

RESOLUTION 2010 - 12

WHEREAS, Fremont County is a political subdivision of the State of Idaho charged with the responsibility for establishing, maintaining and operating a solid waste disposal system pursuant to Idaho Code 31-4401, et seq.; and

WHEREAS, the legislature of the State of Idaho has found and declared, pursuant to Idaho Code 31-4901, et seq. (the "Act") that the disposal of solid waste within the State of Idaho is an important public purpose, and that the creation of independent regional districts to administer solid waste disposal is an efficient and cost-effective method of meeting the state's solid waste disposal needs; and

WHEREAS, the Act has been adopted in order to enable counties to establish regional solid waste districts for the purpose of providing a regional solution to the problem of solid waste disposal through the operation and maintenance of a regional solid waste system; and

WHEREAS, Fremont County deems it in its best interest to participate with the counties of Bonneville, Madison, and Clark, in the establishment of an independent public body corporate and politic to be known as the Eastern Idaho Regional Solid Waste District ("District"), as more specifically set forth in 31-4903 of the Act; and

WHEREAS the participating Counties aforementioned have deemed it appropriate to create this District to further investigate the technical and financial feasibility of constructing a District owned waste to energy facility to be located in the Centennial Energy Park in Dubois, Idaho; and

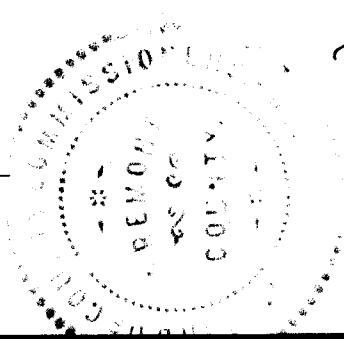
NOW, THEREFORE, BE IT HEREBY RESOLVED that Fremont County hereby elects to become a participating county with Bonneville, Madison, and Clark Counties in the establishment of the Eastern Idaho Regional Solid Waste District (the "District") in accordance with the terms and provisions of the Act.

BE IT FURTHER RESOLVED that Fremont County hereby appoints Lee Roy Muller, one of its commissioners, to serve on the Board of the District.

BE IT FURTHER RESOLVED that Eastern Idaho Solid Waste District will be immediately dissolved if the waste to energy project is not deemed both technically or financially feasible as determined by a professional bond underwriter employed by the District and that Fremont County nor any of the participating counties can or will be held liable for any debts or financial claims of the Eastern Idaho Solid Waste District.

Dated this 17<sup>th</sup> day of May, 2010.

ATTEST  
Albie Mace  
County Clerk



Lee Roy Muller  
Paul Somell  
Step H

Microfilm No. 528227  
Date: 18th Day May 2010  
AP 2:55 O'Clock  
FREMONT CO RECORDER  
Deputy  
Albie Mace