

**County Commissioners' Meeting Agenda**  
**Monday, June 23, 2014 - 9:00am**  
150 Courthouse Drive, Driggs, ID – 1<sup>st</sup> Floor Meeting Room



9:00 **Meeting Called to Order** – Kelly Park, Chair  
*Amendments to the agenda.*

**Administrative Business** *will be dealt with as time permits*

1. Approve Available Minutes
2. Other Business
  - a. Public Defender Contract
  - b. Travel Reimbursement Policy Review
  - c. Property Auction – Set Minimum Bids
3. Correspondence
  - a. Alice Stevenson 6-15-14
  - b. Mayor Johnson (City of Driggs) 6-16-14
4. Committee Reports
5. Claims

9:30 **Open Mic** - *Public opportunity to address the board*

9:45 **Department Business**

Public Works

1. Solid Waste – Forsgren Update
2. Road & Bridge
  - a. Pick-Up Truck Purchase

10:45 LEC Update & Pay Schedule

11:00 **Executive Session** per IC§67-2345 (1)(b) Personnel Evaluations

**FY 2015 Budget Process**

1:15 Misc. Budget Items – Clerk Hansen

1:30 TRPTA - Amanda

1:45 Ambulance Service District

1. Available Minutes
2. Proposed FY 2015 Budget & Ambulance Services Contract  
*Teton Valley Health Care, Inc – Keith Gnagey, CEO*  
*Teton County Fire District – Chief Campbell & Commissioner Wagener*

3:00 Road & Bridge – Jay Mazalewski & Clay Smith

4:30 Sheriff's Office

1. Animal Control
2. Dispatch & Jail

**ADJOURN**

**Upcoming Meetings**

June 26 – BOE if Needed

July 14 – 8:30 am EODH Meeting, 9:30 am Regular Meeting & BOE

July 28 – 9:00 Regular Meeting of the Board

## PUBLIC DEFENDER AGREEMENT FOR SERVICES

1. **Description of Work:** Moulton Law Office (hereinafter "Contractor") agrees to provide legal services to Teton County (hereinafter "County") in the capacity of public defender.
2. **Contract Period:** The contract will run from June 1, 2014 to June 1, 2016 and will be automatically renewed annually, unless earlier terminated by either party.
3. **Compensation:** Contractor agrees to represent defendants charged with misdemeanors and all juvenile proceedings for the cost of \$30,000.00, payable in monthly installments of \$2,500.00. Contractor agrees to represent defendants charged with felonies at an hourly rate of \$80.00 per hour. Contractor agrees to represent defendants charged with homicide, attempted homicide and complex racketeering felonies at an hourly rate of \$150.00 per hour. Contractor agrees to represent other parties involved in civil litigation where entitlement to a public defender applies including, but not limited to: mental commitments, civil contempt matters, and child protective matters at an hourly rate of \$80.00 per hour. Contractor agrees to bill County for said representation by the 5<sup>th</sup> day of each month. County shall make payment to Contractor on or before the 30<sup>th</sup> day of each month.
4. **Responsibility of the Parties:** County shall assume all costs associated with providing a proper defense in the assigned cases, including but not limited to, costs associated with experts and depositions. Contractor agrees to provide office materials and office equipment to perform the above services at no additional cost to County. The Contractor further agrees to cover all cost associated with, and to comply with, all federal, state, city and local rules and regulations and requirements of the Idaho State Bar, including any continuing or other education requirements. The parties further agree that the Contractor and all its employees are independent contractors of County and in no way receive benefits of employment with the County. Contractor further agrees to maintain in full force and effect worker's compensation, if such is required by Idaho Law, for contractor and any agent, employee and staff of contractor may employ and provide proof to County of such coverage or that such worker's compensation insurance is not required under the circumstances.  
  
By the 5<sup>th</sup> day of each month Contractor shall submit statements to the Clerk of the Court outlining cases handled during said month and approximate number of hours spent on such cases for county review.
5. **Termination:** The contract shall run from June 1, 2014 to June 1, 2016, unless earlier terminated in accordance with the terms set forth herein. Either party may terminate this contract upon 60 days advance notice. In the event of termination, Contractor shall, as soon as possible, present to County the case numbers of all cases pending wherein contractor is the attorney of record, along with current billings relating to each case. Unless otherwise agreed between parties, Contractor will complete such cases at an hourly rate of \$80.00 per hour.
6. This is the entire agreement of the parties and can only be amended or modified by agreement of the parties.

In witness whereof, the parties have executed this Agreement on the 23rd day of June, 2014.

TETON COUNTY:

CONTRACTOR:

\_\_\_\_\_  
Kelly Park, *Chairman*  
Board of County Commissioners

\_\_\_\_\_  
Sean Moulton, *Managing Partner*  
Moulton Law Office



## Travel Reimbursement

Revision: 3

Date: 11/28/11

Original Issue Date: 11/24/08

Number of Pages: 1

Approved: BOCC

*4/16/11 Please let me know if you want  
to make any changes. - me*

All travel and/or attendance at an overnight training or conference event by county employees must be authorized in advance by the responsible Elected Official or Department Head. Overnight travel for Department Heads who report directly to the Board must be authorized in advance by the Board. While traveling, all employees are expected to minimize expenses as much as possible out of respect for the taxpayers funding the travel.

When planning a trip, employees should utilize the most cost-effective means of travel. Alternatives to consider include flying, renting a vehicle and carpooling. If an employee chooses to travel by means other than the most cost-effective method, the employee will only be reimbursed at the most cost-effective amount.

**Mileage.** The County maintains administrative vehicle(s) for use by employees traveling on official business. These vehicles should be utilized whenever possible. If an appropriate county vehicle is available, but not used, the mileage reimbursement rate will be 50% of the amount set by the IRS. If an employee is required to use a personal vehicle because an appropriate county vehicle is not available, mileage will be paid in accordance with rates set by the IRS.

Employees driving to the same meeting or training are expected to carpool. If one employee chooses to drive their own vehicle, their mileage reimbursement rate will be 50% of the amount set by the IRS.

Mileage reimbursement is not allowed for any portion of travel that is for personal use.

**Meals.** The County will reimburse actual meal expenses, including tips, up to a maximum of \$50 per day, broken down to \$10 for breakfast, \$15 for lunch and \$25 for dinner. Employees traveling out of the county to participate in a one-day meeting or training will be reimbursed only for their noon meal, and only if it is not provided as part of the training event. If an employee chooses not to consume a meal included in the event registration fee, they will not be reimbursed for that meal purchased separately.

If an employee prefers to be reimbursed in advance of their travel, they may request a per diem rate of \$30, broken down to \$5 for breakfast, \$10 for lunch and \$15 for dinner. All claims for advance per diem reimbursement must be submitted in a timely manner and receive approval during a regular Board meeting. If advance per diem payment is received, no further meal reimbursement will be allowed.

**Time.** Time spent by an employee traveling to another city for a special one-day assignment or training shall be considered work time. Travel time related to trips that keep an employee away from home overnight is considered work time when it cuts across the employee's regular work hours on any day of the week. Travel time outside an employee's regular work hours while traveling on an airplane, train, automobile or public transportation is generally not considered work time under the FLSA unless the employee is the driver. However, such time will be compensated when in the best interest of the department/office as determined by the elected official or department head. If compensated, such travel time will not be considered work time for purposes of overtime calculation.

**Reimbursement.** Reimbursable travel expenses are limited to those that are directly related to official business. Reimbursement shall be for actual expenses only, and not based on a per diem rate. Use of direct billing for hotel costs is strongly encouraged whenever possible to ensure the county receives tax exempt status. A Claim accompanied by original receipts must be submitted for reimbursement. The number of miles submitted for reimbursement cannot significantly exceed the distance as calculated by using Mapquest.

Non-reimbursable travel expenses include, but are not limited to, those incurred for the sole benefit of the employee such as travel insurance, alcoholic beverages, extra meals, in-room movies, laundry, room service, entertainment, personal long distance telephone calls, etc.

If a spouse or other non-County employee accompanies the employee, reimbursement shall be based on the employee's expenses only, i.e. single room rate. Rental cars are reimbursable only when it is not practical to use taxis, buses, shuttle, or limousine service. The County reserves the right to adjust unreasonably high expenses.



## MEMO

DATE: June 20, 2014  
FROM: Dawn Felchle, Assistant  
TO: Commissioners  
RE: Tax Deed Sale on July 28, 2014 @ 12:00pm

**Board Decisions Needed** as it pertains to the posting, auction and sale of two (2) properties taken by Tax Deed in a hearing on July 22, 2013 for properties 3 years delinquent.

1. Legal Notice in Local Papers:
  - a. ½ Page
  - b. Run ads TVN (July 3 & 17) & Valley Citizen (July 9 & 23)
  - c. County Website - All information will be on County Website June 25 – July 28 (incl. Tax Deed, Treasurer's Data, Q&A, Disclaimer, Images)
2. Commissioner to Conduct the Auction
3. Minimum Increment for Increasing Bid Price (e.g. \$500.00)
4. Deposit Required to Take Part (e.g. \$500.00 Cash or Cashier's Check)
5. Total Proceeds Due Cash or Cashier's Check @ 12:00noon, Monday, July 28, 2014
6. Minimum Bid Price to recover back taxes, fees & interest plus County costs (e.g. below)
  - a. Sale Item #1 \$ 198,100.00 Tract 1 Teton Reserve
  - b. Sale Item #2 \$ 4,650.00 1319 W7000S (Aspen Lake Subdivision)

**Property Information Packet to Include** (available on website, Treasurer's Office):

1. Legal Description including GIS Image (location)
2. Minimum Bid/Sale Price
3. Teton County Treasurer's Statement of Taxes, Fees & Interest Due, Legal Expenses
4. Copy of Tax Deed
5. Copy of Affidavit of Compliance
6. Copy of Litigation Guarantee
7. Copy of "known" liens or debts on property

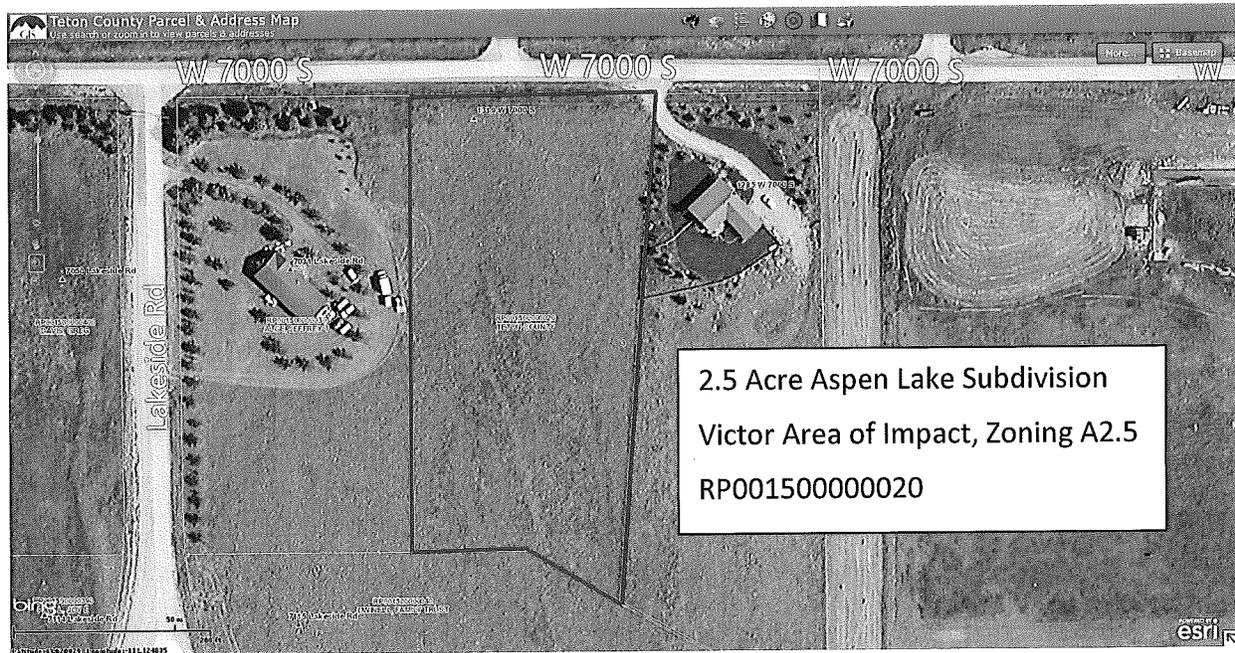
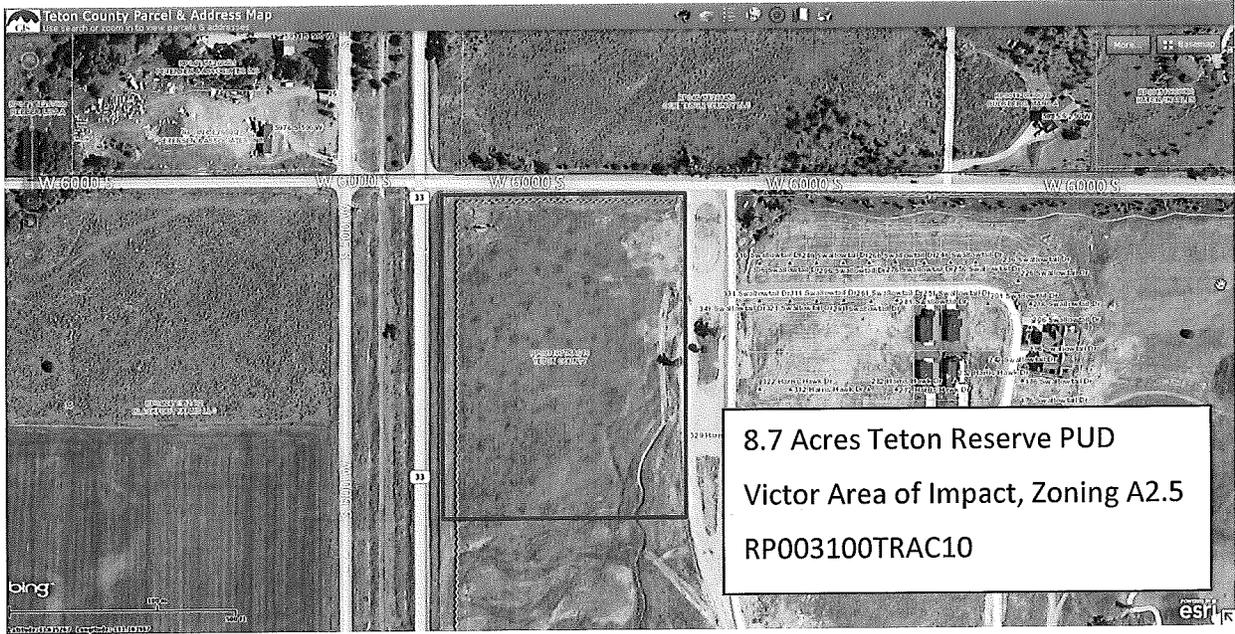
## Teton County Expenses As of July 28, 2014

SALE ITEM #	Parcel # & Description	County Taxes, Fees & Interest	County Legal Expenses	County Advertising 1-3-435	County HOA Dues Owed	County Auctioneer 1-3-435	Total County Expenses	SALE PRICE	Amount to Disperse	HOA Filed Claim	Amount to Owner of Record
	Teton Reserve - Tract 1										
#1	RP003100TRAC10A as of 7/21 8.7 Acres	197,456.86	254.30	300.00			198011.16				
	Victor Area of Impact - Ag 2.5 Misc Mailing Expenses		75.00				75.00				
							198036.16				
	Aspen Lake Subdivision										
#2	RP00150000020A as of 7/28 2.5 Acre 1319 W7000S Victor Area of Impact - Ag 2.5 Misc Mailing Expenses	2,725.49	338.18	300.00	1200.00		4563.67				
			75.00				75.00				
							4638.67				

Teton Valley News has been paid \$ \_\_\_\_\_ from 01-03-435  
 Valley Citizen has been paid \$ \_\_\_\_\_ from 01-03-435

Total Cash Received  
 Checks Totalling  
 Total Funds Received for two properties =  
 County Expenses Total  
 HOA & Other to Receive \$ - - \$ - - \$ - -

A check to Aspen Lake Subdivision HOA for \$ \_\_\_\_\_ needs to be cut  
 A check to Teton Reserve HOA for \$ \_\_\_\_\_ needs to be cut  
 A check to \_\_\_\_\_ for \$ \_\_\_\_\_ needs to be cut  
 A check to \_\_\_\_\_ for \$ \_\_\_\_\_ needs to be cut  
 Tax Collector Check in Amount of \$ \_\_\_\_\_  
 Teton County Check in Amount of \$ \_\_\_\_\_



## Dawn Felchle

---

**From:** Stevenson Alice <asvictor@ida.net>  
**Sent:** Sunday, June 15, 2014 1:38 PM  
**To:** Commissioners  
**Subject:** Roads

Commissioners:

I was very appalled to read in the local newspapers that Sid doesn't "really care about national standards" for roads, despite the fact that our County has adopted those standards. As County Commissioners, you all took an oath to uphold the law, which ethically extends to all adopted county regulations--they are part of our local laws. Personal opinions and having been elected to office are not legitimate or helpful criteria for determining which roads receive which kinds of treatment. That's why we have a County Engineer to research facts and best practices and offer professional guidance to the county commissioners. That's why we have a Transportation Plan.

