

ORDINANCE NO. 98-2

**“ELMORE COUNTY CAPITAL INVESTMENT ORDINANCE”**

An Ordinance which implements Resolution No. 98-237 which was passed by the Elmore County Board of County Commissioners on November 23, 1998.

**WHEREAS** Section 31-820 of the Idaho Code gives County Commissioners the power to make regulations and rules for the Government of their body, particularly where such ordinances, rules and regulations promote the health, prosperity, comfort and convenience of the County and the inhabitants thereto.

**WHEREAS** The Elmore County Board of Commissioners have concluded that it is in the best interest of said County to establish an Elmore County Capital Investment Board to assist the Board of County Commissioners in the wise use of revenue Elmore County receives as a result of the mitigation agreement with Idaho Waste Systems, Inc.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF ELMORE COUNTY, IDAHO:**

**ARTICLE 1  
GENERAL PROVISIONS**

**Section 1. PURPOSE OF ORDINANCE.** The purpose of this ordinance is to implement Resolution No. 98-237 and to promote the health, prosperity, comfort and convenience of the inhabitants of Elmore County as provided by Idaho Code Section 31-820.

**Section 2 TITLE.** This ordinance as passed in its entirety by the Board of County Commissioners shall be known as the “Elmore County Capital Investment Ordinance”.

**Section 3 PROVISIONS OF THE ORDINANCE.** That said ordinance includes the regulations as follows:

(1) The Elmore County Capital Investment Board shall be made up of three members, not employed by a government agency. One from the Incorporated City of Mountain Home, one from the area of Glens Ferry and one from the County of Elmore outside the city limits of Mountain Home and the area of Glens Ferry. The City Councils of Glens Ferry and Mountain Home may recommend members from their respective city areas.

(2) The three members of the Elmore County Capital Investment Board shall be appointed by the Board of County Commissioners. Such appointments shall be limited to not more than two terms, each term of which shall not be longer than six years. Said Board will elect a Chairman amongst themselves by majority vote.

(3) The Elmore County Capital Investment Board shall be assisted in their responsibilities by a secretary who shall be appointed by the Board of County Commissioners. It shall be the secretary's duty to keep minutes, make reports and other records as necessary.

(4) The Elmore County Capital Investment Board shall meet quarterly in a public meeting noticed up in accordance with the Idaho Public meeting law to conduct business as allowed by this ordinance. Meetings may be held more frequently when approved by the Board of County Commissioners and with proper notice made.

(5) Members of the Elmore County Capital Investment Board shall be compensated at the rate of \$100 each per meeting, or at such additional rate as may be approved by the Board of County Commissioners. The secretary shall receive compensation as established by the Board of County Commissioners. The aforementioned costs and all other costs necessary to the conduct of business shall come from the Idaho Waste System revenue fund.

(6) The Elmore County Capital Investment Board at its meetings shall consider such proposals as may be brought to them by the citizens or taxing entities of Elmore County. Such proposals shall consist of capital development or capital improvement and shall have an expected life of greater than twenty years.

(7) The Elmore County Capital Investment Board shall make recommendations to the Board of County Commissioners of a priority of project or projects for which the Capital Investment funds will be used and the terms or contracts associated with the funding.

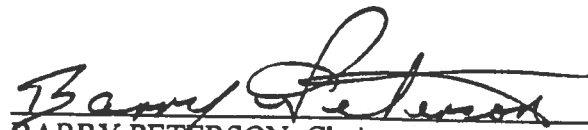
(8) The Elmore County Capital Investment Board may call upon expert or professional resources of Elmore County or from the private sector for the conducting of business as approved by the Board of County Commissioners.

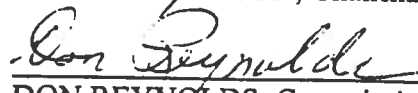
**Section 4** ADOPTION OF ORDINANCE. The Elmore County Board of Commissioners under Section 31-820 of the Idaho Code adopt the "Elmore County Capital Investment Ordinance".

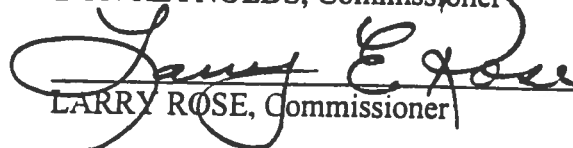
**Section 5** SAVING CLAUSE. In the event any of the Articles or Sections are declared unconstitutional and unlawful each Article or Section shall be declared independent of the other.

**Section 6** EFFECTIVE DATE. This Ordinance, in its entirety, shall be in Full Force and effective from and after its passage, approval, and publication as required by law.

Passed by the Elmore County Board of Commissioners of the State of Idaho on the 23<sup>rd</sup> day of November, 1998.

  
BARRY PETERSON, Chairman

  
DON REYNOLDS, Commissioner

  
LARRY ROSE, Commissioner

ATTEST:

  
DOLORES ROBISON  
Clerk of the Board of County Commissioners