

**OFFICIAL SUMMARY PROCEEDINGS  
OF THE BOARD OF COUNTY COMMISSIONERS, TETON COUNTY, WYOMING**

The Teton County Board of Commissioners met in regular session on **January 8, 2019** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:00am and the Pledge of Allegiance was recited.

**ROLL CALL**

County Commission: Natalia Macker, Greg Epstein, Mark Barron, Mark Newcomb, and Luther Propst were present.

**MINUTES**

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve **12/17/18, 12/18/18, 12/21/18, and 12/31/18** minutes. Chair Macker called for the vote. The vote showed 4-0 in favor with Commissioner Barron abstaining and the motion carried.

**ADOPTION OF AGENDA**

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adopt today's agenda as presented with the following changes:

TO REMOVE: Action Item #1 Consideration of County Vouchers

TO ADD: Action Item #1 Consideration of Appointments to Teton County Weed & Pest District

TO ADD: Action Item #12 Consideration of Change Orders (3) for Temporary Fire Pavilion Construction

TO ADD: Action Item #13 Consideration of Employee Rental Lease at 1120 Meadowlark Lane

Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**CONSENT AGENDA**

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to place the following Matters from Staff on a Consent Agenda:

2. Consideration of Annual Disclosure Statements for Clerk, Commissioners and Treasurer
3. Consideration of the Designation of 2019 Official Depositories
4. Consideration of a Resolution for the Teton County Statement of Investment Policy
5. Consideration of a Janitorial Services Contract to C&A Cleaning Professional Cleaning
6. Consideration of a Notice of Award and Contract for the Collection and Hauling of Commercial Corrugated Cardboard
7. Consideration of the FY2018 Emergency Management Performance Grant Award Agreement
8. Consideration of a Managed Services Contract Amendment for a Change to the Data Center Telecommunications Connection Provider
9. Consideration of an Agreement for a Security Analysis and Space Planning Services at the Teton County Courthouse (TCCH)

Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the items on the Consent Agenda with the motion as stated in their respective staff reports and recommended staff motions of approval. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**MATTERS FROM COMMISSION AND STAFF:**

**2. Consideration of Annual Disclosure Statements for Clerk, Commissioners and Treasurer**

To accept the disclosure statements pursuant to WS §6-5-118(a) from the County Clerk, County Treasurer, and County Commissioners as presented.

**3. Consideration of the Designation of 2019 Official Depositories**

To designate the banks listed as Teton County Official Depositories for 2019:

1. Wells Fargo Bank, N.A.; Jackson, Wyoming
2. Bank of Jackson Hole; Jackson, Wyoming
3. Bank of the West; Jackson, Wyoming
4. First Interstate Bank; Jackson, Wyoming
5. U.S. Bank N.A.; Jackson, Wyoming
6. Zions Bank; Jackson, Wyoming
7. Rocky Mountain Bank; Jackson, Wyoming

**4. Consideration of a Resolution for the Teton County Statement of Investment Policy**

To approve the 2019 Resolution of the Teton County Statement of Investment Policy and direct the Chair to sign.

**RESOLUTION 19-002**

**TETON COUNTY  
STATEMENT OF INVESTMENT POLICY**

WHEREAS, W.S. §9-4-831(h) mandates every political subdivision adopt "a statement of investment policy"; and

WHEREAS, TETON COUNTY desires to adopt an investment policy at least as restrictive with respect to the types of investment as authorized by W.S. §9-4-831(a);

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF TETON COUNTY, WYOMING:

- (a) The TETON COUNTY financial accounting procedures are divided among the County Commissioners, the County Clerk, and the County Treasurer. The County Clerk is designated as budget officer (*W.S. 16-4-102(a)(iv)*); the County Treasurer is in charge of the county treasury (*W.S. §18-3-804*). Warrants for payment from the treasury must be authorized by the Board of County Commissioners (*W.S. §§18-3-504 and 18-3-805*);
- (b) It shall be the policy of the Teton County Treasurer to invest public funds in a manner which will provide the highest investment return with the maximum security, and conforming to all federal, state, and local laws and regulations governing the investment of public funds;
  - (1) To the extent possible, the Teton County Treasurer will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Teton County Treasurer will not directly invest in securities maturing more than one (1) year from the date of purchase.
  - (2) Funds in excess of cash flow requirements may be invested in securities maturing not more than five (5) years, if the maturity of such investments is made to coincide as nearly as practicable with the expected use of funds.
- (c) Any person affecting an investment transaction on behalf of TETON COUNTY, or offering investment advice, shall sign a statement indicating he or she has read this policy and agrees to abide by this policy and by applicable federal, state, and local laws with respect to the advice given and transactions undertaken on behalf of the County.
- (d) The Teton County Treasurer shall be, and is hereby authorized to make such statutory investments, at his or her discretion, as will conform to this policy which shall be deemed at least as restrictive as the types of investments authorized by W.S. §9-4-831(a);
  - (1) The County shall diversify its instruments by security type and institution. With the exception of U.S. Treasury securities, certificates of deposits, and authorized pools, no more than twenty-five percent (25%) of the County's total investment portfolio will be invested in a single security type.
  - (2) To provide assurance that the County will be able to continue financial operations without interruption and dependent upon interest rates, satisfaction with services, the County will generally attempt to utilize at least two financial institutions as depositories.
- (e) The Treasurer is charged with the responsibility of providing a monthly financial report, to include investment activity and returns, in the County's Financial Report.
- (f) This policy shall be effective through the calendar year 2019.

ADOPTED this 8th day of January, 2019.

**BOARD OF COUNTY COMMISSIONERS**

Natalia D. Macker, Chair

Teton County Board

ATTEST:

Sherry L. Daigle, County Clerk

Reviewed and approved as to form:

Keith Gingery, Deputy County Attorney

**5. Consideration of a Janitorial Services Contract to C&A Cleaning Professional Cleaning**

To approve the awarding of the contract for Janitorial Services for the above-named facilities to C & A Cleaning in the amount of \$2,725.00 monthly with the proposed changes to the scope of work.

**6. Consideration of a Notice of Award and Contract for the Collection and Hauling of Commercial Corrugated Cardboard**

To approve Notice of Award and Contract with Westbank Environmental Services, Inc. for the FY2020-2022 Collection and Hauling of Commercial Corrugated Cardboard, with a total contract amount of \$550,279.00 (\$14,836.00 per month).

**7. Consideration of the FY2018 Emergency Management Performance Grant Award Agreement**

To approve the FY2018 Emergency Management Performance Grant Award Agreement.

**8. Consideration of a Managed Services Contract Amendment for a Change to the Data Center Telecommunications Connection Provider**

To approve the managed services contract amendment with Venture Technology for \$1,000.80 for setup and \$1,665.00 per month for 36 months.

**9. Consideration of an Agreement for a Security Analysis and Space Planning Services at the Teton County Courthouse (TCCH)**

To award the Security Analysis Agreement to the National Center for State Courts in the amount of \$50,432.00.