Please don't spend my tax monies to go against National Standards, which went through a rigorous process in order to become National Standards. It takes extreme arrogance for one county commissioner to think that his gut opinions should carry more weight in making decisions than National Standards that were devised and vetted by experts in the field. I am confident there are many taxpayers who agree with me, who also expect careful consideration of the facts before making decisions to spend county money.

I am also sure there are many county voters who expect better leadership from their county commissioners than what Sid has once again demonstrated. Kelly likes to sit on the fence, but that's not real leadership, either, although I am grateful that he voted with Kathy Rinaldi on this Cedron Road issue (among others). Kathy is the one who really does her homework, looks at the facts, probes to understand everything about an issue, and is truly fiscally conservative. She never votes to spend taxpayer money based on her opinions. I am very grateful for Kathy's service to our county, and her shoes will be very hard to fill. Sid's...not hard at all.

Sincerely,  
Alice J. Stevenson

1101 E 5250 S  
Victor, ID 83455

phone: 208-201-2973  
e-mail: [asvictor@ida.net](mailto:asvictor@ida.net)



Inc. 1910

Mayor Hyrum F. Johnson

---

60 S Main St | PO Box 48 - Driggs, ID 83422 | Ph: 208-354-2362 | Fax: 208-354-8522 | [www.driggs.govoffice.com](http://www.driggs.govoffice.com)

---

June 16, 2014

The Honorable Kelly Park  
Board of County Commissioners,  
Teton County, Idaho, 83422

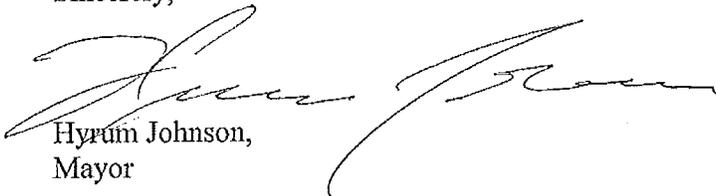
RE: Notification of intent to revise/replace agreement for Sheriff's services

Dear Commissioner Park,

In accordance with provisions of the mutual AGREEMENT ON SHERIFF'S OFFICE PROTECTION dated October 24, 2011, I hereby notify you that the City of Driggs intends to allow this agreement to expire without renewal at the conclusion of the current contract period ending September 30<sup>th</sup>, 2014. We would like to discuss terms of a replacement contract to take immediate effect thereafter.

I look forward to meeting with Sheriff Liford and/or representatives of Teton County to discuss this replacement agreement.

Sincerely,



Hyrum Johnson,  
Mayor

Cc: Sheriff Tony Liford, Kathy Spitzer

## AGREEMENT ON SHERIFF'S OFFICE PROTECTION

This Agreement, made and entered into this 24<sup>th</sup> day of OCTOBER, 2011 by and between Teton County, Idaho a political subdivision of the State of Idaho, hereinafter referred to as the "County" and the City of Driggs, a municipal corporation of the State of Idaho, hereinafter referred to as the "City."

WHEREAS, the County maintains a law enforcement department, i.e., the Teton County Sheriff's Department, which is comprised of the Sheriff and his deputies and all requisite patrol cars and equipment necessary to the proper policing of the County; and,

WHEREAS, the City has no police department or equipment and desires to provide its citizens with police protection and law enforcement services at a minimum of expense;

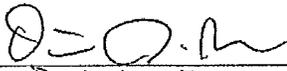
NOW THEREFORE, in consideration of the mutual covenants and promises contained herein:

1. **Contracted Hours.** It is agreed by the parties that a deputy of the County shall provide to the City a minimum of 40 hours of police services a week within the corporate boundaries of the City. The 40 hours of service shall be provided by various times during the week. These services shall include, but not be limited to, police patrol, traffic control, etc. Such hours shall be provided by the deputy assigned by the Sheriff to serve the City and other deputies of the County.
2. **Enforcement of Ordinances.** The deputies from the County Sheriff's Office providing services hereunder shall enforce the misdemeanor ordinances of the City as requested by the City, subject to the time limitations of the law services contracted by the City, as well as general criminal and traffic law enforcement. Violations which would constitute violations of either state law or ordinances of the City shall be brought as violations of state laws and all such violations shall be brought before the county magistrates.
3. **Consideration.** The City agrees to pay the County for such services, a fee of Fifty Seven Thousand Dollars (\$57,000) annually for the number of hours heretofore set forth. Said sum is to be paid on the first day of October during the term of this agreement.
4. **Administration.** Copies of all ordinance of the City which it desires to have enforced shall be provided by the mayor of the City to the Sheriff's office to ensure proper enforcement.

5. **Reporting.** Quarterly reports covering such items as numbers of calls for service, violations of municipal ordinances, incidents handled and hours spent in the performance of the duties heretofore listed within the City, shall be prepared and presented to the Council. The Sheriff or his designee shall make all reasonable efforts to be available when requested to be in attendance at City Council meetings to present reports and to answer any questions concerning law enforcement within the City.
6. **Term and Renewal.** This Agreement shall be for a period of one (1) year commencing 10/1/2011 and shall terminate 9/30/2012. The agreement shall automatically renew, unless terminated by either party, on a year-to-year basis. If either party wishes to modify the terms of the contract, it must give the other party thirty (30) days written notice of the intent to modify prior to the anniversary date.

If either party wishes to modify the consideration to be paid for said law enforcement services at the time of renewal, it must give such notice by July 1<sup>st</sup> or prior to the commencement of the new year so said modification can be part of the budgeting process, or such modification can be done by mutual consent of the parties at any time.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the 24<sup>th</sup> day of October pursuant to the resolution duly passed by the respective governing bodies.

By:   
Daniel J. Powers, Mayor  
City of Driggs

By:   
Tony Liford, Sheriff  
Teton County, Idaho



WK: 208-354-0245  
CELL: 208-313-0245

**Teton County Engineer**  
**MEMO**

150 Courthouse Drive  
Driggs, ID 83422

June 19, 2014

TO: Board of County Commissioners  
FROM: Jay T. Mazalewski, PE  
SUBJECT: Public Works Update

The following items are for your review and discussion at the June 23, 2014 meeting.

SOLID WASTE

1. Attached is the preliminary engineering report for the landfill cap remediation project. Forsgren will be at the meeting to answer questions. (Appendices are not attached but can be provided if requested).

ROAD & BRIDGE

1. R&B graded roads 6/17-6/19 as we had good moisture to perform the work.
2. Sections of W4000N were milled/ziped (on-going) and will be patched in preparation for chip sealing.
3. The 1st 600ft of W4000N (Packsaddle Rd) and the 1-mile of N3000W that was not annexed by Tetonia, were fog sealed last week.
4. Potholes were being patched with the durapatcher, until the rain came and we switched to grading roads.
5. The gravel stabilization project began last week. Due to the weather (rain) the project is progressing slower than anticipated.
6. Edstrom Construction is crushing Otta Seal material and will move to crushing ¾" surface gravel in the Driggs gravel pit.
7. I met with the USFS & Girls Camp last week regarding the Darby Canyon project. We are still waiting for a response from Teton County WY. If the project proceeds, we will sign Schedule A agreement with the USFS and a reimbursement agreement with the Girls Camp/WY.
8. The ITD regional meeting was held at the courthouse last week. Hwy 31 over Pine Creek pass was discussed. This road is not seen as a priority at the State or Federal level, even though it is in poor condition. A regional effort (TcID, TcWY, Victor, Driggs, Swan Valley) showing the economic need for the road is required to get the road rebuilt.

ACTION ITEMS:

1. Spring Creek Culvert: Material bids for the culvert are due on Friday June, 27. I will have the bid results prepared for Monday Morning. I have received the Army Corps permit and am waiting on the IDWR permit. Once the permits are received I will bid out the installation of the culvert.

Recommended Motion:

***I move to purchase the Spring Creek culvert from the low bidder \_\_\_\_\_ not to exceed \_\_\_\_\_***

2. R&B Supervisor Truck: The BoCC requested additional information regarding the proposed supervisor truck purchase. Below is the requested info:

*2015 GMC Sierra 2500HD – Crew Cab*

*\$29932.21*

*17800lb tow rate*

*6.0 V8-No EPA MPG rating but the 6.2 V8 MPG is shown on other vehicles as 21mpg.*

*2014 GMC Sierra 1500 – Double Cab (not available-too late to order)*

*\$28313.55*

*11500lb tow rate*

*5.3 V8 -MPG 24*

*2015 GMC Sierra 1500 – Crew Cab (pricing and ordering this is not available until September-next fiscal year)*

*Ground clearance, the 2500 has higher ground clearance for getting through snow etc. Towing/Hauling, the 2500 has a higher towing capacity for edges, each bundle weighs 2000 lbs.*

*Towing of Durapatch oil tank to Rigby 12000lb load.*

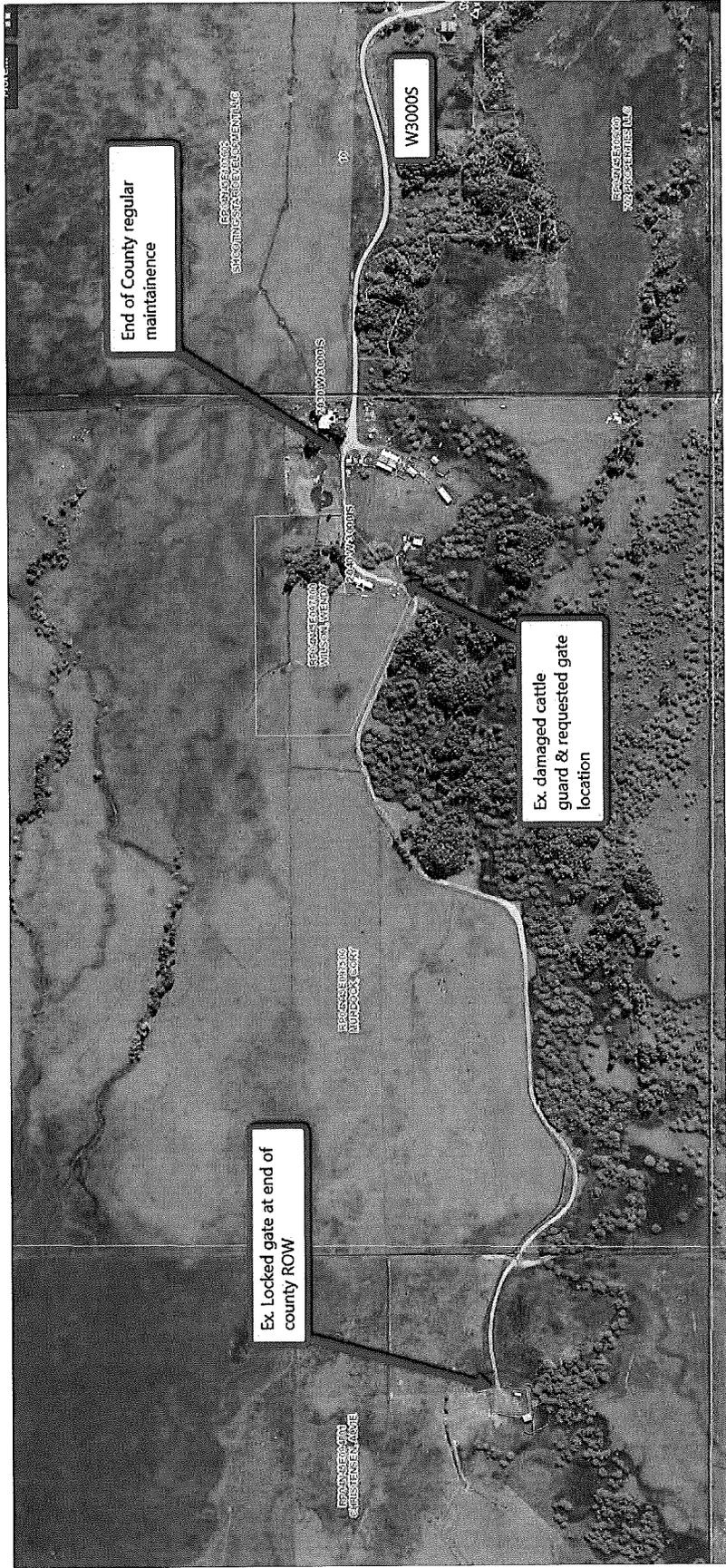
3. Fairgrounds/MagChloride: Commissioner Kunz suggested that we place MagChloride on Flying Saddle Drive (fairgrounds access road) as part of the gravel stabilization contract. I agree, as I receive calls from the public regarding dust during the rodeo events. We can add this to the existing contract for an estimated material cost of \$1,200 (R&B can prep). Typically each department funds its own dust abatement (Solid Waste budgets & pays for the access & interior roads).

Recommended Motion:

***I move to apply MagChloride to the fairgrounds access road, not to exceed \$1,200 paid from the Fairboard Fund.***

4. W3000S Gate Request: Doug Wilson has requested permission from the county to put an unlocked gate across W3000S (see map) to keep cattle off of his property. The existing cattle guard at the location is damaged and does not prevent cattle from crossing onto his property. This section of road is a county ROW, but receives minimal maintenance. There are two property owners west of the proposed gate location who use the road, but no residences. Typically the county does not allow gates across roads as they can be a safety, maintenance, & public access issue. Additionally, it is not the county's responsibility to maintain this cattle guard.

