

The public portion of the meeting was held.

Randy Cunningham appeared to discuss a cell tower issue. Mr. Cunningham lives in the Summer Sage mobile home park that is located near cell tower that was constructed in 2003. Last April, the owner of the cell tower put up nine huge microwave panels on the tower. Mr. Cunningham was told they were 4G upgrade panels for cell service. Since then his AM radio will no longer work and his dog is also sick. He was walking past the tower and looked over at a sign near the tower that said frequencies may exceed 400 watts and not recommended for human exposure. He spoke with the Land Use and Building Department trying to find out how those things can be added to the tower without letting anyone know about it. He feels that a public hearing should be held so the neighbors know what is going on and voice their opinions concerning the microwave frequencies coming from the tower. The Land Use Department told him that the conditional use permit was for radio frequencies, but the microwave frequencies they are using are not radio frequencies. He has had many health issues since these panels have gone up. Beth Bresnahan, Land Use and Building Department appeared. She spoke with Mr. Cunningham yesterday regarding the issue. She reviewed the conditional use permit and found that there are no conditions as far as what they can put on the tower as long as it is a co-locatable communication tower. The board asked Ms. Bresnahan to do some further research to find out who Mr. Cunningham can speak with to help him resolve his issues.

Sheriff Rick Layher and Deputy Robert Elom appeared to review the annual audit review of the Vessel Department and the retention of the balance of funds.

Motion by Corbus, second by Hofer, to approve the request for retention of the Vessel Department funds in the amount of \$22,410.21.

CORBUS -**AYE**
WOOTAN -**ABSENT**
HOFER -**AYE**

Motion carried and so ordered.

Dewey Crane, Snake River Rubbish, appeared to discuss separating residential from commercial waste on their trash pick-up schedule. Mr. Crane spoke with Jack Yarbrough from IWS, who asked if they are mixing commercial and residential loads during their pick-ups. Mr. Crane told him that they were mixing loads and Mr. Yarbrough told him that it needs to be separate loads. All of their routes, even to Atlanta have both residential and commercial trash. If the loads need to be separate then they will have to make two trips to collect separate loads. He asked if they can continue to bring the mixed loads to Bennett Road like they have been and Chairman Corbus stated that the residential will still be taken at Bennett Road, but the commercial will need to be taken to Simco Road. The board asked if it would be possible to tell them how much tonnage is commercial when dropping the loads off at Bennett Road so they have an accurate account of commercial trash that will be going to Simco Road. The board still has to meet with Mr. Yarbrough to come up with a reasonable charge for the commercial trash and they will do their best to make sure that all services run smoothly during the transition. Discussion followed.

Prosecuting Attorney Tina Schindele appeared and a lengthy discussion followed regarding operations and the management of the Bennett Road Transfer Station. The process for the purchase of heavy equipment were also discussed. The separation of residential and commercial waste was revisited.

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

CORBUS..... -**AYE**

WOOTAN..... -**ABSENT**

HOFER -**AYE**

Motion carried and so ordered.

Regular session resumed.

Motion by Corbus second by Hofer, to approve the Certificate of Residency application for Brenda K. Guajardo.

CORBUS..... -**AYE**

WOOTAN..... -**ABSENT**

HOFER -**AYE**

Motion carried and so ordered.

A short recess was taken. Regular session resumed.

At 2:00 p.m. the public hearing to re-open the appeal hearing for Cat Creek Energy was held. Roll call was held. Chairman Corbus and Commissioner Hofer were present. Commissioner Wootan was absent. Chairman Corbus stated this was a public hearing to re-open the record for an appeal following denial by the Elmore County Planning and Zoning Commission for a conditional use permit applications for pump storage hydro electrical generating facility, PV (photo voltaic) solar electrical generating facility, wind turbine electrical generating facility, transmission lines and substation. Chairman Corbus stated verbal testimony regarding the appeal of five conditional use permits for Cat Creek Energy, LLC will be limited to the purpose of disclosing to the public additional information received by a commissioner and permit the applicant and public to respond to any additional documents made a part of the record. Verbal testimony will be limited to responding to the foregoing information which is now being accepted by the Board. All written testimony will be required to be delivered at the commencement of this hearing, at this time and will not be accepted after this time unless the Board elects to continue the hearing to one or more future dates. Please submit all written materials at this time, as the Board will not accept any further written testimony for the record. Copies of written testimony will be copied and made available to the applicant and the public later in the meeting and I will announce when those materials are available.

Chairman Corbus disclosed the he attended a water meeting on November 18, 2016 regarding Boise River Feasibility Study (Arrowrock Dam and Anderson Dam Raise). While the matter was not on the agenda, Doug Jones from Cat Creek Energy made a quick 5-10 minute discussion regarding the Cat Creek Energy project. The information presented is the same as was previously presented except he stated they would be willing to increase the reservoir from 50,000 acre foot to 100,000 acre foot to store water for Boise.

This is new information that has not been presented to the Board. Hearing the presentation will not affect my ability to make an impartial decision on this matter and it does not influence my decision.

Beth Bresnahan and Kacey Ramsauer, from the Land Use and Building Department, were present along with Buzz Grant, Civil Attorney, Commissioner Hofer, Chairman Corbus, and Clerk Barbara Steele. Ms. Bresnahan read the rules for the public hearing to those in the audience and disclosed that a limited amount of written testimony had been received.

Attorney Terry Pickens Manweiler, representing the applicant was first to speak and stated that they appreciate the disclosure from Chairman Corbus regarding the water meeting. She also wanted to point out, in case the public did not know, that in the water meeting, when Mr. Jones was asked if there were options for making the 50,000 acre/foot proposed reservoir bigger, Mr. Jones said that there is an opportunity to make it bigger. They are not trying to do a bait and switch. They designed a 50,000 acre/foot reservoir, which is part of the plan, but people who have interest in the plan have asked if it could be a group arrangement between several entities concerning water storage. They said that yes, it can be. They have enough ground and have the means to make it 100,000 acre/feet if all of the entities believe that it is in everyone's best interest. Attorney Pickens Manweiler stated that they appreciate that after his disclosure, Chairman Corbus can still be involved in the appeal, because they really do believe that this will be a great project for everyone involved.

Chairman Corbus stated that testimony would now be heard from those in favor of the project.

Dave Tuthill, stated that he had no specific testimony and was available to answer any questions.

Doug Jones was next to speak. He stated that the reason why he was present at the Water Resource Board meeting was to speak during the public comment section of their agenda regarding another project he is involved with in another region of the state. The water board was scheduled to discuss water storage and he and his colleagues decided it may be an opportunity to offer them another option in terms of storage for the Boise system. He acknowledged to the water board that since they had just attended two nights of hearings with the Elmore County Commissioners, an expansion of the reservoir to a larger capacity may require an amendment to one of the conditional use permits. He wanted the water board to know that the opportunity is there to expand the reservoir and provide an additional volume of off stream storage and that they are wanting to work with Elmore County to meet their water needs. He stated that the water board did not make a decision on their proposal and took it under consideration.

Chairman Corbus stated that testimony would now be heard from those neutral of the project. There was no one wanting to speak.

Chairman Corbus stated that testimony would now be heard from those opposed to the project.

