

Solid Waste Districts

Idaho Association of Counties

January 27, 2025

Nate Francisco
Southern Idaho Solid Waste
Executive Director and CEO

- Idaho Solid Waste Association
- Solid Waste Association of North America
- Department of Energy – Citizens Advisory Board
- Cassia County Planning and Zoning Commission





Southern Idaho Solid Waste

A Regional Solid Waste District

- Seven Member Counties
 - Board Members
- Contract Counties
- 14 Transfer Stations
- Regional Landfill
- Waste Haul
- 3.9 MW Landfill-Gas-to-Energy





Milner Butte Landfill

Subtitle D – Municipal Solid Waste Landfill

- 325,000 Tons of Municipal Solid Waste Annually
- > 5.5 Million Tons in Place
- Current Footprint Approximately 100 Acres
- 50 Years of Space Available
- Landfill Disposal Cost
 - 35% of National Average
 - 25% of Regional Average

Solid Waste Laws and Regulations

- Resource Recovery and Conservation Act – 40 CFR Part 257 & 258
- Idaho Solid Waste Facilities – Title 39 Chapter 74
- County Solid Waste Disposal Sites – Title 31 Chapter 44
- Regional Solid Waste Districts – Title 31 Chapter 49

County Responsibility

- 39-7401. LEGISLATIVE FINDINGS AND PURPOSES. (1) The legislature finds: (f) That chapter 44, title 31, Idaho Code, imposes on the counties the primary responsibility for the development and operation of a solid waste management system; and
- 31-4403. OPERATION AND MAINTENANCE. It shall be the duty of the board of county commissioners in each of the several counties to acquire sites or facilities, and maintain and operate solid waste disposal systems.

31-4903: Establishment of Districts

- Waste district may be formed by any *2 or more* counties whose commissioners resolve to become participating counties of the district.
- Districts are *exempt from limitations regarding public debt* found in the Idaho Constitution.

31-4904: Board of Directors

- Governed by a board of at least three directors, who are vested with the authority, control and supervision of the district.
- Board of directors consists of one commissioner from each participating county, selected by his or her fellow county commissioners.

31-4906: Powers of the Board

- Buy, lease, construct or otherwise attain the land, facilities and equipment necessary to operate.
- Funding methods (debt, gifts, electric co-generation, etc.)
- Authority to manage, control, and supervise the business and affairs of the district.
- Hire a district administrator and provide for compensation of other employees.
- Set rates and fees.

31-4907 – Annual Budget

- October 1 to September 30 Fiscal year
- Board prepares preliminary budget by the first Monday of July each year. Sent to each participating county by July 15th.
- Public budget hearing the first Monday in August.
- Final budget approved by August 15th.
- The approved budget is binding upon all participating counties, and on the district.

31-4908: Apportionment of Costs

- Costs are allocated to participating counties on a per capita, volume, or weight basis.
- Each county can choose to finance its share of the costs through property taxes, user fees, current revenues, or other means.

31-4909: Power to Tax

- District cannot levy property taxes. However, this does NOT prohibit the participating counties from levying property taxes.

31-4910: Bonds and Debt

- District can issue bonds or other obligations without limitation. This includes installment purchase or lease-purchase obligations.
- Board members or any persons executing the bonds are not personally liable for the bonds or other obligations.

31-4917: Flow Control

- Participating counties are prohibited from acquiring, constructing, or operating any landfill, transfer station, or resource recovery facility on their own, without the consent of the district board.
- The commissioners of the participating counties are to take all necessary actions to require that solid wastes collected in their jurisdiction are delivered to the district's facilities.

31-4918: Liability of Participating Counties

- Each participating county is responsible for the payment of its portion of the district's costs.

Key Highlights

- Economies of Scale
- One County – One Vote
- Long-Term Planning
- Flexible Financing
- Host County
 - Reduced Transportation Cost

THANK YOU!

nfrancisco@sisw.org

(208)670-5777