How would the board like me to respond to this request?



# FORSGREN *Associates Inc.*

June 17, 2014

Jay Mazalewski, P.E.  
Teton County Engineer/Public Works Director  
150 Courthouse Way  
Driggs, ID 83422

## **RE: Teton County Landfill Cap Rehabilitation Preliminary Engineering Report (PER) Submittal**

Dear Mr. Mazalewski:

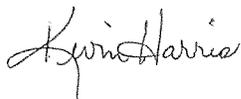
As you are aware, the Idaho Department of Environmental Quality (DEQ) has requested in a letter dated February 21, 2014 that Teton County submit an Preliminary Engineering Report (PER) further defining the activities that will occur in order to remediate the Teton County Landfill final cover to DEQ for approval prior to implementation. The PER to be submitted to DEQ for review and approval is attached.

Based on our discussions with you during the preparation of this report, Forsgren understands that the County intends to hire a private contractor to perform a majority of the remediation work. DEQ has stated that it prefers the "construction based approach," referred to in the PER as Alternative 1, to remediate the final landfill cover since this approach would allow a more detailed evaluation of questionable areas in the current cap. DEQ states in the same letter referenced above that Alternative 1 be implemented. It is noted that the "design based approach," referred to in the PER as Alternative 2, has an advantage to the County over Alternative 1 because it lends itself to be bid and constructed by a private contractor more efficiently.

Costs of cap materials were analyzed as part of the PER. It appears that the most cost effective material source for the landfill cap rehabilitation is to use the overburden soil from the Felt Pit. An initial Quality Assurance Plan has been developed to ensure this material will conform to project specifications. In addition, a preliminary contouring plan, work approach, and work sequence have been developed for review and approval.

If you have any questions or comments please feel free to contact me at [kharris@forsgren.com](mailto:kharris@forsgren.com), 350 North 2<sup>nd</sup> East Rexburg Idaho 83440, and/or at 208-356-9201.

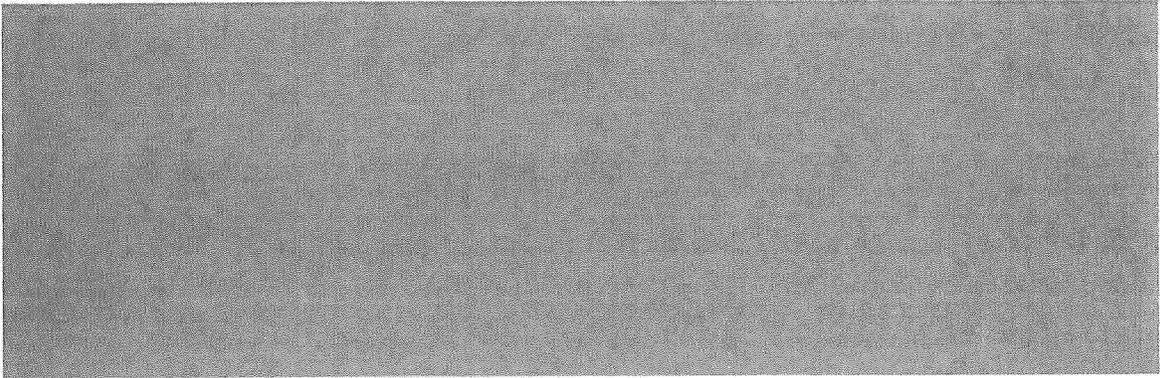
Sincerely,



Kevin Harris P.E.  
Forsgren Associates Inc.

**Copy:** Ray Schwaller P.E. – Portage Inc.  
File

**Attachments:**  
Teton County, Idaho Landfill ET Cap Rehabilitation Preliminary Engineering Report



# Teton County, Idaho Landfill ET Cap Rehabilitation

---

*Preliminary Engineering Report*



6/18/2014

---

## Contents

Introduction.....	1
Field and Laboratory Test Results .....	1
Hydraulic Properties Testing .....	2
Discussion of Data Acquired .....	3
Landfill Cap Rehabilitation Requirements .....	6
Evaluation of Rehabilitation Alternatives.....	8
Preliminary Cost and Schedule.....	10
Recommended Alternative.....	15
Summary .....	15
QA/QC Plan.....	16
Project-Specific Construction Quality Assurance Plan .....	16
Borrow Source Locations .....	18
Borrow Material Handling.....	18
Existing Landfill Cover Evaluation .....	20
Cover Materials Placement.....	20
Monitoring Devices .....	21
Monitoring/Modeling.....	22
Summary and Final Engineering Design .....	24
APPENDICES .....	25
APPENDIX A	
Test Hole Location and Current Landfill Soil Type Assessment	
APPENDIX B	
Teton County Landfill Cap Report	
Forsgren Letter to DEQ Describing Alternatives	
DEQ Response Letter	
APPENDIX C	
Location of Cover Material Borrow Sources	
Soil Test Data Sheets	
APPENDIX D	
QA Plan for Engineered Landfill Cover – Teton County Landfill	
APPENDIX E	
Preliminary Contour Map	
Work Sequence Example Map	
APPENDIX F	
Lysimeter Example Exhibits	
Gee Lysimeter Operating Manual	

## Introduction

The Teton County Municipal Solid Waste Landfill located just east of the City of Driggs stopped accepting waste in 2007 as a result of the County entering into a Voluntary Consent Order with the Idaho Department of Environmental Quality (DEQ) to close. An Evapotranspiration Landfill Cap (ET Cap) was designed by Nelson Engineering and constructed using local materials. Prior to final closure acceptance by DEQ, a leachate release was discovered in the spring of 2010. The source of the leachate is a perforated drain pipe which penetrates the cap and transfers leachate from within the landfill to a newly constructed leachate storage pond. Teton County entered into a Voluntary Consent Order with DEQ to determine the source of the leachate and develop a solution to prevent additional leachate from leaving the landfill site.

In response to DEQ questions regarding the existing cover material, Nelson Engineering performed a subsurface investigation of the ET cap over the landfill. Results of this investigation reported that the landfill cap appears generally uniform in regard to thickness, soil densities, and soil textures; however, the water holding capacity (WHC) of the soil in the as-built cap did not compare well with the design values obtained during the design. Nelson Engineering concluded that the consequence of the WHC disparity is that the final cover is not performing as projected. Nelson Engineering subsequently submitted preliminary cap remediation designs to DEQ, but did not receive final approval.

The County and DEQ determined that additional effort was required to better understand the performance of the existing ET Cap before moving forward with one of the preliminary remediation designs and to satisfy the questions DEQ posed regarding the same preliminary remediation designs. Therefore, the County authorized Forsgren Associates Inc., to work with them to develop a corrective action plan which entails collecting additional data about the existing ET Cap soil profile and performance, analyzing the existing and new data, and either validating the existing designs or recommending different alternatives for rehabilitating the ET Cap to mitigate or prevent the leachate discharge.

On July 17-18, 2013, Forsgren performed a field investigation on the existing cap. Thirty four (34) test pits were excavated to a depth of three (3) feet within the soil cover. Forsgren personnel measured the in-situ soil density and moisture content with a nuclear density gauge (per ASTM D2922 and D3017); collected and field-classified soil samples, and logged other pertinent information. Test pit locations were surveyed, staked, and numbered by the survey crew.

## Field and Laboratory Test Results

Following the field investigation, soil samples were selected and submitted to Forsgren's materials testing laboratory in Rexburg, Idaho. Samples were selected based on representativeness considering occurrence, variability by area, and variability by depth. The

samples were tested for particle size (ASTM D422), liquid and plastic limit and plasticity index (ASTM D4318), specific gravity (ASTM D854), and textural classification (USDA method).

The particular soil sample locations, depths, texture (percentages of gravel, sand, and fine material [silt and clay]), and Unified Soil Classification System (USCS) and U.S. Department of Agriculture (USDA) classifications are shown in Table 1.

**Note: Fine grained soil is defined by the Unified Soil Classification System and ASTM as 50% or more passing the No. 200 Sieve.**

**Table 1. Soil Sample Location, Texture, and Classification**

SAMPLE		TEXTURE			CLASSIFICATION <sup>a</sup>	
Location <sup>b</sup>	Depth (ft)	% Gravel	% Sand	% Fines	USCS	USDA
TP-04	1.5	2.4	14.5	83.1	ML	SiL
TP-08	1.5	0.9	6.8	92.3	ML	SiL
TP-08	2.5	4.6	6.8	88.6	ML	SiL
TP-13	1.5	73.5	7.1	19.4	GM	Si
TP-19	1.5	35.1	11.6	53.3	ML	SiL
TP-21	1.5	26.2	12.8	61	ML	SiL
TP-27	1.5	39.1	8.1	52.8	ML	Si
TP-27	2.5	8.7	12.4	78.9	ML	SiL
TP-28	1.5	14.1	8.8	77.1	CL	SiL
TP-33	1.5	0.8	6.7	92.5	ML	SiL

a. CL – clay with low plasticity; GM – silty gravel; ML – silt with low plasticity; Si – silt; SiL – silt loam  
 b. An exhibit showing test pit locations is found in Appendix A.

Laboratory and field test data for specific gravity of the soil particles and dry density were used to calculate the void ratio (ratio of voids to solid material in the soil mass) and porosity (percentage of the total soil mass containing voids) for each sample as additional inputs for the baseline assessment of initial conditions for the ET cap model based on the UNSAT-H software.

**Hydraulic Properties Testing**

Five samples were selected based on representativeness and variability observed from the physical properties testing (these samples are identified in Table 2). These samples were submitted to the Daniel B. Stephens & Associates Laboratory for hydraulic properties testing as listed in Table 3.

**Table 2. Identification of Samples Submitted for Hydraulic Properties Testing**

SAMPLE		TEXTURE			CLASSIFICATION <sup>a</sup>		COMMENTS
Location <sup>b</sup>	Depth (ft)	% Gravel	% Sand	% Fines	USCS	USDA	
TP-04	1.5	2.4	14.5	83.1	ML	SiL	Lowest porosity
TP-08	2.5	4.6	6.8	88.6	ML	SiL	Fine-grained
TP-19	1.5	35.1	11.6	53.3	ML	SiL	Higher gravel content
TP-27	2.5	8.7	12.4	78.9	ML	SiL	Highest porosity
TP-28	1.5	14.1	8.8	77.1	CL	SiL	Most plastic

a. CL – clay with low plasticity; GM – silty gravel; ML – silt with low plasticity; Si – silt; SiL – silt loam

b. An exhibit showing test hole locations is found in Appendix A.

**Table 3. Hydraulic Properties Tests in Progress (All tests to be performed on each sample.)**

ANALYSIS	METHOD
Saturated Hydraulic Conductivity by Flexible Wall Method	ASTM D5084
Initial Gravimetric and Volumetric Water Content	ASTM D2216/ ASTM D7263
Dry Bulk Density	ASTM D7263
Calculated Total Porosity	ASTM D7263
Moisture Characteristics (5-7points*)	ASTM D6836/ ASTM D6836M/ MOSA <sup>1</sup> Chp.25
Calculated Unsaturated Hydraulic Conductivity	ASTM D6836/ van Genuchten 1980 <sup>2</sup> / van Genuchten, et. al. 1991 <sup>3</sup>

\*Typical points measured: 1-saturated point (0 tension); 1-3-hanging column points (-0-200 cm tension), 1-3-pressure plate points (-0.25 - 0.5 Bars); 1-2-WP-4 points (-8-200 Bars); 1-Relative Humidity Box point (-850 Bars). ASTM D6836M is followed to obtain the hanging column point and ASTM D6836 is followed to obtain the pressure plate and dewpoint potentiometer points. Methods of Soil Analysis, Chapter 261 is followed to obtain the Relative Humidity Chamber point.

M=Modified apparatus

<sup>1</sup>Methods of Soil Analysis, Part 1. 1986. A. Klute, ed. American Society of Agronomy, Madison, WI

<sup>2</sup>van Genuchten, M.T. 1980. A closed-form equation for predicting the hydraulic conductivity of unsaturated soils. SSSAJ 44:892-898

<sup>3</sup>van Genuchten, M.T., F.J. Leij, and S.R. Yates. 1991. The RETC code for quantifying the hydraulic functions of unsaturated soils.

Robert S. Kerr Environmental Research Laboratory, Office of Research and Development, U.S. Environmental Protection Agency, Ada, Oklahoma. EPA/600/2091/065. December 1991

### Discussion of Data Acquired

The vast majority of soils observed and sampled for the Teton County landfill cover can be characterized as fined-grained soils with low plasticity containing various percentages of rock with a few isolated areas containing coarse materials. Although many of the soil samples were classified as the same type of soil, three different soil types (based on the percentage of cobbles and gravel) have been identified for purposes of this evaluation. These include:

- Fine-grained soil with little or no rock.
- Fine-grained soil with some cobbles and/or gravel.
- Coarse materials with fines.

Results of the additional testing allowed for a general depiction of the existing ET cap to be created as shown in Appendix A. Results of the UNSAT-H model simulations indicated that the fine-grained soil used to construct the ET cap meets the performance objectives. However, during the field investigation it was discovered that certain areas of the cap contained significant gravel in addition to this soil material. Teton County submitted the results to DEQ with a proposal of two alternatives to remediate the landfill cap (see Appendix B).

Alternative 1 – Construction-based approach: The first alternative involves further delineating the extents of the areas that contain fine-grained soil with some cobbles and/or gravel and coarse materials with fines during construction of the remedial action. In all areas to be reworked, the topsoil would be removed and visual observation made, measurements, and testing will be used to further delineate the extent and characteristics (i.e., soil type, rock content, and cover thickness). The appropriate remedy for each area will be selected based on comprehensive information. This would be accomplished by using the following approach:

1. Begin at one end of the landfill and proceed with the work such that no more than one acre (or other size area as determined by the Engineer) of the landfill cap is uncovered at any given point in time. An initial work sequence grid is located in Appendix E.
2. Remove and stockpile topsoil from the area being worked. Topsoil depth ranges from approximately 6 to 12 inches, and can be identified by roots and organic material.
3. Visually examine the underlying materials and excavate additional points (by backhoe or hand tools) to determine the vertical and horizontal extent of zones having coarse-grained materials.
4. Classify, mark (by staking) and record the sub-areas within the open excavation to determine the appropriate treatment.
5. Document the findings and update the project plans based on step 4.
6. Remove and reprocess materials and/or place additional cover, including appropriate thicknesses of fine-grained or general fill soil (as determined by the previous steps) on a portion of the open area (from the starting point) and expand the excavated area in the direction of work.
7. Replace topsoil when the final grades minus topsoil thickness (per the re-grading plan) have been achieved and as practical to avoid any heavy equipment or haul truck traffic over areas completed with topsoil.

8. Repeat steps 2 through 7, working across the landfill surface, until all non-conforming areas have been completely remediated.

