He commented that their proposed gate rates are well within

acceptable industry rates. He asked if they were asking for enough of an increase to cover all the noted reasons for a rate increase, such as equipment needs, permitting costs, etc. The proposed rate increase appears to only be enough to maintain their operation, and Katy replied that they are trying to do this in “baby steps”. Katy discussed their recycling work with the city of Milton-Freewater. Mr. Hoehna asked about when the other franchises last did a rate increase request. Chair McHenry commented that all franchises have face unprecedented economic times and have had to respond accordingly. Ms. Miller stated that the franchise holder for the Pilot Rock area prior to Jimmy Doherty had not been any rate increases approved through the county for 15+ years. Further discussion followed on the perception of rates of their services is what drives the franchise system.

Mr. Hoehna moved to approve the Humbert Refuse rate increase to the Board of Commissioners for final approval, and Ms. Picard seconded the motion. The motion passed unanimously by the Committee. The public notice for this rate increase will go to publication in January 2024.

### **DEQ UPDATE**

Laurie Gordon reported that the deadline for public comments for the Rules Advisory Committee Draft Rules is 4 p.m. on July 28, 2023. Once public comments are reviewed, this goes to the Environmental Quality Commission (EQC) for approval this fall. The prospective PROs should be reaching out soon to local governments, who then designate the service provider. Local governments will not be required to make any decisions until 2024. The second Rule Making committee meeting will be September 19 and is open to the public. Laurie reported that she has not heard anything about any new HHW events. Administrative Services did not successfully recruit a provider for HHW events. She doesn't think Umatilla County will be eligible for any HHW events until 2024 or 2025. The draft rules for the EPR were approved by the EQC last week. The mattress program is beginning to take shape and materials were added to the E-Cycle collection program. These materials will begin to be collected in 2025-2026. Chair McHenry asked Ms. Gordon to elaborate on the mattress collection program. The program will operate similarly to the paint and E-Waste collection program with cost will be added at the point of purchase to pay for the collection program on the end of the mattress life cycle. There will be a ban on mattresses in landfills. Discussion followed on the particulars of these programs. Mr. Miracle pointed out that the additional handling of mattresses by staff presents a significant health and safety concern. The reimbursement received by the franchise doesn't even come close to covering the cost of being a collection site. Ms. Gordon said that the mattresses will be recycled into dog bedding.

### **OTHER BUSINESS**

Ms. Miller reported on the Abatement Fund, current status is approximately \$61,000. County hasn't had to pay out for an abandoned vehicle being towed from roads for quite some time. She said that the County has posted an advertisement for a Code Enforcement field officer. It has been over 2 years since there has been an additional officer. There are no applicants for the Volunteer Clean Up program at this time.

### **FUTURE AGENDA ITEMS / PUBLIC COMMENTS**

Chair McHenry said that the committee needs to address the update of the County's Solid Waste Management Plan, and Ms. Miller said that we need to locate grants to fund this exercise. He also reported that the Oregon Refuse and Recycling Association (ORRA) has been working on comments for the RMA

**PUBLIC NOTICE  
HUMBERT REFUSE  
NOTICE OF PROPOSED RATE INCREASE**

Humbert Refuse, having a solid waste franchise through Umatilla County, proposes to increase all of their rates: collection service by 10%, drop box service 15% and landfill tonnage by \$10.00 per ton in the zone that they serve. The proposed increases are to be effective **March 1, 2024**. The following is an itemized list of the current rates and the proposed new rates of services. The list may not include all services provided by the franchise, though rates for all services with proposed increase are listed.

**UMATILLA COUNTY COLLECTION RATES**

<b>SERVICE</b>	<b>CURRENT RATES SINCE JUNE 2013</b>	<b>PROPOSED RATES MARCH 2022</b>	<b>AMOUNT OF INCREASE</b>
Weekly Collection - 60 Gal Can	17.00	18.70	\$1.70 per month
Weekly Collection – 60 Gal Can Millcreek	21.46	23.60	\$2.14 per month
Weekly Collection – 90 Gal Can	22.70	25.00	\$2.30 per month
Weekly Collection – 90 Gal Can Millcreek	26.88	29.56	\$2.68 per month
200 Gal Weekly	51.30	56.40	\$5.10 per month
300 Gal Weekly	69.10	76.00	\$6.90 per month
300 Gal 1 per Month	22.70	25.00	\$2.30 per month
300 Gal 2 per Month	45.40	50.00	\$4.60 per month
300 Gal On Call w/ Weekly small can	22.00	24.00	\$2.00 per pickup
300 Gal On Call w/o Other Services	28.00	30.00	\$2.00 per pickup
300 Rent accessed Annual less # times dumped	100.00	120.00	\$20.00 per year
200 Rent accessed Annual less # times dumped	75.00	90.00	\$15.00 per year
200 Gal On Call w/ weekly small can	16.00	18.00	\$2.00 per pickup
200 Gal on Call w/o Other service	22.00	24.00	\$2.00 per pickup
Return Fee 90/60	15.00	25.00	\$10.00 per delivery
Delivery On Call 200/300 gal Cans	15.00	25.00	\$10.00 per delivery
Lane Charge	4.55	5.00	\$0.45 per week
Extra 60 Gal	5.70	6.25	\$0.55 per pickup
Extra 90 Gal	7.60	8.40	\$0.80 per pickup

