



**WOOTAN..... -AYE**  
**CORBUS ..... -AYE**  
**HOFER ..... -AYE**

**Motion carried and so ordered.**

Regular session resumed. No decision was made as a result of the Executive Session.

Jack Yarbrough, Idaho Waste Systems and Attorney Bill Ghiorso appeared to give the board an update of the Simco Road landfill fire and daily operations of the landfill. Mr. Yarbrough stated that the fire is out, they have a perimeter around the area and are putting extra cover on top. They will continue to monitor the area for any flare ups that may occur. Chairman Wootan stated that there was a concern that daily cover has not been done recently at Simco Road. Mr. Yarbrough stated that they are running out of space in the current cell and are working to get the new cell open quickly, so they had not done daily cover for the last five or so days. Marty Jones, Central District Health Department (CDHD), stated once regular operations resume after the fire, daily cover will be required. Methane gas monitoring at the Bennett Road landfill was discussed. Mr. Yarbrough stated that monitoring hadn't been done last quarter, but he had the levels tested yesterday and will be submitting the report today. Chairman Wootan asked when Simco Road will be back in operation to start receiving waste. Mr. Yarbrough stated that he had a phone conference yesterday with his engineer, the Department of Environmental Quality (DEQ) and CDHD to discuss the possible use of a berm area between cell one and cell two, but what was decided is that he is going to make room on the east side of cell one until they get approval to start using cell two. Mr. Yarbrough stated that the landfill in Burley has an extra tipper and he has been working with them on possibly leasing it. Financial issues between IWS and Elmore County were discussed. Commissioner Hofer stated that the county has been paying IWS its monthly financial obligations, but IWS has not been doing the same, as they are behind on paying fuels costs and monthly tipping fees owed to the county under the current contract. Mr. Yarbrough stated that the company is struggling and cannot continue to take a loss. In regards to financial items in the contract, Mr. Yarbrough feels that he interprets the contract differently than the county does. Attorney Schindele stated that the county has sent him several written requests regarding past due obligations and have not received any response back, so how can they discuss his interpretation of the contract if he won't respond to the county. Mr. Yarbrough will speak with his accountant and get caught up on back payments to the county. Renegotiation of fees was discussed. Attorney Grant was under the impression that the purpose of this meeting was to discuss deficiencies under the existing contract and not to renegotiate the contract. He recommended that the county only accept renegotiations of the terms of the contract once all the financial aspects are paid current and they get confirmation of the financial position of IWS. Mr. Yarbrough stated that IWS is in dire straits and, as the lender, he needs to make quick decisions soon. He needs to figure out how to keep IWS afloat and keep the county happy as well and would like to discuss financial aspects of the contract. He stated that the operations and transferring of trash from Bennett Road to Simco Road is 75% of his costs. The county is currently paying \$12.69 per ton for these services. Mr. Yarbrough feels that this does not come close to covering his costs for these services and would need a significant raise in the fees per ton. The board feels that they need to see the financials from IWS before discussing any such raise in

fees. Mr. Yarbrough will have his accountant send the complete financials to Attorney Grant. The board would also like a breakdown of the monthly tonnage being dumped along with the tipping fees. Construction repairs needed on a building at Bennett Road were discussed. A wall at the transfer station needs to be reinforced with a cement slab, rebar, a steel plate and brackets to stabilize it. Attorney Schindele stated that the county building inspector should be involved to make sure the repairs are done according to code. Discussion regarding the repairs followed. Attorney Grant reminded Mr. Yarbrough that the yearly Post Closure Letter of Credit will be due in April and asked if he is working on that. Mr. Yarbrough stated once again that IWS is in dire financial straits and he is still trying to decide how to handle the Letter of Credit. Operation of Bennett Road was discussed. Commissioner Corbus asked if IWS wants to continue handling the operations. Mr. Yarbrough stated that he will only continue the operations if it does not cause IWS to lose money. He doesn't feel that he can continue to operate and haul the trash from Bennett Road unless the county agrees to a substantial increase in the fee per ton. He would be willing to operate Bennett Road and haul the trash for \$18.50 per ton, which would make him just break even on the costs. Attorney Grant suggested that Mr. Yarbrough meet again with the board in two weeks to discuss his proposal at that time. By then the county should have received the payment of the past due obligations and it will give Mr. Yarbrough the time to decide how he will be proceeding with IWS in the future, including the Letter of Credit.

Motion by Hofer, second by Corbus, to approve the expenses in the amount of \$107,894.73.

**WOOTAN**..... **-AYE**  
**CORBUS**..... **-AYE**  
**HOFER**..... **-AYE**

**Motion carried and so ordered.**

Motion by Wootan, second by Hofer, to approve the Certificate of Residency applications for Katherine Ann Charles, Samantha L. Fraser and Michael D. Leopard.

**WOOTAN**..... **-AYE**  
**CORBUS**..... **-AYE**  
**HOFER**..... **-AYE**

**Motion carried and so ordered.**

Motion by Wootan, second by Hofer, to approve and sign the agreement with Republic Services for the hauling of trash to Ada County on a temporary basis.

**WOOTAN**..... **-AYE**  
**CORBUS**..... **-AYE**  
**HOFER**..... **-AYE**

**Motion carried and so ordered.**

Motion by Wootan, second by Corbus, to adjourn for lunch.

**WOOTAN**..... **-AYE**  
**CORBUS**..... **-AYE**  
**HOFER**..... **-AYE**

**Motion carried and so ordered.**

Motion by Wootan, second by Hofer, to approve and sign the agreement for the transfer of personal property, a 2001 Ford Crown Victoria, from Elmore County to the City of Glenns Ferry.

**WOOTAN**..... -**AYE**  
**CORBUS**..... -**AYE**  
**HOFER** ..... -**AYE**

**Motion carried and so ordered.**

Motion by Hofer, second by Corbus, to adjourn.

**WOOTAN**..... -**AYE**  
**CORBUS**..... -**AYE**  
**HOFER** ..... -**AYE**

**Motion carried and so ordered.**

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**WESLEY R. WOOTAN, Chairman**

**ATTEST:**

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**BARBARA STEELE, Clerk**