It is assumed that this alternative allows for a more comprehensive examination of the subsurface, with remedial decisions based on those findings. Implementing Alternative 1 involves continuous inspection and rigorous documentation, and may limit the construction crews from using large earthmoving equipment (i.e., scrapers). The construction contracting process for Alternative 1, including measurement and payment for various bid items, could be problematic; it lends itself better to County execution of the work.

**Alternative 2 – Design-based approach:** The second alternative presented is to collect additional data prior to engineering design, to develop plans and specifications for implementation, and to construct the improvements as planned. Additional data will be collected by excavating test pits and/or auger drilling within the identified non-compliant areas. The further exploration would involve a grid pattern between points previously examined as well as test pits as necessary to further delineate any anomalies. The design would then be based on a refined map of the areas determined to require remediation.

This alternative is simpler in concept, but remedial design decisions are based on information from discrete points rather than continuous observation. Large equipment can be used to implement Alternative 2 and because the engineering design is complete prior to construction (similar to many public works projects), the work can be readily bid and constructed by a private contractor.

## Landfill Cap Rehabilitation Requirements

Landfill closure and cap design is governed by the Idaho Solid Waste Facilities Act (SWFA). The standards for consistency with Federal Law and closure are outlined in Section 39-7404 and 39-7415 of the SWFA as follows:

### 1) Idaho Solid Waste Facilities Act

#### a) 39-7404 Consistency with Federal Law

- i) Consistency with federal law -- Status of appendices. The legislature intends that the state of Idaho enact and carry out a solid waste program that will enable the state to achieve approved state status with respect to solid waste disposal facility regulation from the federal government.
- ii) The legislature finds that subtitle D of RCRA, and in particular the code of federal regulations, title 40, part 257 and 258, establish complex, detailed and costly provisions for the disposal of solid waste. By the provisions of this chapter, the legislature desires to avoid duplicative or conflicting state and federal regulatory systems and allow local MSWLF unit owners the maximum flexibility possible under 40 CFR 257 and 258, to meet the substantive goals of protection of human health and the environment with consideration for actual site and climatic conditions. At any time that 40 CFR 257 or 40 CFR 258 is amended, any additional flexibility or extension otherwise prohibited by this chapter shall be allowed as applicable.
- iii) The board may not promulgate any rule pursuant to this act that would impose conditions or requirements more stringent or broader in scope than the referenced RCRA regulations of the United States environmental protection agency or the provisions of this chapter. Until regulations are adopted, agency conclusions in appendix B through appendix H, inclusive, per the "Federal Register" of October 9, 1991, shall be used for technical guidance for relevant provisions of this chapter.

#### b) 39-7415 Standards for Closure

- i) Applicability. These standards apply to all MSWLF units that receive wastes on or after October 9, 1993, except as provided by 40 CFR 258. MSWLF units that accept waste after October 9, 1991, but cease to accept waste prior to October 9, 1993, shall at a minimum comply with subsections (2)(a) and (3) of this section in addition to the "sanitary landfill closure guidance" criteria as adopted by the health district.
- (2) Cover designs. Owners or operators of MSWLF units shall install one (1) of the following final cover systems:
  - (a) A cover as provided under 40 CFR 258.60(a); or
  - (b) The cover material must be fine-grained with intrinsic permeability no greater than  $1 \times 10^{-3}$  cm/sec and a minimum thickness of twenty-four (24) inches; and

**Note: Fine grained soil is defined by the Unified Soil Classification System and ASTM as 50% or more passing the No. 200 Sieve.**

- (i) Have capillary holding capacity greater than the projected maximum accumulated volume of water as determined by utilization of accepted water balance methodology based on local or regional twenty-five (25) year climatic records;
  - (ii) Annual precipitation is less than twenty-five (25) inches with net evaporative losses greater than thirty (30) inches annually;
  - (iii) The top six (6) inches of the cover shall be capable of sustaining shallow rooted native plant growth; and
  - (iv) This design shall demonstrate consideration of site specific factors as provided in 40 CFR 258.60(b); or
  - (c) As provided in 40 CFR 258.60(b).
- (3) The final grade of slopes shall be greater than two percent (2%) unless otherwise supported by the post closure plan and uses approved by the health district, and the grade of side slopes not more than thirty-three percent (33%).
- 2) 40 CFR 258
- a) 40 CFR 258.60(a) Owners or operators of all MSWLF units must install a final cover system that is designed to minimize infiltration and erosion. The final cover system must be designed and constructed to:
    - i) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present, or a permeability no greater than  $1 \times 10^{-5}$  cm/sec, whichever is less, and
    - (2) Minimize infiltration through the closed MSWLF by the use of an infiltration layer that contains a minimum 18-inches of earthen material, and
    - (3) Minimize erosion of the final cover by the use of an erosion layer that contains a minimum 6-inches of earthen material that is capable of sustaining native plant growth.
  - b) 40 CFR 258.60(b) The Director of an approved State may approve an alternative final cover design that includes:
    - (1) An infiltration layer that achieves an equivalent reduction in infiltration as the infiltration layer specified in paragraphs (a)(1) and (a)(2) of this section, and
    - (2) An erosion layer that provides equivalent protection from wind and water erosion as the erosion layer specified in paragraph (a)(3) of this section.
    - (3) The Director of an approved State may establish alternative requirements for the infiltration barrier in a paragraph (b)(1) of this section, after public review and comment, for any owners or operators of MSWLFs that dispose of 20 tons of municipal solid waste per day or less, based on an annual average. Any alternative requirements established under this paragraph must:
      - (i) Consider the unique characteristics of small communities;
      - (ii) Take into account climatic and hydrogeologic conditions; and
      - (iii) Be protective of human health and the environment.

As stated in the SWFA, the ET cap design must consist of fine grained soil with intrinsic permeability of no greater than  $1 \times 10^{-3}$  cm/sec and a minimum thickness of 24 inches with at least 6 inches of cover to sustain shallow rooted native plant growth. The original approved cap design was based on these criteria with a minimum cap thickness of 36 inches that was determined to meet the requirement of the capillary holding capacity for the water balance at this location.

Following the submittal of the remediation proposal from Teton County, DEQ met with all parties on February 20, 2014 and a conceptual plan was agreed upon.

DEQ preferred the approach outlined by Alternative 1 of the remediation proposal (see DEQ letter in Appendix B). During the development of the conceptual plan, DEQ also required additional items be included in the remediation work on the final cover that include:

1. Submittal of a Preliminary Engineering Report that further defines the activities that will occur in order to remediate the final cover.
2. Additional cover material on the landfill
  - a. Data collected shows that some sections of the current landfill cover do not meet the 36 inches of depth as required in the 2007 design specifications, therefore, additional soil cover will be required over these sections of the landfill to ensure a minimum of 36 inches of cover material exist and the proper growth medium is present.
3. On-going cover monitoring
  - a. Monitoring should include geophysical techniques, lysimeters and/or other appropriate in-situ methods, and calculated and actual infiltration and leachate measurements.

### Evaluation of Rehabilitation Alternatives

DEQ has expressed a preference for a construction approach that allows for physical examination of the underlying existing cap material for further delineation of acceptable and non-acceptable in-situ materials. As outlined in Section 1, this approach involves that all topsoil be removed, approximately 1 acre at a time, with visual observation and documentation made by the on-site engineer. Upon removal of the topsoil, verification of the depth of topsoil, depth to waste, and the horizontal extent of zones having course-grained materials can be accomplished. This information will then be used to define the remediation of that portion of the cap to meet requirements for closure. The remediation approach is to either remove and reprocess materials and/or place additional cover to meet cap requirements for fine-grained soil thickness. General fill soil will be used to meet grading requirements.

It is assumed that this alternative allows for a more comprehensive examination of the subsurface, with remedial decisions based on those findings. Implementing Alternative 1

involves continuous inspection and rigorous documentation requiring additional engineering resources in the field as the cap is being remediated. While this approach may decrease equipment and material costs due to the possibility of a smaller area requiring remediation of the cap material, additional costs for the on-site geotechnical engineer and extended construction time will most likely be required. The construction contracting process for Alternative 1, including measurement and payment for various bid items, could be problematic since quantities cannot be determined before cap remediation activities are undertaken. For this reason, this approach to cap remediation lends itself better to County execution of the work. However, Teton County currently does not have the manpower to perform this work effort “in-house” and will need to hire a private contractor.

A design-based approach would include collection of additional data prior to engineering design. Based on previous experience, an additional 34 test pits would cost approximately \$28,500 to evaluate. These additional test pit locations would be determined by using a grid pattern between points previously examined. This additional information could then be used to develop a more detailed analysis of current cap material configurations and depths. This data would be used to refine the soil type and depth map and allow the engineer to produce a design with plans and specifications for implementation of the cap rehabilitation that could be readily bid and constructed by a private contractor.

The second alternative is simpler in concept, but remedial design decisions are based on information from discrete points rather than continuous observation. Given that Teton County must use a private contractor to perform this work, this approach has a clear advantage over Alternative 1 because the engineering design can be completed prior to construction (similar to many public works projects) allowing the work to be readily bid and constructed by a private contractor in one phase. This approach would potentially reduce construction costs and time.

## Preliminary Cost and Schedule

Teton County has identified two sources for landfill cover material. These sources were initially sampled in September 2013 with additional follow-up samples collected in April 2014. These sources include a stockpile of overburden material for a gravel source located just adjacent to the landfill site known as the HK Overburden, and the second source is the overburden from the County gravel pit located approximately 15 miles north of the City of Driggs known as the Felt Pit. The locations of these sources are shown in Appendix C.

A summary of the borrow source samples testing results are shown in the Table below (testing result reports are located in Appendix C).

**Table 4. Characteristics of Borrow Source Material**

Sample ID	Date	Location	% Gravel	% Sand	% Fines	USCS
#76	9/25/2013	HK Overburden	38.5	30.5	31.0	GM
HK North	4/24/2014	HK Overburden	32.9	27.9	39.2	GM
HK Center	4/24/2014	HK Overburden	29.9	15.5	54.6	ML
#77	9/25/2013	Felt Pit	5.0	21.3	73.7	ML
Lab #6	4/24/2014	Felt Pit TP-4	7.4	37.1	55.5	ML
Lab #4	4/24/2014	Felt Pit TP-2	7.2	23.1	69.7	CL
Lab #5	4/24/2014	Felt Pit TP-7	3.6	21.6	74.8	ML

CL – clay with low plasticity; GM – silty gravel; ML – silt with low plasticity; Si – silt; SiL – silt loam

As shown in the table, the HK Overburden materials are coarser than those at the Felt Pit. Only one of the HK Overburden samples contained greater than 50% fines (i.e., material passing the #200 U.S. Standard sieve). All of the Felt Pit samples tested as fine-grained soils. This indicates that in order to utilize the nearby HK Overburden material as acceptable cover material, this source would require processing by screening, or mixing with the finer grained Felt Pit material, or a combination of both. The Felt Pit material would require minimal processing, however, in order to use this material it would need to be hauled approximately 15 miles to the landfill location.

One foot of soil removed or added to the 16.8 acre landfill cap area calculates to approximately 27,000 cubic yards of soil. It has been assumed when preparing the Engineer’s Opinion of Probable Cost (EOPC) that one foot of top soil will need to be removed and stockpiled onsite and an additional one foot of ET cap material placed before the stockpiled topsoil is re-placed. For this reason, in addition to evaluating the soil characteristics, the volume of each source was calculated. The volume of material located at these locations is shown in the following table.

**Table 5. Borrow Source Volumes**

	<b>Borrow Source Volume (cubic yards)</b>	<b>Estimated Usable Volume (cubic yards)</b>
<b>HK Overburden</b>	16,570	11,105 <sup>a</sup>
<b>Felt Pit</b>	57,600	57,600

a. The estimated usable volume is calculated based on the usable 2/3 volume of the material that would pass through the #4 screen for the HK Overburden material.

An initial evaluation of cost was made to determine which source combination would be the most cost effective.

The first EOPC evaluation is based on using the overburden material from the Felt Pit only. The assumptions for this estimate are that the material will be unscreened, but evaluated using an approved Quality Assurance (QA) program to ensure that the material is suitable for the cap rehabilitation. This material will require a 15 mile haul and placement during the cap rehabilitation. The detailed EOPC is in the figure below.

FORSGREN <i>Associates, Inc.</i>		ENGINEER'S OPINION OF PROBABLE COST			
					Unscreened Felt Pit
Project No.	01-13-0031			Date: 23-May-14	
Project:	Teton County Landfill Cap Rehabilitation			Prepared by: K LH/JVB	
Client:	Teton County, Idaho				
Line No.	UNIT PROCESS / ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	Total Price
<b>CONSTRUCTION COSTS</b>					
1	Mobilization	5	%		\$ 33,100
2	Remove Top Soil from ET Cap	27,000	CY	\$ 2.50	\$ 67,500
3	Grub and Stockpile Felt Pit Topsoil (approx. 1 foot)	5,400	CY	\$ 2.00	\$ 10,800
4	Load Felt Pit Material	27,000	CY	\$ 2.50	\$ 67,500
5	ET Cap Soil (Felt Pit, includes 15 mile haul)	27,000	CY	\$ 7.00	\$ 189,000
6	ET Cap Soil Placement	27,000	CY	\$ 3.00	\$ 81,000
7	Replace Top Soil	27,000	CY	\$ 2.00	\$ 54,000
8	Monitoring Lysimeters	4	Each	\$ 5,000.00	\$ 20,000
9	Revegetation	17	AC	\$ 1,500.00	\$ 25,200
10	Additional Fill for Shaping - Haul and Placement	49,000	CY	\$ 3.00	\$ 147,000
11	Remove & Replace Existing Unsuitable Cap Material	11,011	CY	\$ 14.00	\$ 154,154
12	Miscellaneous Grading	4,000	CY	\$ 2.00	\$ 8,000
<b>TOTAL CONSTRUCTION COSTS</b>					
SUBTOTAL CONSTRUCTION COST					\$ 857,254
Confidence Factor				75%	\$ 214,314
TOTAL CONSTRUCTION COST					\$ 1,071,568
<b>TOTAL ENGINEER'S OPINION OF PROBABLE PROJECT COST (nearest \$1,000)</b>					<b>\$ 1,072,000</b>

Note: Additional Fill for Shaping is based on initial grading evaluation and may be adjusted during design phase.  
 Removal of unsuitable cap material assumes 1/2 of the area designated as coarse materials and 1/4 of the area designated as fine-grained soil with some cobbles and/or gravel is replaced with 3 feet of suitable material (See Exhibit in Appendix A).

**Figure 1. Unscreened Felt Pit Only EOPC**

The next cost evaluation is based on mixing soil from both the Felt Pit and the HK Overburden. The mixed material would require processing through a ¾-inch screen in order to be suitable material. This cost decreases haul costs since less Felt Pit material would be required, however this cost is offset by the processing expenditures. The detailed EOPC for this option is shown in Figure 2.