20 Yard Drop Box Delivery/Pickup	170.00	195.00	\$25.00 per delivery/pickup
20 Yard Drop Box Switch	112.00	129.00	\$17.00 per pickup
20 Yard Drop Box Rent (1 <sup>st</sup> 7 days free)	4.00	4.60	\$0.60 per day
20 Yard Drop Box Monthly Rent Rate	120.00	138.00	\$18.00 per month
30 Yard Drop Box Delivery/Pickup	180.00	207.00	\$27.00 per delivery/pickup
30 Yard Drop Box Switch	123.00	141.00	\$18.00 per switch
30 Yard Drop Box Rent (1 <sup>st</sup> 7 days free)	4.80	5.50	\$.70 per day
30 Yard Drop Box Monthly Rent Rate	144.00	165.00	\$21.00 per month
Solid Waste Per Ton	49.50	59.50	\$10.00 per ton
Solid Waste Min Load	10.00	12.00	\$2.00 per load
Rebill Fee (or 3.5% interest whichever is greater)	2.00	4.00	\$2.00 per billing

**Objections to the proposed rate increase must be made by filing written comments to: Umatilla County Solid Waste Committee, 216 SE Fourth Street, Pendleton, OR 97801. Questions regarding the increase may be directed to Katy King or Cindy Granger at 541-938-4188 or [humbertrefuse@outlook.com](mailto:humbertrefuse@outlook.com) OBJECTIONS MUST BE RECEIVED IN WRITING by Monday, January 22, 2024 by 5 pm.**

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Approving            )  
Increase in Collection and            )     Order No. BCC2024-019  
Disposal Rates for Sanford &        )  
Son LLC, dba Humbert Refuse        )

WHEREAS pursuant to Umatilla County Code of Ordinances §50.070, establishment of rates, and any increase in rates, charged by a franchisee for its service shall be approved by the Board of Commissioners;

WHEREAS Sanford & Son LCC doing business as Humbert Refuse has been granted a collection franchise and a disposal franchise for the east area of Umatilla County;

WHEREAS Humbert Refuse proposed to increase its rates for collection and disposal within its franchised area and submitted a written proposal for the increase to the Umatilla County Solid Waste Committee;

WHEREAS at its meeting July 25, 2023, the Solid Waste Committee reviewed and approved the proposed rate increase as it was justified due to a reasonable change in the franchisee's cost of doing business with increase in costs;

WHEREAS the proposed rate was published in the East Oregonian on January 6, 2024, and also posted at Ranch & Home, Wayside Market (84256 Highway 11), the post offices in Athena, Weston, Helix and Adams, Tate's Market (51604 Highway 332), the city halls of Adams, Athena and Weston, and at the offices of Humbert Refuse in Milton-Freewater and Athena.

WHEREAS no objections to the proposed rate increase has been received by the Solid Waste Committee, and it recommends approval of the proposed rate increase;

WHEREAS the Board of Commissioners reviewed the proposed changes at its meeting February 7, 2024, found the changes justified, and voted to approve the change.



NOW THEREFORE, the Board of Commissioners orders that collection fees and disposal fees for Sanford & Son LLC doing business as Humbert Refuse within its franchised area shall, effective March 1, 2024, be as follows:

LANDFILL - per ton	\$59.50
Minimum Load	12.00

DROPBOX DELIVERY

20 yard drop box - Del/Pickup	\$195.00
20 yard drop box - per switch	129.00
20 yard drop box rent (First 7 days free)	4.60
20 yard drop box monthly rate	138.00
30 yard drop box - Del/Pickup	207.00
30 yard drop box - per switch	141.00
30 yard drop box rent (First 7 days free)	5.50
30 yard drop box monthly rate	165.00

WEEKLY SERVICE

60 Gallon - per month	\$18.70
90 Gallon - per month	25.00
200 Gallon - per month	56.40
300 Gallon - per month	76.00
60 Gallon - per month - Mill Creek	23.60
90 Gallon - per month - Mill Creek	29.56

OTHER SERVICES

300 Gallon - 1 per month	\$25.00
300 Gallon - 2 per month	50.00
300 Gallon - on call - weekly small can	24.00
300 Gallon - on call - without other	30.00
300 Gallon - rent assessed annually	
less number times dumped	120/year
200 Gallon - rent assessed annually	
less number times dumped	90/year
200 Gallon - on call - weekly small can	18.00
200 Gallon - on call - without other	24.00
Return 60/90 fee	25.00
Delivery fee - on call - 200/300 can	25.00
Lane change - per week	5.00
Extra 60 Gallon - per pickup	6.25
Extra 90 Gallon - per pickup	8.40
Rebill Fee (or 3.5% interest whichever is greater) - per billing	4.00

DATED this 7th day of February, 2024.

UMATILLA COUNTY BOARD OF COMMISSIONERS

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John M. Shafer, Chair

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Celinda A. Timmons, Commissioner

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Daniel N. Dorran, Commissioner

ATTEST:  
OFFICE OF COUNTY RECORDS

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Records Officer