

From: [Sam Imperati](#)
To: [Paul Nietfeld](#)
Cc: [NICHOLS Darren](#); [CRONEY Vance M](#); [Benton County Talks Trash](#); [Marge Popp](#); [Mary Parmigiani](#); [Rough, Ginger](#); [Louisa and Craig Shelby](#)
Subject: RE: Landfill CUP process suggestions
Date: Sunday, November 27, 2022 5:52:35 PM
Attachments: [image001.png](#)
[Nietfeld_CUP_process_suggestions_25Nov2022.pdf](#)

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Paul,

I don't disagree with the proposed work. In fact, I mentioned the need for it in the Assessment Report on page 8, and Charter Section II. B, says, "Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion. Specifically: ... 3) Develop protocols for the timely and broad distribution of CUP-related information to the public, other governmental entities, and internal committees, groups, and divisions." (Emphasis added.)

During the last Workgroup meeting (Recording ~1.31+), I re-introduced Charge E and the associated subcommittee that I will staff/facilitate. Its tasks include:

- a. General History of Coffin Butte
- b. Report's EX/SUM
- c. Community Education

The topics you raise below are the types of things this new subcommittee will vet and make recommendations on to the full workgroup. The legal subcommittee and the Community Education can work together if there are legal issues.

Its members include Marge Popp, Mary Parmigiani, Ginger Rough, and Louisa Shelby. As you can see, I've copied them here and will be setting up our first subcommittee meeting ASAP.

Hope this helps... Happy to chat.

Thanks, Sam



From: Paul Nietfeld <pniefeld@gmail.com>
Sent: Friday, November 25, 2022 11:05 AM
To: NICHOLS Darren <Darren.Nichols@co.benton.or.us>
Cc: CRONEY Vance M <Vance.M.CRONEY@co.benton.or.us>; Benton County Talks Trash <bentoncountytalkstrash@co.benton.or.us>; Sam Imperati <samimperati@icmresolutions.com>
Subject: Landfill CUP process suggestions

Darren:

In the course of my engagement with Benton County Talks Trash and the resulting interaction with both Benton County staff and representatives of Republic Services I have found evidence of conflicting perceptions regarding process and roles, and am concerned that unless addressed these conflicts could carry forward into a future landfill CUP application review.

I offer the following suggestions, from the standpoint of an engaged private citizen, in the hope that these actions could result in an improved review process:

1. **Dedicated web site:** At the first indication of a landfill CUP application, the county should create a web site dedicated to information regarding this action.
2. **Post all county/franchisee interaction:** Post to the dedicated web site any and all exchanges between the two parties from the beginning of the process through final decision.
3. **Provide a road map:** Include in the web site an overview of the application evaluation process steps, and update it with an indicator of current status.
4. **Perform an internal look-back review of LU21-047:** A Benton County review of the actions and steps involved in LU21-047 could offer suggestions for process improvement and role clarification prior to the arrival of a future landfill CUP application.

See the attached document for more detail. Please let me know if you have any questions.

I am copying County Council to make him aware of my suggestions, in case any of these suggestions merits commit or dismissal on legal grounds.

I am also copying the BCTT thread and the facilitator. It is my understanding that these suggestions complement the work that BCTT is doing, and do not directly impinge upon it, but the facilitator may disagree. If a presentation of these suggestions to the BCTT workgroup is advisable I would be happy to do that at the next BCTT workgroup meeting.

Regards,
Paul Nietfeld

November 25, 2022

Suggested landfill CUP process items for Benton County Community Development Department

Paul Nietfeld, private citizen

Context

During the course of monitoring and providing citizen comment on LU21-047 and in recent conversations with both Benton County staff and representatives from Republic Services, Inc., it has become apparent to me that there are conflicting perceptions between the two parties regarding roles and responsibilities relative to this application, and that these conflicting perceptions are at risk of carrying forward into a future landfill permit application review process.

As an example, many citizens felt that insufficient notice was provided for such a significant action, and both the county and the franchisee seem to believe that the other party was responsible for certain actions (such as early-stage dialog with neighbors) that were not performed.

Suggestions

1. At the first indication from the franchisee of their intent to file another landfill-related CUP application, the county should establish a specific web page to track items related to this action.
2. Any and all exchanges between the county and the franchisee should be posted to the web page. This would allow any interested party (county staff, franchisee employees, interested citizens) to monitor the progress of this dialog in detail. Note that this level of detailed public visibility is akin to what is implemented for the Benton County Talks Trash (BCTT) workgroup and subcommittees, where it is accepted by participants as a necessary requirement for transparency in such an important endeavor. CDD staff work on a landfill CUP should *from the beginning* be open to a similar level of transparency.
3. The step-by-step process the county will follow in processing the CUP application should be available on the web page, with an indicator of current status (e.g. which step is currently active) and definitive documentation of any formal decisions (e.g. the CDD Staff certification that the application is complete, the formal SWAC recommendation, the official Planning Commission vote, etc.). A flowchart format might be best suited for this presentation, since some steps will iterate repeatedly until complete and certain paths will be taken or skipped based on Yes/No outcomes of a previous step, but even a tabular format or simple sequenced list would be helpful in understanding the overall process and pinpointing the current state.
4. Given the issues encountered during the processing of LU21-047, Benton County CDD should conduct a "lookback" review exercise promptly. This is particularly important given the reality that a new CUP application could be submitted at any time. It might be advisable to solicit public input on topics that should be covered in this lookback exercise, but I would suggest that if possible the meeting itself be held only among Benton County officials, CDD management and CDD staff in order to encourage an open and honest accounting of what was done well and what areas or items should be improved. Such a review would cover the step-by-step processing of LU21-047, starting with the initial contact by the franchisee and stepping through to the Planning Commission decision, noting in particular what steps and/or opportunities were missed or poorly executed. Examples of topics to be considered might be whether or not Benton County Public Works supported the proposed vacation of Coffin Butte Road, why the responsible fire chief (Adair Fire) was not consulted on the proposed vacation of Coffin Butte Road early in the application evaluation process, and why there appeared to be significant confusion regarding the ownership of key steps in the process (Benton County vs. franchisee).