FORSGREN <i>Associates, Inc.</i>		ENGINEER'S OPINION OF PROBABLE COST			
		3/4" Screened Mixed Felt Pit and HKOB			
Project No. 01-13-0031				Date: 23-May-14	
Project: Teton County Landfill Cap Rehabilitation				Prepared by: KLH/JVB	
Client: Teton County, Idaho					
Line No.	UNIT PROCESS / ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	Total Price
<b>CONSTRUCTION COSTS</b>					
1	Mobilization	5	%		\$ 48,978
2	Remove Top Soil from ET Cap	27,000	CY	\$ 2.50	\$ 67,500
3	Grub and Stockpile Felt Pit Topsoil (approx. 1 foot)	3,085	CY	\$ 2.00	\$ 6,170
4	Load Felt Pit Material	15,425	CY	\$ 2.50	\$ 38,563
5	ET Cap Soil (Felt Pit, includes 15 mile haul)	15,425	CY	\$ 7.00	\$ 107,975
6	Screen ET Cap Soil (3/4")	32,000	CY	\$ 6.00	\$ 192,000
7	Screened Material Load and Short Haul	27,000	CY	\$ 3.00	\$ 81,000
8	ET Cap Soil Placement	27,000	CY	\$ 3.00	\$ 81,000
9	Replace Top Soil	27,000	CY	\$ 2.00	\$ 54,000
10	Monitoring Lysimeters	4	Each	\$ 5,000.00	\$ 20,000
11	Revegetation	17	AC	\$ 1,500.00	\$ 25,200
12	Screen Mobilization	1	Each	\$ 5,000.00	\$ 5,000
13	Additional Fill for Shaping - Haul and Placement	49,000	CY	\$ 3.00	\$ 147,000
14	Remove & Replace Existing Unsuitable Cap Material	11,011	CY	\$ 14.00	\$ 154,154
15	Miscellaneous Grading	4,000	CY	\$ 2.00	\$ 8,000
<b>TOTAL CONSTRUCTION COSTS</b>					
SUBTOTAL CONSTRUCTION COST					\$ 1,036,540
Confidence Factor				75%	\$ 259,135
<b>TOTAL CONSTRUCTION COST</b>					<b>\$ 1,295,674</b>
<b>TOTAL ENGINEER'S OPINION OF PROBABLE PROJECT COST (nearest \$1,000)</b>					<b>\$ 1,296,000</b>

Note: Additional Fill for Shaping is based on initial grading evaluation and may be adjusted during design phase.  
 Removal of unsuitable cap material assumes ½ of the area designated as coarse materials and ¼ of the area designated as fine-grained soil with some cobbles and/or gravel is replaced with 3 feet of suitable material (See Exhibit in Appendix A).

**Figure 2. Felt Pit and HK Overburden Mix and Process EOPC**

The third cost evaluation involves screening all of the HK Overburden material and then using unscreened Felt Pit material to meet the volume required to rehabilitate the cap. The HK Overburden would require processing through a #4 screen in order to be used for cap material. This processing is more expensive than the previous screening effort with the mixed soils. The EOPC for this option is shown in Figure 3.

FORSGREN <i>Associates Inc.</i>		ENGINEER'S OPINION OF PROBABLE COST			
		Unscreened Felt Pit Mixed with #4 Screened HKOB			
Project No.	01-13-0031			Date: 23-May-14	
Project:	Teton County Landfill Cap Rehabilitation			Prepared by: KLH/JVB	
Client:	Teton County, Idaho				
Line No.	UNIT PROCESS / ITEM DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	Total Price
<b>CONSTRUCTION COSTS</b>					
1	Mobilization	5	%		\$ 47,171
2	Remove Top Soil from ET Cap	27,000	CY	\$ 2.50	\$ 67,500
3	Grub and Stockpile Felt Pit Topsoil (approx. 1 foot)	3,179	CY	\$ 2.00	\$ 6,358
4	Load Felt Pit Material	15,895	CY	\$ 2.50	\$ 39,738
5	ET Cap Soil (Felt Pit, includes 15 mile haul)	15,895	CY	\$ 7.00	\$ 111,263
6	Screen ET Cap Soil (#4)	16,575	CY	\$ 12.00	\$ 198,900
7	Screened Material Load and Short Haul	11,105	CY	\$ 3.00	\$ 33,315
8	ET Cap Soil Placement	27,000	CY	\$ 3.00	\$ 81,000
9	Replace Top Soil	27,000	CY	\$ 2.00	\$ 54,000
10	Monitoring Lysimeters	4	Each	\$ 5,000.00	\$ 20,000
11	Revegetation	17	AC	\$ 1,500.00	\$ 25,200
12	Screen Mobilization	1	Each	\$ 5,000.00	\$ 5,000
13	Additional Fill for Shaping - Haul and Placement	49,000	CY	\$ 3.00	\$ 147,000
14	Remove & Replace Existing Unsuitable Cap Material	11,011	CY	\$ 14.00	\$ 154,154
15	Miscellaneous Grading	4,000	CY	\$ 2.00	\$ 8,000
<b>TOTAL CONSTRUCTION COSTS</b>					
	SUBTOTAL CONSTRUCTION COST				\$ 998,599
	Confidence Factor			75%	\$ 249,650
	<b>TOTAL CONSTRUCTION COST</b>				<b>\$ 1,248,249</b>
<b>TOTAL ENGINEER'S OPINION OF PROBABLE PROJECT COST (nearest \$1,000)</b>					<b>\$ 1,248,000</b>

*Note: Additional Fill for Shaping is based on initial grading evaluation and may be adjusted during design phase.  
 Removal of unsuitable cap material assumes 1/2 of the area designated as coarse materials and 1/4 of the area designated as fine-grained soil with some cobbles and/or gravel is replaced with 3 feet of suitable material (See Exhibit in Appendix A).*

**Figure 3. Unscreened Felt Pit and Screened HK Overburden EOPC**

A summary of the costs for using unscreened Felt Pit material, Felt Pit material mixed with HK Overburden material and then screened, and screened HK Overburden material mixed with unscreened Felt Pit material shown below.

		<b>ENGINEER'S OPINION OF PROBABLE COST</b>	
		<b>COST SUMMARY</b>	
Project No.	01-13-0031	Date:	23-May-14
Project:	Teton County Landfill Cap Rehabilitation	Prepared by:	KLH/JVB
Client:	Teton County, Idaho		
ITEM	TOTAL		
Modified ET Cap - Unscreened Felt Material	\$		1,072,000
Modified ET Cap - Screened Felt and Screened HKOB Material	\$		1,296,000
Modified ET Cap - Unscreened Felt and Screened HKOB Material	\$		1,248,000

**Figure 4. Preliminary Engineers Opinion of Probable Cost Summary**

As indicated by the cost summary, the most cost effective material source for the landfill cap rehabilitation is the Felt Pit material.

## Recommended Alternative

As stated previously, a conceptual plan for the landfill cap rehabilitation was agreed to by DEQ and Teton County on February 20, 2014. The preferred DEQ approach is Alternative 1 with the additional requirements of preparation and approval of this PER, additional cover material placement to ensure a minimum of 36 inches of cover material, proper material for plant growth, and ongoing cover monitoring.

As indicated by the cost summary in the previous section, the most cost effective material source for the landfill cap rehabilitation is to use the Felt Pit material. Teton County desires to stockpile this material near the landfill site during the summer of 2014 so it is available for landfill cap rehabilitation slated to begin in summer 2015. In order to ensure that this stockpile will be suitable for use, a draft QA plan has been developed as outlined in the following section of this report. In addition, the conceptual plan called for ongoing cap monitoring following the rehabilitation of the cap. Like the QA plan, a monitoring plan has been developed and is also outlined in this report.

## Summary

The recommended alternative to rehabilitate the Teton County Landfill Cap that will be the basis for the impending cap design is to follow Alternative 1 using material from the Felt Pit as additional cover material. The HK Overburden material may be used to shape the contours and slope of the landfill cap as determined during the design process. A preliminary contouring plan is located in Appendix E. This plan will be refined during the design phase to ensure the final cover meets thickness and slope requirements. Teton County will begin to stockpile material during the summer of 2014 pending DEQ approval of the PER. Material will be stockpiled following the QA plan presented. Additional testing is being performed on the Felt Pit material to obtain data inputs for modeling using the UNSAT-H Model. This information will then be used to develop the cap remediation design, and model results will also be used to verify the design and develop parameters for the ongoing monitoring to follow.

## QA/QC Plan

### Project-Specific Construction Quality Assurance Plan

The following sections describe the project-specific construction quality assurance (CQA) procedures related to the Teton County Landfill Cover reconstruction. Project-specific requirements are part of the overall project quality assurance plan (QAP) as provided in Appendix D. The goals of the CQA program are to ensure proper construction techniques and procedures are used and verify the materials and installation techniques used meet project specifications. The procedures established in this plan are consistent with EPA guidance, particularly *Technical Guidance Document: Quality Assurance and Quality Control for Waste Containment Facilities* (EPA/600/R-93/182, September 1993).

Quality assurance (QA) refers to means and actions employed to ensure installation conformity to project drawings, specifications, and contractual and regulatory requirements. Quality assurance inspection and testing is provided by a party independent from production and installation. Quality control (QC) refers only to those actions taken by the manufacturer or installer to ensure materials and workmanship meet the requirements of the plans and specifications.

The CQA procedures will be implemented from the project start through completion, including the following steps:

1. Preliminary selection of one or more borrow source locations;
2. Segregation, stockpiling, and selection of suitable borrow source materials;
3. Examination of existing landfill cover and remedy selection;
4. Placement of cover materials; and
5. Installation of monitoring devices.

Reports, including weekly progress reports during construction, will be provided for the above steps as described in the QA plan. Table 6 summarizes the reports that will be used for the project. The specific procedures, tests, and related quantities that apply to each step above are described in the following sections.

**Table 6. Project Reporting Summary**

Report	Recipient	Frequency	Description
Stockpile Conformance	Project Manager	Per Table 7	Testing to demonstrate material conformance with project specifications.

**Table 6. Project Reporting Summary(Continued)**

<b>Report</b>	<b>Recipient</b>	<b>Frequency</b>	<b>Description</b>
Existing Soil Categories Within a work Phase	Project Manger	Each work phase	Scale map or diagram demonstrating the soil categories of the existing cap for each work phase. Categories determined by testing per Table 8.
Alternate Compaction at Lysimeters	Project Manager	For each placement if alternate compaction methods used	Report documenting sufficient number of measurements and tests to verify continuity with surrounding conditions.
Daily Report	Project Manager. Earthwork Contractor	Daily	Visual observations and test results. Summary of discussions between CQA Monitor and Earthwork Contractor
Significant Event Construction Reports	Project Manager	Periodically as established by Project Manager	Summary of significant events addressing all problems encountered and their solutions.
Weekly Progress Meeting	Project Manager, Earthwork Contractor	Weekly	Meeting minutes documenting any problems, decisions, or questions along with current progress, planned activities for the next week, issues requiring resolution, any new business or revisions to work.
Borrow Source Conformance	Project Manager	Per Table 7	Testing to demonstrate material conformance with project specifications.
Cover Placement Materials Testing	Project Manager	Per Table 2 and Table 3 of Appendix D	Testing to demonstrate material and placement conformance with project specifications.
Notification of Defect	Project Manager, Earthwork Contractor	Upon identification of defect	Document extent and nature of defect.
Construction Monitoring Report	Project Manager	Upon completion of project	Compilation of signed descriptive remarks, data sheets, and checklists verifying all monitoring activities have been carried out.
Photographic Reporting Data Sheets	Project Manager	Upon completion of project	Pictorial record of work progress, problems, and mitigation activities.
Design and/or Specification Changes as	Project Manager, Design	Upon identification of design or	Document design or specification changes that may be required during construction.

**Table 6. Project Reporting Summary (Continued)**

Report	Recipient	Frequency	Description
Addendum to Specifications	Engineer, Earthwork Contractor	specification change	
Weekly Progress Report	Project Manager	Weekly or as established at pre-construction meeting	Periodic summary of progress including work activities, construction situations, deficiencies, and/or defects, and a summary of tests results.
Certification and Summary Report	Project Manager	Upon completion of project	A final certification and summary report certifying compliance with plans and specifications with supporting information. Will include construction record drawings.

**Borrow Source Locations**

Borrow source locations will be proposed by Teton County, based on location, land ownership, quantities available, general material properties, and estimated costs. The Engineer will perform a preliminary investigation of the proposed borrow sources. The investigation will include selection and sampling of a minimum of three representative material samples from each borrow source for submittal to a qualified materials testing laboratory. At a minimum, the following tests will be performed for the preliminary investigation:

- Sieve analysis (ASTM D 422)
- Atterberg limits (ASTM D 4318)
- Natural water content (ASTM D 2216)

Upon completion of the preliminary borrow source investigations and selection of the preferred borrow source(s) by Teton County, additional material tests will be selected by the Engineer for design purposes. The additional tests may include (at the Engineer’s discretion):

- Standard Proctor Moisture-Density Relationship (ASTM D 698)
- Specific Gravity (ASTM 854)
- Hydraulic Conductivity (ASTM D 5084)
- Other hydrologic properties, such as moisture retention characteristics and porosity
- In-place density and water content (ASTM D 6938)

**Borrow Material Handling**

Upon acceptance of the concepts explained in this report, suitable borrow source materials will be systematically segregated and stockpiled by an earthwork contractor hired by the County.

The following practices will be followed to select and stockpile materials:

1. Strip topsoil (including surface vegetation, organic-rich soil, and roots) to its full depth as determined by the Engineer. This may be accomplished by using bulldozers, wheel loaders, scrapers, or similar heavy equipment. Stockpile the topsoil at a location (or locations) approved by the Teton County Project Manager.
2. Remove the underlying soil slated for use as landfill cover material. This may be accomplished by using bulldozers, wheel loaders, scrapers, or similar heavy equipment. Materials selected for the landfill cover shall be stockpiled in a location (or locations) approved by the Teton County Project Manager. At the Teton County Project Manager's discretion and upon approval of individual loads by the Engineer, the material may be hauled and stockpiled at the landfill. Stockpiles shall be identified by wood lathe placed into the ground on each side and marked/labeled in indelible ink as "LCS #1". Continuous oversight by the Teton County Project Manager, Engineer, or other designated representative shall be made to assure that only the approved materials are placed in these stockpiles. Should other materials (such as gravels underlying the desired cover soil material) be excavated by heavy equipment and incorporated into a load, the oversight person shall immediately direct the heavy equipment operator to place that load into a separate stockpile. The separate stockpiles shall be placed in a location (or locations) approved by the Teton County Project Manager, and each shall be identified by wood lathe placed into the ground on each side and marked/labeled in indelible ink as "LCS #2".
3. Confirmation sampling and testing of the LCS #1 stockpiles will be performed by the Engineer. Testing requirements for this material shall be as shown on Table 7 below. The material may only be used in the landfill cover after tests demonstrate conformance to the project specifications.

**Table 7. Conformance Test Requirements for Stockpiled (LCS #1) Material.**

Test	Designation	Testing Frequency	Frequency of Outliers*
Sieve Analysis	ASTM D 422	1 per 1,000 yd <sup>3</sup>	5%
Atterberg Limits	ASTM D 4318	1 per 1,000 yd <sup>3</sup>	5%
Standard Proctor	ASTM D 698	1 per 5,000 yd <sup>3</sup>	5%
Hydraulic Conductivity	ASTM D 5084	1 per 10,000 yd <sup>3</sup>	5%

*\*Maximum percentage of failing material tests. These may not be concentrated in one area.*

4. Materials placed in the LCS #2 stockpiles may be used as general fill at the landfill, unless determined to be unsuitable<sup>1</sup> for that purpose by the Engineer. If Teton County has a need to use LCS #2 soil for landfill cover material, then the stockpiles of LCS #2 material shall be tested and appropriate processing methods (i.e., screening) will be used to bring those materials into compliance with the landfill cover soil design requirements. The frequency of testing after processing shall be as shown on Table 7 above.
5. All materials delivered to the landfill site shall be either immediately placed as intended (i.e. either as general fill for grading or as final cover soil), or stockpiled in locations approved by the Teton County Project Manager. All stockpiles at the landfill site shall be identified by wood lathe placed into the ground on each side, marked/labeled as appropriate in indelible ink.

