

**COMMISSIONERS MINUTES**

**DECEMBER 9, 2016**

The Elmore County Commissioners met in regular session on the above date in the Commissioners Room, basement of the Elmore County Courthouse, 150 South 4<sup>th</sup> East, Mountain Home, Idaho.

Present at the meeting were Chairman Bud Corbus, Commissioner Al Hofer, and Clerk Barbara Steele.

Motion by Corbus, second by Hofer, to go into Executive Session pursuant to I.C. 74-206(d) – 31-874 to discuss indigent applications. Roll call vote was taken.

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

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

**HOFER** ..... -**AYE**

**Motion carried and so ordered.**

Regular session resumed. The following decisions were made as a result of the Executive Session:

K-11-16-02 Motion by Hofer, second by Corbus, to approve with a reimbursement order of \$50.00 per month and 50% of Federal and State tax refunds.

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

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

**HOFER** ..... -**AYE**

**Motion carried and so ordered.**

Jack Yarbrough, Idaho Waste Systems, Inc. appeared and discussed his request to operate the Bennett Road landfill for an additional six months or at least for another ninety days. The 60 tons that was changed to 120 tons that Idaho Waste is to accept was discussed. Subtitle D waste was discussed. Mr. Yarbrough said his attorney said they only have to accept household waste. He also said he is trying to keep the Bennett Road contract in effect. Dave Fisher from Republic Services was also present. Commissioner Hofer asked Mr. Fisher if Republic Services is interested in purchasing Idaho Waste Systems, Inc. Mr. Fisher stated yes, they are looking into it. Commissioner Hofer stated we have already hired employees to run the Bennett Road Transfer Station/landfill. Mr. Fisher asked if our intention was to take over the Transfer Station on January 1, 2017 and the Commissioners answered yes. Mr. Yarbrough stated they would be making a decision soon about the company which is in debt about nine million dollars. He also stated he wasn't sure what Republic Services was going to do as they have done no due diligence regarding this issue. Commissioner Corbus asked if Republic Services had an interest in running the transfer station and Mr. Fisher replied he would if he was asked to. Deb Ireland, our new employee that will be running the Bennett Road transfer station/landfill was present and the board introduced her to Mr. Yarbrough and Mr. Fisher. Mr. Yarbrough stated they would have to figure out what they are hauling and that IWS can't afford to employ any more employees as was suggested by Commissioner Hofer as we have hired employees, and have IWS pay for those employees for ninety days. Mr. Yarbrough stated there is a big misunderstanding about the type of waste that is accepted. The board for IWS stated they have no interest anymore. The bond for cell two has not been done yet. The

commissioners stated that Mr. Yarbrough promised to bond cell two if we raised the operation cost of the Bennett Road transfer station to \$25.00 a ton and that has not happened. The current bond for cell one is due to expire in April 2017 and Mr. Yarbrough stated that bond will probably be called on. If there is no income from Elmore County coming in then there is nothing that IWS can do. Mr. Fisher said if the county wants to run the transfer station/landfill that is fine. Mr. Yarbrough said he doesn't care anymore. He will be meeting with DEQ today about the tires and how he will get rid of them. Mr. Yarbrough sees problems with the county running Bennett Road. Mr. Fisher stated if Republic Services purchased the IWS landfill they would run it according to the mitigation agreement, the CUP and all the other regulations. Mr. Yarbrough stated IWS is struggling with the payroll. Mr. Fisher asked if the county took over the transfer station on January 1, 2017, would IWS be responsible for paying the employees, etc. Commissioner Hofer stated they would not and the only responsibility IWS would have would be to haul the trash from the transfer station to Simco Road at no charge to the county, per the mitigation agreement. Mr. Yarbrough stated that the county should start looking into other options for disposing of their waste as of January 1<sup>st</sup> if they take over operations of the transfer station. Commissioner Hofer stated every time you (Mr. Yarbrough) come in you threaten to close IWS so we have already had to make plans. Mr. Yarbrough stated that if IWS closed Simco Road, the liability for all of the tires would then belong to the county and the commissioners stated it would not. Mr. Yarbrough asked for at least another thirty days to run the Bennett Road Transfer station. Billing was discussed. Mr. Yarbrough stated his issues will not be resolved before Christmas. Mr. Yarbrough left the meeting and no further issues were discussed.

Motion by Hofer, second by Corbus, to sign the 2015 EMPG De-Obligation Sub-Award/2014 Grant Adjustment.

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

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

**HOFER ..... -AYE**

**Motion carried and so ordered.**

Deb Ireland, our new employee that will be in charge of the Bennett Road Transfer station/landfill was present. Operating the transfer station/landfill was discussed. Along with purchasing computers, software, clothing, and office needs. Ms. Ireland will start preparing for the transition.