### Existing Landfill Cover Evaluation

Reconstruction of the landfill cover involves inspection of the existing conditions and selection of appropriate actions based on those findings. The Engineer shall perform continuous inspection while the landfill cover components (topsoil, cover soil, and general fill materials) are removed and replaced. After removal of the topsoil from each area under construction, the Engineer shall systematically traverse the entire area to visually identify and categorize the landfill cover materials. Test pits, placed as shown on Table 8, will be used to further delineate the cover soil categories. Once the existing cover soil categories within a work phase are identified, the Engineer will communicate this information to the Teton County Project Manager by providing a scale map or diagram, and placing marked wooden stakes around specific areas of concern. The remedy for each area will be as provided in the engineering design specifications.

### Cover Materials Placement

The Engineer will provide continuous oversight during placement of all landfill cover materials. The QA monitoring and oversight actions will assure that:

- Unsuitable<sup>2</sup> materials are completely removed as required by the project plans and specifications;
- The proper stockpiled materials are used for their intended purpose;
- The material placement (i.e., lift and layer thickness) and compaction (i.e., density within the acceptable range) requirements are met for each specified material; and
- Completed areas are not altered or disturbed by heavy equipment.

---

<sup>1</sup> For general fill: materials unsuitable for general fill may contain excess moisture, expansive clay, large rocks or concrete rubble, frozen soils, roots, sod, organic debris, garbage, or other deleterious materials.

<sup>2</sup> For cover soil: Unsuitable materials are those that do not meet the project specifications (as defined during final design).

**Table 8. Test Pit Frequency and Location for Delineating Existing Cover Material Categories.**

Observed Condition	Test Pit Frequency and Locations	Field and Laboratory Tests*
Area with fine-grained soils and <10% rocks.	10 test pits per acre, evenly distributed across the area.	Frequencies and types as identified on Table 7
Area with fine-grained soils and <30% rocks.	10 test pits per acre, evenly distributed across the area, with additional test pit locations selected at the discretion of the Engineer.	Frequencies and types as identified on Table 7
Areas with coarse-grained soils.	Test pits are not required in these areas because unsuitable materials (those not conforming to the final cover specifications) will be either removed or covered with the full cap thickness.	Tests on replacement materials only, at frequencies and types as identified on Table 7

*\*Upon DEQ's review and approval, it is proposed that field tests will be used to reduce the numbers of laboratory tests needed for categorizing the existing landfill cover materials (particularly with respect to the percentage of cobbles and gravel) in each area. The intent is to have more real-time data and minimize construction delays. Standard operating procedures, subject to review and approval by DEQ, will be developed for the field tests as part of the final design.*

**Monitoring Devices**

If required, monitoring devices (i.e., lysimeters) will be installed in the cover as part of the landfill's long-term monitoring and performance assessment. To obtain data that is consistent (although within the inherent limitations of such devices), the Engineer will perform continuous inspection during installation of each lysimeter and the surrounding cover system. Particular attention will be made to details that affect the data reliability, such as assuring continuity of the cover soil thickness, initial moisture conditions, and density in the immediate vicinity of each lysimeter. When technically feasible, the same equipment used for placing and compacting the general landfill cover materials shall be used at each lysimeter location. If alternate placement and compaction methods are used, then the Engineer shall collect a sufficient number of measurements and tests to verify continuity with the surrounding cover conditions.

## Monitoring/Modeling

Modeling of the existing landfill cap with the computer code UNSAT-H showed that a maximum of 0.32 inches of annual percolation would pass through the cover system and into the waste based on an average precipitation year (i.e., 2007) and 4.62 in of annual precipitation would pass based on the wettest year (i.e., 2010). The modeling was based on local climate conditions and hydraulic properties of five representative soil samples from the existing landfill cover.

---

*UNSAT-H is a computer code developed at Pacific Northwest National Laboratory (PNNL) for assessing the water dynamics of arid sites and estimating recharge fluxes. The model is used to mimic the one-dimensional flow of water, vapor, and heat in soils and simulates soil water infiltration, redistribution, evaporation, plant transpiration, deep drainage, and soil heat flow. The code addresses the processes of precipitation, evaporation, plant transpiration, storage, and deep drainage. The UNSAT-H computer code is used to understand the movement of water, heat, and vapor in soils so better decisions can be made about land use, waste disposal, and climate change.*

---

Similar modeling also showed that a Subtitle D cover (per 40 CFR 258.60) would pass up to 2.12 inches of annual percolation through the cover system and into the waste based on an average precipitation year (i.e., 2007) and 8.54 in of annual precipitation would pass based on the wettest year (i.e., 2010). The performance goal, as developed by engineering design and verified by long-term monitoring, is to establish a landfill cover that is at least as restrictive to percolation as the Subtitle D cover.

Hydraulic laboratory tests are in progress (as of June, 2014) for the proposed Felt Pit borrow material. Upon determination of the soil moisture retention curves and other tested properties, then unsaturated flow modeling will be used to verify that the borrow material is suitable for use in the final cover system. The final engineering design, with consideration of the existing cover and borrow material proportions, will be developed to meet the performance goal (i.e., Subtitle D cover equivalent performance) and modeled to predict the maximum amount of annual percolation.

If required, monitoring devices (lysimeters) will be installed at representative locations in the cap and positioned just beneath the full cover system. The purpose of the lysimeters is to provide a method for measuring the deep percolation (i.e., water that has traveled sufficiently below the root zone such that transpiration or evaporation will not remove it). The lysimeters will be used as part of the landfill monitoring and performance assessment.

The two types of lysimeters to be used for this purpose are described as follows:

1. Gee Passive Wick Lysimeter: This device consists of a divergence control tube that helps to direct vertical flow into the gage, a specially treated fiberglass wick that maintains tension on the water at the bottom of the soil profile where the water is diverted (to maintain capillary continuity and minimize flux divergence), a measurement reservoir, and a drain at the bottom. An electronic data logger is used to measure the quantity of water that passes through the lysimeter, and excess water is automatically released through the bottom drain. The operator's manual describing the installation and use of this type of lysimeter is located in Appendix F.
2. Pan Lysimeter: This device consists of a reservoir that captures and stores downward flowing water through a permeable lid. This type of lysimeter is primarily used for measuring flows under saturated conditions, because the lid creates a capillary break. The water level in the reservoir can be electronically monitored, but excess water must be physically removed via a surface access port. An example exhibit of this type of lysimeter is also located in Appendix F.

The lysimeters will be installed per the manufacturer's recommendations, and cover materials placed over each lysimeter location will conform to the same specifications (i.e., cover material thickness, initial moisture content, soil density, and seed planting) as the surrounding landfill cover.

If required, monitoring of the lysimeters will be performed quarterly or if instrumentation indicates there is a significant event. Although monitoring may be conducted during the first year, interpretation of the results must consider that long-term performance relies in part on reestablishing the vegetative cover. It is anticipated that monitoring requirements (i.e., the need for long-term monitoring) will be negotiated between Teton County and the DEQ, and based upon the first few years of results.

## Summary and Final Engineering Design

This PER summarizes the past and present materials testing and evaluation, rationale and basis for final engineering design, and the QA procedures to implement throughout the project.

Upon acceptance and approval from Teton County and the Idaho DEQ of the concepts described in this PER, the follow-up and final engineering design tasks that remain include:

- Evaluate hydrologic testing results from the representative Felt Pit soil samples and confirm the materials suitability as landfill cover;
- Perform additional UNSAT-H modeling to 1) determine any design modifications in cover thickness (potentially needed as a result of using the Felt Pit material), 2) refine the final cover material specifications including acceptable percentages of gravel and cobbles, and 3) estimate infiltration quantities as a baseline for comparison with long term monitoring instrumentation (if required);
- Prepare written specifications for the final cover, including acceptable ranges of material properties; material handling, placement and compaction requirements; site controls and traffic management; stormwater and sediment management for construction; site grading and estimated quantities; and details for long-term monitoring instrumentation including the number, specific types, and placement of lysimeters (if required) within the final cover system.
- Standard operating procedures for field test methods.

## **APPENDICES**

---

## Mary Lou Hansen

---

**From:** Mary Lou Hansen  
**Sent:** Thursday, June 19, 2014 8:04 AM  
**To:** ~~'Dan Chadwick', Kathy Spitzer~~  
**Subject:** Capital Crimes Defense Fund

Hello Dan and Kathy:

During yesterday's budget discussions, the BoCC questioned whether the county should continue contributing to the IAC Capital Crimes Defense Fund. They read the information on the IAC website, left a phone message with Commissioner Greg Shenton and decided to seek more information from you both before making a decision about that \$3,095 expense.

They would like your advice/perspective about the ramifications/risk of not participating. Could the county stop paying for a year or two and then decide to resume? Would the county retain an investment in the risk pool if they stop contributing? Can any of the county's previous payments be reclaimed? What are the odds that a Prosecutor will ever seek the death penalty in a Teton County case?

There are undoubtedly other questions that I don't know enough to ask.

This topic will be discussed during the Board's June 23 meeting and Kathy will be present to provide her recommendations and comments. It would be very helpful to receive more information from Dan beforehand if possible.

Thank you!

*Mary Lou Hansen*

Teton County Clerk  
150 Courthouse Drive #208  
Driggs, ID 83422  
[mlhansen@co.teton.id.us](mailto:mlhansen@co.teton.id.us)  
208-354-8771  
FAX: 354-8410

Engage your community - connect to news, events and information you care about. [View more information...](#)

[Sign In](#)



[ABOUT IAC](#)
[SERVICES](#)
[COUNTIES](#)
[LEGISLATION](#)
[VENDORS & PARTNERS](#)

[Home](#) > [About IAC](#) > [Committees](#) > Capital Crimes Defense Program

## Capital Crimes Defense Program

- Capital Crimes Defense Program
- County / Courts Shared Employees
- Environment, Energy & Land Use
- Health & Human Services
- IAC Litigation Fund
- Intergovernmental Affairs
- Justice & Public Safety
- Legislative
- Native American Tribes Relationship
- Natural Resource Policy & Litigation Fund
- Public Lands
- Transportation

### Agendas

Agendas are available from previous meetings.

[Most Recent Agendas](#) | [View All](#)

### 2014 Members

- Paul Christensen, Cassia County - Chair / District 4
- Dan Green, Kootenai County Commissioner, District 1
- Doug Zenner, Nez Perce County Commissioner, District 2
- Steve Rule, Canyon County Commissioner, District 3
- Earl Somsen, Caribou County Commissioner - District 5
- Greg Shenton, Clark County Commissioner - District 6
- Dave McGraw, Latah County Commissioner - At Large

### Guidelines (Adopted and Approved by the ICCDF Board of Directors: November 5, 1998)

Idaho's counties are authorized by Idaho Code Section [19-863A](#) to create a voluntary capital crimes defense fund (CCDF) to ease the burden of the cost of trials for death penalty cases. The CCDF is created through a Joint Powers Agreement authorized by [chapter 23, title 67](#), Idaho Code and is administered by a seven-member Board of Directors elected by the counties. The counties on a per capita basis pay the cost of operating the CCDF.

The following steps or criteria must be met in order for a county participating in the Joint Powers Agreement to access the CCDF:

- A county Prosecutor must declare that he or she will seek the death penalty no later than thirty days after entry of a plea by the defendant. Idaho Code Section [18-4004A](#)
- The prosecutor should provide to the CCDF a copy of the notice of intent to seek the death penalty at the time of notice to the defendant.
- Beginning in January, 1999, Idaho Criminal Rule 44.3 enables the judge to appoint two qualified attorneys to represent the defendant in death penalty cases. [As of 12/2000, rule is suspended pending final Supreme Court approval.]
- The county shall pay for one of the attorneys (the "death penalty qualified" public defender or contract attorney shall be paid by the CCDF). The county shall pay an additional \$10,000 deductible for the costs of the trial. In the case of multiple defendants, the deductible and attorney payment requirement applies to each defendant.
- After the deductible is paid, the CCDF will pay the costs for the second attorney and all other related trial costs including but not limited to preparation, investigation, forensics, mitigation, etc.
- The board of county commissioners, county clerk, prosecuting attorney and defense counsel should work closely to insure that information is provided to the CCDF in order that reimbursement can be made to the counties. Claims are to be submitted to the CCDF after approval by the board of county commissioners. (Clerks please note that this will work similarly to the CAT program.)

There is no direct relationship between the CCDF and the office of the State Appellate Public Defender (SAPD) created in Idaho Code Sections [19-867 through 19-872](#) other than counties must participate in the CCDF in order to access the services of the State Appellate Public Defender. There is also no direct relationship between the SAPD and the Attorney General's office. The Attorney General's office handles all appeals for the prosecution.

- The State Appellate Public Defender will handle ALL FELONY APPEALS, appeals from the district court in post-conviction relief proceedings, appeals from the district court in certain habeas corpus proceedings and post conviction relief proceedings in death penalty cases. Idaho Code Section [19-870](#)

If you have questions about the Capital Crimes Defense Fund, please contact Executive Director Dan Chadwick by calling (208) 345-9126.



## Mary Lou Hansen

---

**From:** Dan Chadwick [dchadwick@idcounties.org]  
**Date:** Thursday, June 19, 2014 4:25 PM  
**To:** Kathy Spitzer  
**Cc:** Mary Lou Hansen; Daniel Green; Dave McGraw; Douglas Zenner; Earl Somsen; Greg Shenton; Paul Christensen; Steven Rule  
**Subject:** Re: Capital Crimes Defense Fund

A lovely good afternoon! Thank you for the opportunity to discuss the CCDF issue. It is a great idea to review this issue from time to time.

The Capital Crimes Defense Fund is a statutory fund authorized and created pursuant to Idaho Code Section 19-863A and is the product of a joint powers agreement. It was established in 1998. All counties initially paid into the fund. Jefferson County ultimately chose not to participate after the first year. Otherwise, 43 counties are participants.

Each county is assessed an amount based on population to raise a total of \$600,000 each year so that the fund ultimately will have approximately \$5,000,000.00 in trust so that the fund becomes at least partially self-funded through investments. Currently, the fund has \$5,520,229.55.

The CCDF is designed to pay for the costs of defense should a prosecutor decide whether to seek the death penalty. There is no way to predict that outcome. So ultimately, the fund is an insurance program.

Because there are so few capital cases, the state determined that a good incentive for a county to participate in the fund would be to create the State Appellate Public Defender's office that would handle all felony appeals for defendants just as the Idaho Attorney General handles all felony appeals for the state (prosecution) in each county. Participation in this program is dependent on a county's participation in the CCDF.

So, while the county pays \$3,095 each year for the CCDF, it does not pay the cost of a public defender who would otherwise handle felony appeals. My guess is that annual felony appeal costs for defendants would far exceed the \$3,095 Teton County pays to the CCDF.

The CCDF Board will meet in September to determine its annual budget. While we advise that you budget for the CCDF this year, you may not receive a billing because the fund is fully established pursuant to the CCDF Board policy.

If a county chooses not to participate for a year to two, for those years, the county would be obligated to pay for indigent criminal defendants appeals and not have access to the state appellate public defender. In addition, the county would not be covered should a death penalty case be filed by the prosecutor. If a county wants back in, then it could be required to pay the amount foregone for the years it was out of the fund. All revenues paid by the county remain the property of the fund.

If a county permanently chooses to withdraw from the fund, all payments remain the property of CCDF and the county receives no refund. In addition, the county will permanently be obligated to pay for all of its felony appeals. See Idaho Code Section 19-863A(5) for the reference to the services of the state appellate public defender.

I hope you find this information helpful.

Please let me know if you have any additional questions.

# Administrative Fee Calculation: FY 2015

	FY 2015	FY 2014	FY2013
<b>Payroll &amp; HR Expense</b> (includes 35% for taxes & benefits)			
1/2 FTE Payroll Clerk	21,500	20,498	24,500
1/10 time Elected Clerk	6,890	6,890	6,750
1/20 time County Commissioners	6,175	6,175	5,900
Annual fee for payroll software	3,011	3,011	3,011
<b>TOTAL PAYROLL &amp; HR EXPENSE</b>	<b>\$37,576</b>	<b>\$36,574</b>	<b>\$40,161</b>
Number of FTEs, June 2014	70	70	67
Annual Amount per FTE	\$537	\$522	\$599
<b>Accounts Receivable &amp; Accounts Payable Expense</b>			
3/4 time FTE	41,593	40,540	38,000
Annual fee for financial software	10,330	10,330	10,330
<b>TOTAL AR &amp; AP EXPENSE</b>	<b>\$51,923</b>	<b>\$50,870</b>	<b>\$48,330</b>
<b>Outside Auditor Expense</b>			
<b>TOTAL OUTSIDE AUDITOR EXPENSE</b>	<b>\$18,625</b>	<b>\$22,398</b>	<b>\$17,456</b>
<b>Budget Expense</b>			
1/3 time Elected Clerk	22,965	22,965	22,275
1/10 time County Commissioners	12,350	12,350	11,800
<b>TOTAL BUDGET EXPENSE</b>	<b>\$35,315</b>	<b>\$35,315</b>	<b>\$34,075</b>
<b>Overhead Expenses</b>			
Office space & utilities	8,400	8,400	8,400
Office supplies, equip., IT support	5,000	5,000	5,000
<b>TOTAL OVERHEAD EXPENSE</b>	<b>\$13,400</b>	<b>\$13,400</b>	<b>\$13,400</b>
<b>Grand Total of All Expenses, excluding HR/Payroll</b>	<b>\$119,263</b>	<b>\$121,983</b>	<b>\$113,261</b>
<b>Fund Share as % of Total County Expenditures</b> (per previous FY audit)			
Solid Waste	10.05%	9.15%	10.67%
Mosquito Abatement District	3.27%	3.25%	4.16%
Ambulance	7.13%	7.37%	7.09%
Road & Bridge	17.53%	19.25%	15.56%
<b>Administrative Fee per Fund per Year</b>			
<b>Solid Waste</b>			
Payroll & HR (# of employees x amount/employee)	3,489	3,135	3,597
Cell Phone (624) and GIS expenses (\$2,000)	2,624	2,720	2,720
All Other Expenses (Fund % of Grand Total Annual Expense)	11,990	11,156	12,082
Public Works Director Expenses (40% of total expenses)	42,483	42,720	42,720
<b>TOTAL ANNUAL EXPENSE</b>	<b>\$60,586</b>	<b>\$59,731</b>	<b>\$61,119</b>
<b>Ambulance</b>			
Payroll & HR (# of employees x amount/employee)	13	13	15
All Other Expenses (Fund % of Grand Total Annual Expense)	8,507	8,990	8,034
GIS (\$10,000) Expenses	10,000	10,000	10,000
District Employee: 52 hours/year @\$32.50	1,690	1,638	1,508
<b>TOTAL ANNUAL EXPENSE</b>	<b>\$20,210</b>	<b>\$20,641</b>	<b>\$19,557</b>
<b>Road &amp; Bridge</b>			
Payroll & HR (# of employees x amount/employee)	6,442	5,225	5,395
GIS	10,000	10,000	10,000
All Other Expenses (Fund % of Grand Total Annual Expense)	20,902	23,484	17,618
Public Works Director Expenses (40% of total expenses)	42,483	42,720	42,720
<b>TOTAL ANNUAL EXPENSE</b>	<b>\$79,827</b>	<b>\$81,428</b>	<b>\$75,733</b>
<b>Mosquito Abatement District</b>			
Payroll & HR (# of employees x amount/employee)	107	104	120
All Other Expenses (Fund % of Grand Total Annual Expense)	3,906	3,967	4,711
Rent, phone, internet if had stand-alone office (\$500 x 12)	6,000	6,000	6,000
<b>TOTAL ANNUAL EXPENSE</b>	<b>\$10,013</b>	<b>\$10,071</b>	<b>\$10,831</b>

<b>FY13 Audit: Total Expenditure less Capital Improvements &amp; Capital Leases &amp; Bond &amp; Hospital</b>	<b>\$8,603,927</b>	
Solid Waste Expenditures	865,021	10.05%
Mosquito Abatement District	281,768	3.27%
Ambulance Expenditures	613,680	7.13%
Road & Bridge Expenditures	1,507,920	17.53%
<b>FY10 Audit: Total Expenditure less Capital Improvements &amp; Capital Leases</b>		
<b>FY10 Audit: Total Expenditure less Capital Improvements &amp; Capital Leases</b>	<b>\$7,621,574</b>	
Solid Waste Expenditures	820,421	10.76%
Mosquito Abatement District	290,195	3.81%
Ambulance Expenditures	593,050	7.78%
Road & Bridge Expenditures	792,328	10.40%
<b>FY11 Audit: Total Expenditure less Capital Improvements &amp; Capital Leases</b>		
<b>FY11 Audit: Total Expenditure less Capital Improvements &amp; Capital Leases</b>	<b>\$7,957,521</b>	
Solid Waste Expenditures	848,890	10.67%
Mosquito Abatement District	330,963	4.16%
Ambulance Expenditures	564,478	7.09%
Road & Bridge Expenditures (inc. \$ from levy)	1,237,832	15.56%
<b>FY 12 Audit: Total Expenditure less Capital Improvements &amp; Capital Leases</b>		
<b>FY 12 Audit: Total Expenditure less Capital Improvements &amp; Capital Leases</b>	<b>\$8,397,039</b>	
Solid Waste Expenditures	767,954	9.15%
Mosquito	273,063	3.25%
Ambulance Expenditures	618,847	7.37%
Road & Bridge Expenditures	1,616,561	19.25%

<b>Solid Waste Permanent FTEs &amp; Cell phone info</b>	
June 2012	6
June 2013	6
June 2014: 8 hours/week x 52	6.5
1 cell phone w/data plan @\$52/month	\$624

<b>Public Works Director Expenses (current FY)</b>	
Budget per 01-08	\$105,583
1 Cell Phone w/data @ \$52/month	\$624
<b>TOTAL</b>	<b>\$106,207</b>

<b>Road &amp; Bridge Permanent FTEs</b>	
June 2014	12
May 2013	10
June 2012	9
June 2011	11

<b>Mosquito District Employees</b>	
June 2014: 8 hours/week x 52	0.2

6-20-14 Please review and let me know if you want to make any changes or have any questions. - mel

suffice. Commissioner Kunz will research this. Anne Callison suggested that all employees in the new building spend two weeks there and then request whatever changes are necessary.

● **MOTION.** Chairman Park made a motion to approve the four items requested by the Sheriff's department, not to exceed \$6,035. Motion seconded by Commissioner Kunz and carried unanimously.

Deputy Wells said that despite the controversy over the building, he wants to thank the Board and everyone involved. It will be great for his department to have a new building which will enhance their service to the community.

## **EMERGENCY MANAGEMENT**

*Cell Phone Forensics*

Emergency Management Coordinator Greg Adams reviewed four Idaho Bureau of Homeland Security grant applications: (1) \$14,384 grant/\$30,533 total cost to purchase a cellular telephone examination device; (2) \$61,020 grant/\$67,020 total cost to install a multi-tiered security system at the Driggs City Center; (3) \$23,954 grant/\$23,954 total cost to install a digital vehicular repeater to provide continuous public safety communications coverage in the northern portion of the county; and (4) \$26,535 grant/\$26,535 total cost to purchase 2 multi-band consolettes and 2 handheld radios (Attachment #7).

Commissioner Rinaldi had concerns with the cell phone forensics device because it would commit ongoing funding after the purchase. She asked whether it would be more cost effective to continue having Teton County Wyoming do this. Later in the meeting, Chief Deputy Sheriff Wells said Wyoming IT staff has the capability to remove information from cell phones and technological devices and have been performing this service for free. However, after considering the time and fuel required to deliver and then pick up a device from Jackson, it would be better to have a device in-house. Mr. Wells said they take a device to Jackson about once a month. He is concerned about the \$3,000 per year since it will have to come from elsewhere in their budget, but supports the grant application.

● **MOTION.** Chairman Park made a motion approve the grant application for the cellular telephone mobile forensics device. Motion seconded by Commissioner Rinaldi and carried unanimously.

● **MOTION.** Commissioner Rinaldi made a motion to approve the other three grant applications for Driggs Security, Digital Vehicular Repeater and Multi-band radios. Motion seconded by Chairman Park and carried.

## **ADMINISTRATIVE**

● **MOTION.** Commissioner Kunz made a motion to approve the minutes of March 10, 2014 as presented. Motion seconded by Commissioner Rinaldi and carried unanimously.

**COMMITTEE REPORTS.** Chairman Park attended the Eastern Idaho Community Action Partnership meeting. The financials are the best they have ever been and they are looking to start a Head Start program in Jefferson County.

Commissioner Kunz attended the Fair Board meeting with Teton Valley Rodeo Company on March 19. There was discussion about purchasing a tractor and the amount and duration of the contract with the rodeo company. The Fair Board wants to see what happens with the bleachers before coming to a decision on the rodeo contract amount. Commissioner Rinaldi asked if the Fair Board discussed maintenance of the fairgrounds, what role the Road and Bridge might play and how much the County would be responsible for. She said if the rodeo company is only paying \$250 per night then they are getting a pretty good deal. The Fair Board will meet again in April to make final decisions.

**AGRICULTURAL EXEMPTIONS.** Assessor Bonnie Beard reviewed her memo regarding five parcels under 5 acres in size that qualify for the agricultural exemption (Attachment #7a). She has visited the parcels to confirm that they are eligible for exemption under 63-604. The parcels have previously received the

**Idaho Bureau of Homeland Security  
Grant Project Application**

Attachment # 7  
March 20, 2014 BOCC

Applicant/Jurisdiction

City or County Agency, Department or Other Organization	
Teton County Idaho	

Point of Contact

Name:	Greg Adams	Title:	Emergency Management Coordinator
Phone:	208-354-2703	Email:	gadams@co.teton.id.us

Project

Project Name:	Cellular Telephone Mobile Forensics
Requested Grant Funds	\$ 14,384.00
Total Project Cost	\$ 30,533.00

Threat / Hazard / Vulnerability

Use info from Threat Hazard Identification Risk Assessment (THIRA), Hazard Mitigation Plan, or Hazard Vulnerability Analysis (HVA) to describe what this capability addresses.

Terrorism

If "Other," please explain below.

Mission Area

Primary:	Prevention
Secondary:	Protection

Core Capability

Primary Capability Name (click for definitions):	Forensics & Attribution
Secondary Capability Name (click for definitions):	Screening, Search & Detection

Regional Impact

Is Capability regionally deployable?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Does Capability have regional impact?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Does this Capability already exist within the region?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Partially <input type="checkbox"/>

Core Capability Target

Insert capability target as determined by THIRA process (e.g. "During the first 72 hours of an incident, conduct operations to recover 375 fatalities.")

Have the ability to forensically examine seized cellular telephones for evidence of crimes including terrorism.

Preparedness

<input type="checkbox"/>	Planning	Building new capability?	<input type="checkbox"/>	or	Sustaining current capability?	<input type="checkbox"/>
<input type="checkbox"/>	Organization	Building new capability?	<input type="checkbox"/>	or	Sustaining current capability?	<input type="checkbox"/>
<input type="checkbox"/>	Training	Building new capability?	<input type="checkbox"/>	or	Sustaining current capability?	<input type="checkbox"/>
<input type="checkbox"/>	Exercising	Building new capability?	<input type="checkbox"/>	or	Sustaining current capability?	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Equipment	Building new capability?	<input checked="" type="checkbox"/>	or	Sustaining current capability?	<input type="checkbox"/>

For Equipment - AEL Number(s): 13LE-00-SURV

NIMS Resource Type (if applicable): NA

MOU Information

Relevant MOU in place? Yes  No

If "No," then by what date? Within 90 days after project funding an MOU will be created and signed by parties wishing to participate.

Justification

Provide narrative describing need for capability (i.e. how will this project reduce risk in your jurisdiction?).

The use of mobile devices for communication has risen in popularity. With this rise in popularity, they are being used by people committing crimes, including terrorism. For this reason, evidence from mobile devices is becoming increasingly important to law enforcement in combating crime. The Teton County Sheriff's Office (TCSO) is at the farthest edge of Eastern Idaho. TCSO does not currently have the capability to forensically examine cellular telephones. As was the case a few weeks ago, several telephones were seized by Teton County Juvenile Probation, and after a search warrant was obtained, the telephones had to be driven to Jackson Hole in Wyoming (an hour away) for processing by IT Staff. All mobile technology items that possibly have evidence of criminal activity on them are currently taken to Wyoming, and we have to ask for another jurisdiction's assistance in our investigations. It is common that staff take telephones to Wyoming drop them off, and have to return to pick up evidence at a later date. TCSO is requesting monies to remedy this situation. By purchasing a cellular telephone examination device, TCSO would be better able to investigate criminal cases, and obtain evidence of criminal activity from suspect's telephones. The data obtained would be forensically sound, and the examination device that obtains the evidence from cellular telephones can be shared by local agencies in Eastern Idaho. Teton County will share costs regarding this purchase by paying for service and support costs over the life of the unit, which totals 3,000 per year. TCSO also agrees to ask for local funding this next fiscal cycle to pay to send the IT coordinator to the five day training school. This will help keep this project affordable, as the travel and per-diem cost will be paid for by Teton County (Oct 1st 2014) The UFED costs 10,584 and the Training Course costs \$ 3850.00 TCSO will ask for local funding this next fiscal cycle for 2,250 for travel to the UFED training, and 3,000 per year to support this purchase. Thank you for your consideration.