Russ Duke, Central District Health, and Megan Blanksma, Representative Elect, appeared to discuss seeking a legislative solution to the distribution of state general fund dollars to the public health districts. The distribution of funds are not equitable with fewer dollars going to the most populated and fastest growing health districts in the state. The Board of Trustees is directed by Idaho Code 39-425 with the responsibility to divide the single state appropriation among the seven districts. The concern is that the Board of Trustees that have made decisions have made shifts in funding. District 3 and 4 are interested in a legislative solution so that the state appropriation is fair. Drafted legislation and has been shared with their boards, Senator Brackett and other districts. OPE's (Office of Performance Evaluations) recommendations would be phased in over a three year period. A draft bill has been prepared and shared with the other districts and they probably won't support the legislation. Representative Elect Blanksma



**WOOTAN..... -ABSENT**  
**HOFER ..... -AYE** **Motion carried and so ordered.**

Motion by Corbus, second by Corbus, to approve Tax Cancellation No. 1344 Cornelio and Claudia Barroso-\$368.24 and No. 1345 Victor Martinez-\$569.68.

**CORBUS..... -AYE**  
**WOOTAN..... -ABSENT**  
**HOFER ..... -AYE** **Motion carried and so ordered.**

Motion by Corbus, second by Hofer, to suspend the reading of Resolution No. 611-16 and refer to it in title only.

**CORBUS..... -AYE**  
**WOOTAN..... -ABSENT**  
**HOFER ..... -AYE** **Motion carried and so ordered.**

Motion by Corbus, second by Hofer, to approve Resolution No. 611-16 Transfer of Excess Tax Deed Sale Proceeds to the State Treasurer.

**CORBUS..... -AYE**  
**WOOTAN..... -ABSENT**  
**HOFER ..... -AYE** **Motion carried and so ordered.**

**RESOLUTION NO. 611-16**

**A RESOLUTION OF THE BOARD OF ELMORE COUNTY COMMISSIONERS, STATE OF IDAHO, AUTHORIZING TRANSFER OF EXCESS SALE PROCEEDS TO THE STATE TREASURER PURSUANT TO IDAHO CODE § 31-808.**

The following resolution and order was considered and adopted by the Elmore County, Idaho Board of Commissioners on the 9<sup>th</sup> day of December, 2016.

**WHEREAS**, Idaho code § 31-801 grants the general powers and duties, subject to the restrictions of law, to the boards of county commissioners in their respective counties; and

**WHEREAS**, Idaho Code § 31-828 grants the Board authority “to do and perform all other acts...which may be necessary to the full discharge of the duties of the chief executive authority of the county government”, and

**WHEREAS**, Idaho Code § 31-807 authorized the Board to manage county property subject to restrictions including, but not limited to, those described in Idaho Code § 31-808; and

**WHEREAS**, Idaho Code § 31-807 authorizes the Board to sell surplus properties acquired by tax deed; and

**WHEREAS**, Idaho code § 31-807 provided that proceeds from the sale of property acquired by tax deed, after payment of all delinquent taxes, late charges, interest and costs, (excess proceeds) be





**HOFER ..... -AYE** **Motion carried and so ordered.**

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

The commissioners phoned Jack Yarbrough, Idaho Waste Systems, Inc., regarding the Bennett Road Transfer Station. Discussion followed on the contract that expires on December 31, 2016. The commissioners gave Mr. Yarbrough a figure for monthly payroll if IWS was to continue to run the transfer station with Elmore County employees. Mr. Yarbrough stated he would discuss the offer with the IWS board and would phone Commissioner Hofer back. The next discussion will be held on December 16, 2016, at 10:00 a.m.

Motion by Hofer, second by Corbus, to approve the expenses in the amount of \$477,726.57.

**CORBUS ..... -AYE**  
**WOOTAN ..... -ABSENT**  
**HOFER ..... -AYE** **Motion carried and so ordered.**

A short recess was taken. Regular session resumed.

Motion by Corbus, second by Hofer, to approve and authorize Commissioner Hofer to make the purchase of a semi-truck to be used at the Bennett Road transfer station for moving containers.

**CORBUS ..... -AYE**  
**WOOTAN ..... -ABSENT**  
**HOFER ..... -AYE** **Motion carried and so ordered.**

Motion by Corbus, second by Hofer, to adjourn.

**CORBUS ..... -AYE**  
**WOOTAN ..... -ABSENT**  
**HOFER ..... -AYE** **Motion carried and so ordered.**

**/S/ FRANKLIN L. CORBUS, Chairman**  
**ATTEST: /S/ BARBARA STEELE, Clerk**