Print

Save

Send

*Keagy C Park*  
Applicant Signature

3-20-2014

Date

(electronic signature is acceptable)

## Mary Lou Hansen

---

**From:** Kelly Wells  
**Sent:** Thursday, June 19, 2014 8:58 AM  
**To:** Mary Lou Hansen  
**Cc:** Mitch Golden; John Leidorf  
**Subject:** Re: Cell phone forensics grant

*SO will clarify the amounts needed - meh*

Mary Lou,

It's my understanding that the annual amount is a match for the grant so that should come out of a grant line. The \$4000 in the training line item is for John to be trained how to use the equipment.

Thanks

Chief Deputy Kelly Wells  
Teton County Sheriff's Office, Idaho  
230 North Main street  
Driggs, Idaho 83422  
208 354 2323

### Confidentiality Note:

The information contained in this message, and any attachments, may contain confidential and/or privileged material. It is intended solely for the person or entity to which it is addressed. Any review, retransmission, dissemination, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

On Jun 19, 2014, at 8:22, "Mary Lou Hansen" <[mlhansen@co.teton.id.us](mailto:mlhansen@co.teton.id.us)> wrote:

You were right about this grant, but minutes show \$3,000 per year annual cost. I'll make copy of these minutes for BoCC notebooks. Am I okay reducing the training amount to \$3,000?

## Mary Lou Hansen

---

**From:** John Leidorf  
**Sent:** Thursday, June 19, 2014 8:57 AM  
**To:** Mary Lou Hansen  
**Subject:** RE: Cell phone forensics grant

Yes. 3,000 is fine. Thanks, John

**From:** Mary Lou Hansen  
**Sent:** Thursday, June 19, 2014 8:22 AM  
**To:** Kelly Wells; Mitch Golden; John Leidorf  
**Subject:** Cell phone forensics grant

You were right about this grant, but minutes show \$3,000 per year annual cost. I'll make copy of these minutes for BoCC notebooks. Am I okay reducing the training amount to \$3,000?

<b>Animal Control Officer Costs</b>		
	Pay Grade 6	Pay Grade 8 (POST certified)
	@\$17.39	@\$21.05
Salary	36,171	43,784
FICA, Medicare	2,767	3,349
Workers Comp	517	1,567
PERSI	4,095	5,105
Medical	5,500	5,500
<b>Total Personnel Expense</b>	<b>\$49,050</b>	<b>\$59,305</b>
Vehicle (2009 GMC Canyon)	14,000	14,000
Equipment	3,000	3,000
Training (Level 1, Denver)	2,500	2,500
<b>GRAND TOTAL - 1st year</b>	<b>\$68,550</b>	<b>\$78,805</b>



**NATIONAL ANIMAL CARE & CONTROL ASSOCIATION**

*- Referenced in Mt. Home Job Description*

**+ Join Our Community!**

Print Page | Contact Us | Sign In | Register

**Community Search**

Enter search criteria.

**NACA 100**

More in this Section...

Share |

**NACA 100 Training Academy**

The National Animal Care & Control Association (NACA) was formed in 1978 for the express purpose of assisting its members to perform their duties in a professional manner. NACA believes its most important contribution towards solving our domestic animal problems is to make available to Animal Control agencies and personnel a comprehensive training program.

**Who Should Attend**

This program is designed for Animal Control Officers at the federal, state, and local levels, and for Police Officers, and Sheriff's Deputies who are responsible for animal control duties. In addition, those people interested in a career in the animal care and control field are welcome to attend. No previous animal control experience is required.

To be NACA certified as an Animal Control Officer, you must attend our Level 1 AND Level 2 training academy. NACA offers training in locations all over the United States. Check the calendar of events for a list of current training opportunities.

Please be aware that due to logistics and scheduling, NACA may not offer a program within your state. You may need to travel to a course near your location.

It is not necessary to have previous or current experience in Animal Care and Control to attend the Level 1 or 2 course. You must be 18 years of age to attend a NACA course.

**Academy Information:**

The National Animal Care & Control Association Training Academy was designed to be delivered in two levels. Upon successful completion of Level I and Level II, the National Animal Care & Control Association shall certify each participant and issue the appropriate documentation and certification pin. Successful completion of Level I and Level II shall include a minimum passing score of 80% on written examinations and mandatory attendance during all training sessions.

Both Level I and Level II will be five days (40 hours) in length. In addition to the National Certification participants will be awarded Certificates of Completion.

**The Level I curriculum will include the following:**

- Animal Diseases/Zoonosis/Basic Cleaning
- Animal Identification
- Animal Injury Identification and First Aid
- Basic Investigations
- Basic Law Overview (Constitutional Law/Civil Liability)
- Capture Techniques
- Case Report/Evidence Collection/Citation Preparation
- Crises Intervention/Officer Safety
- Companion Animal Behavior
- Courtroom Presentation and Testimony
- Ethics and Professionalism
- Euthanasia Overview
- Rabies/Quarantine Issues
- Shelter Operations

Each day begins at 7:30 am and ends at 4:00 or 5:00 pm, except on Friday when class ends at 12:00 pm (noon).

**Tuition**

Tuition for Level I will be \$525.00 per participant.

For any additional questions please check out our FAQ or email [naca@nacanet.org](mailto:naca@nacanet.org).

**Level II curriculum will include the following:**

- Animal Cruelty Investigations (Companion/Exotic/Agriculture)
- Blood Sports (Dog and Cock Fighting)
- Crime Scene Photography
- Handling of Exotic, Wildlife and Agricultural Animals
- Media Relations
- Methamphetamine Identification and Animal Decontamination

**Sign In**

Username

Password

**Sign In**

Forgot your password?

Haven't registered yet?

**Latest News**

- 6/12/2014  
NACA Award Nomination  
Deadline Extended
- 5/29/2014  
PetSmart Charities Emergency  
Grants
- 4/29/2014  
2014 Annual Training Summit

**Calendar**

- 6/23/2014 » 6/27/2014  
Level 2 - Denver, CO
- 7/14/2014 » 7/18/2014  
Level 1 - Hartford, CT
- 7/21/2014 » 7/25/2014  
Level 2 - Indianapolis, IN
- 8/4/2014 » 8/8/2014  
Level 1 - Minneapolis, MN
- 8/18/2014 » 8/19/2014  
Euthanasia Certification -  
Kansas City, MO

*Level 1 course in Denver:  
Sept. 22-26*

- Officer Safety/Defensive Tactics (Classroom and Practical)
- Public Speaking
- Search and Seizure
- Stress Management/Compassion Fatigue

Each day begins at 7:30 am and ends at 4:00 or 5:00 pm, except on Friday when class ends at 12:00 pm (noon).

Tuition for Level II will be \$525.00 per participant.

For any additional questions please check out our FAQ or email [naca@nacanet.org](mailto:naca@nacanet.org).

---

#### Level III curriculum will include the following:

The NACA Level III program will consist of four different Certification Workshops done in a week-long format. This format will enable an officer to attend individual workshops as needed by the Officer. The Workshops included are:

- Bite Stick Workshop
- Chemical Immobilization Workshop
- Euthanasia Workshop
- Pepper Spray Workshop

For any additional questions please check out our FAQ or email [naca@nacanet.org](mailto:naca@nacanet.org).

#### Tuition

Tuition for Level III will be \$575.00 for the full week of training. Tuition for individual workshops is as follows: Euthanasia - \$255.00; Chemical Capture - \$255.00; Bite Stick - \$180.00; Pepper Spray - \$105.00.

---

#### Level IV curriculum will include the following:

- Commercial Investigations - Pet Stores/Exhibits/Working Animals
- Advanced Evidence Collection
- Interview and Interrogation
- Mass Animal Impoundment
- Emergency Animal Sheltering
- Animal Hoarding
- Agricultural Cruelty Investigations
- Breeders and Puppy Mills

Tuition for Level IV will be \$525.00 per participant.

For any additional questions please check out our FAQ or email [naca@nacanet.org](mailto:naca@nacanet.org).

---

#### Training Site Selection

Training site locations will be chosen by the National Animal Care & Control Association based on a regional commitment by agencies in a given geographical area of the United States. Those agencies in a given area will need a minimum of 35 attendees to be considered for a Level I program.

#### Hosting a NACA Training Academy or Workshop

If you are interested in hosting a NACA Training Academy or workshop, please [Click Here](#).

---

### NATIONAL ANIMAL CARE & CONTROL ASSOCIATION

101 N. Church St.  
Olathe, KS, 66061

Phone: 913-768-1319  
Fax: 913-768-1378

[About NACA](#) | [Training](#) | [Membership](#) | [NACA News](#) | [Policies](#) | [Store](#) | [Links](#)

Association Management Software Powered by  membership.com® :: [Legal/Privacy](#)

Call Type	2010	2011	2012	2013	2014 YTD
Vicious Dog	2	1	2	10	9
Animal Dog (Other)	404	422	416	207	60
Found Dog	*	*	*	74	29
Dog At Large	*	*	*	83	33
Lost Dog	*	*	*	107	40
<b>Total</b>	<b>406</b>	<b>423</b>	<b>418</b>	<b>481</b>	<b>171</b>

DRIGGS					
Vicious Dog				2	0
Animal Dog (Other)				32	9
Found Dog				13	5
Dog At Large				12	7
Lost Dog				14	10
<b>Total</b>				<b>73</b>	<b>31</b>

VICTOR					
Vicious Dog				3	5
Animal Dog (Other)				40	7
Found Dog				14	5
Dog At Large				19	5
Lost Dog				26	5
<b>Total</b>				<b>102</b>	<b>27</b>

TETONIA					
Vicious Dog				0	0
Animal Dog (Other)				7	0
Found Dog				0	0
Dog At Large				1	0
Lost Dog				2	1
<b>Total</b>				<b>10</b>	<b>1</b>

\* Data was not seperated prior to 2013

Animal Dog (Other) are the following:

Nuisance Dogs

Barking Complaints

Cruelty & neglect specific to dogs

Dogs Harassing Cattle

Sample

# City of Mountain Home

## Class Specification

### **Animal Enforcement Officer**

Class Code Number: 161 Pay Grade: 8  
FLSA Designation: Non-exempt Effective Date: 10/10, 3/13

### **General Statement of Duties**

Performs duties to ensure compliance with City of Mountain Home Animal Control ordinances and regulations & assist the Animal Shelter Superintendent with routine animal shelter duties; performs related work as required.

### **Classification Summary**

The primary function of an employee in this class is to ensure compliance with City of Mountain Home Animal Control ordinances and regulations. The job requires effective customer service and communication skills to respond to complaints, explain regulations and seek compliance, sometimes controversial situations. The work is performed under the direct supervision of the Animal Shelter Superintendent, but considerable leeway is granted for the exercise of independent judgment and initiative. The principal duties of the position are performed in the assigned areas of responsibility, in a nearly constant outdoor environment, anytime of day or night, with exposure to all weather conditions. The position is also exposed to potentially dangerous animals, both domestic and wild, and requires confidence and self control to handle sensitive situations. Work in this classification requires the ability to work nights, weekends and holidays.

### **Examples of Work** (Illustrative Only)

#### **Essential Duties and Responsibilities**

- Responds in person and on the telephone to animal complaints and animal control enforcement issues from the public in a timely and courteous manner, ensuring compliance with the city's animal control ordinances;
- Investigates complaints and reports, determines the nature of the violations, advises complainant of enforcement actions and schedule, and works with violator to gain voluntary compliance;
- Patrols for loose animals, writes citations, and administers fines as outlined in City codes and ordinances for animal control violations;
- Conducts regular code reviews, makes recommendations for enforcement, amendments and updates;
- Advises and educates the public on violations, compliance, and other aspects of the animal control codes;
- Maintains inspection and enforcement files, documents, reports, logs, findings, correspondence, enforcement, and related records;
- Coordinates and facilitates emergency pick-up and recover requests;
- Supports and implements shelter programs and policies and general orders;

- Keeps the Animal Shelter Superintendent and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of Animal Shelter operations and activities.

### **Other Duties and Responsibilities**

- Performs other related duties as required.
- Respond to court request for contested citations.
- Keeps and maintains records of the vicious animals in the city.
- Make occasional oral presentations to school/groups/clubs to educate the public on animal care and issues.
- Mediates between multiple parties to resolve conflicts (property damage, animal fights).
- Ability to assess whether an animal is in distress, injured, or in poor condition for purposes of welfare checks.

### **Required Knowledge, Skills and Abilities**

#### Knowledge of:

- City and county Animal Control ordinances and codes and applicable state laws;
- Public relations, communication, and customer service principals and techniques;
- Investigative methods, techniques, and objectives, including documentation and record-keeping;
- Enforcement methods and techniques, including notification, voluntary compliance, and administration of fines;
- Proper and safe animal apprehension, trapping, physical control, transportation, as required for the situation;
- Legal and proper communication and coordination with police department officers to neutralize animals posing a danger to the public;
- Have basic knowledge of city streets, landmarks, and surrounding area of impact;
- Required cleaning, handling, and care standards for Animal Shelter operations.

#### Ability to:

- Work independently;
- Ability to use sound judgment that is adequate for making quick and responsible decisions and recognizing and avoiding hazards;
- Ability to analyze and coordinate investigation of information in order to draw conclusive findings;
- Ability to logically and sequentially document thoughts and findings in writing;
- Participate in the humane euthanization of animals.
- Maintain strict confidentiality and impartiality;
- Investigate and document code and ordinance violations;
- Remain calm and professional under stress and when dealing with angry and/or frustrated citizens, particularly in face of provocation;
- Tactfully explain guidelines, regulations and policies;
- Impartially but firmly enforce codes, ordinances, and regulations;
- Prepare written reports and documents and maintain comprehensive records and files, including under pressure of legal and time-sensitive deadlines;

- Operate standard office equipment, including a personal computer using program applications appropriate to assigned duties;
- To lift or help large animals (up to approximately 100 pounds ) into a vehicle or enclosure;
- To deal with dangerous, vicious and/or aggressive animals, as well as disturbing matters such as handling injured or deceased animals;
- Observe legal and defensive driving practice. Have the ability to safely drive on imperfect weather (snow, ice, etc.);
- Operate a motor vehicle;
- Communicate effectively and establish and maintain effective working relationships with other governmental offices, various agencies and associations, other employees and the public, including in difficult and sometimes adversarial circumstances;
- Perform all work duties and activities in accordance with the cities policies, procedures and safety practices;
- Make sound and reasonable decisions in accordance with laws, ordinances, regulations and established procedures;

**Acceptable Experience, Training, and Background**

- High school diploma or GED equivalency;
- One (1) to two (2) years experience in animal shelter operations and ordinance violation enforcement; and
- Successfully pass a detailed background check with no felony convictions; and
- Ability to receive training and certification from the National Animal Control Association within one year of hire, or
- Any equivalent combination of experience and training which provides the knowledge and abilities necessary to perform the work.

**Special Qualifications**

- Valid Idaho State Driver’s License is required.

**Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to discern verbal instructions and communicate in person and by telephone;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to comprehend written work instructions, perform visual inspections in the field, prepare written documentation and reports, and maintain accurate files;
- Sufficient manual dexterity, with or without reasonable accommodation, which permits the employee to operate animal control equipment and tools, standard office equipment, a personal computer, and a motor vehicle;
- Sufficient personal mobility, flexibility, agility, and balance, with or without reasonable accommodation, which permits the employee to work in an office environment and perform field enforcement work;
- Sufficient stamina to tolerate cold and heat while conducting field investigations in winter and summer.