## DIRECT CORRESPONDENCE

1. Matt Getz 12/11/2018 email regarding Fire in the Mountains Music Festival
2. Jackson Hole Music Store 12/11/2018 email regarding Fire in the Mountains Music Festival
3. Danielle Carozza 12/11/2018 email regarding Fire in the Mountains Music Festival
4. Curtis Williams 12/11/2018 email regarding Fire in the Mountains Music Festival
5. Jessica Spalding 12/11/2018 email regarding Fire in the Mountains Music Festival
6. TJ Sullivan 12/11/2018 email regarding Fire in the Mountains Music Festival
7. Josh O'Leary 12/11/2018 email regarding Fire in the Mountains Music Festival
8. Greg Van Gilder 12/11/2018 email regarding Fire in the Mountains Music Festival
9. Sarah Averill 12/11/2018 email regarding Fire in the Mountains Music Festival
10. Seamus Gleason 12/11/2018 email regarding Fire in the Mountains Music Festival
11. Jenelle and Olaus Linn 12/11/2018 email regarding Fire in the Mountains Music Festival
12. Wade Dunstan 12/11/2018 email regarding Fire in the Mountains Music Festival
13. Andrew Smith 12/11/2018 email regarding Fire in the Mountains Music Festival
14. Russell Scott 12/11/2018 email regarding Fire in the Mountains Music Festival
15. Bailey Schreiber, W C C A 12/11/2018 email regarding WCCA Comment Letter on USFS Draft EIS on Greater Sage Grouse
16. E. Brienzo 12/11/2018 email regarding Fire in the Mountains Music Festival
17. Collin Ryder 12/11/2018 email regarding Fire in the Mountains Music Festival
18. Matt Bahr 12/11/2018 email regarding Fire in the Mountains Music Festival
19. Leif Routman 12/11/2018 email regarding Fire in the Mountains Music Festival
20. Lillie Lauterbach 12/11/2018 email regarding Fire in the Mountains Music Festival
21. James Stuart 12/11/2018 email regarding Fire in the Mountains Music Festival
22. Frankie McCarthy 12/11/2018 email regarding Fire in the Mountains Music Festival
23. Ana Van Pelt 12/11/2018 email regarding Fire in the Mountains Music Festival
24. Jamie Engebretson 12/11/2018 email regarding Fire in the Mountains Music Festival
25. Benjamin Carlson 12/11/2018 email regarding Fire in the Mountains Music Festival
26. Evan Nichols 12/11/2018 email regarding Fire in the Mountains Music Festival
27. Eric Carr 12/11/2018 email regarding Fire in the Mountains Music Festival
28. Leah Zamesnik, Jackson Hole Alliance 12/11/2018 email regarding JH Classical Academy
29. Jesse Nagle 12/11/2018 email regarding Fire in the Mountains Music Festival
30. Mike Scher 12/11/2018 email regarding JH Classical Academy
31. Jody Valenta 12/11/2018 email regarding Fire in the Mountains Music Festival
32. Taylor Upton 12/11/2018 email regarding Fire in the Mountains Music Festival
33. Ben Pullar 12/11/2018 email regarding Fire in the Mountains Music Festival
34. Devin Corey 12/11/2018 email regarding Fire in the Mountains Music Festival
35. Melissa Larsen 12/11/2018 email regarding Fire in the Mountains Music Festival
36. Dan Hady 12/11/2018 email regarding Fire in the Mountains Music Festival
37. Arianne Schelling 12/11/2018 email regarding Fire in the Mountains Music Festival
38. Katie Wilson 12/11/2018 email regarding Fire in the Mountains Music Festival
39. Jeff Moran 12/11/2018 email regarding Fire in the Mountains Music Festival
40. Will Ferguson 12/11/2018 email regarding Fire in the Mountains Music Festival
41. Jessica Clarke 12/11/2018 email regarding Fire in the Mountains Music Festival
42. Amy Glenn 12/11/2018 email regarding Fire in the Mountains Music Festival
43. Jay Nel-McIntosh 12/11/2018 email regarding Fire in the Mountains Music Festival
44. Billy Flowers 12/11/2018 email regarding Fire in the Mountains Music Festival
45. Shane McCarthy 12/12/2018 email regarding Fire in the Mountains Music Festival
46. Todd Roberson 12/12/2018 email regarding Fire in the Mountains Music Festival
47. Adam Dowell 12/12/2018 email regarding Fire in the Mountains Music Festival
48. Zach Isler 12/12/2018 email regarding Fire in the Mountains Music Festival
49. Jason Azarpour 12/12/2018 email regarding Fire in the Mountains Music Festival
50. Andrea LaFevers 12/12/2018 email regarding Fire in the Mountains Music Festival
51. Natty Hagood 12/12/2018 email regarding Fire in the Mountains Music Festival
52. Krissy Zinski Albert 12/12/2018 email regarding Fire in the Mountains Music Festival
53. Fernando Guerrero 12/12/2018 email regarding JH Classical Academy
54. Matt Donovan 12/12/2018 email regarding Fire in the Mountains Music Festival
55. Benja Glatz 12/12/2018 email regarding JH Classical Academy
56. Nick Grenoble 12/13/2018 email regarding Library Director Search
57. Chuck 12/13/2018 email regarding JH Classical Academy
58. Daniel Fong 12/13/2018 email regarding JH Classical Academy
59. Bob Moore 12/13/2018 email regarding JH Classical Academy
60. Chad Repiniski 12/13/2018 email regarding JH Classical Academy
61. Army Corps of Engineers 12/14/2018 letter regarding Walton Quarry
62. Kollin Green 12/13/2018 email regarding JH Classical Academy
63. Jennifer Green 12/13/2018 email regarding JH Classical Academy
64. Shirley and Dan Thomas 12/13/2018 email regarding JH Classical Academy
65. Barry Sibson 12/14/2018 email regarding JH Classical Academy
66. Zach Zimmerman 12/14/2018 email regarding Fire in the Mountains Music Festival
67. Colin O'Farrell 12/14/2018 email regarding Fire in the Mountains Music Festival
68. Jason Ochs 12/14/2018 email regarding JH Classical Academy
69. Tasso and Marnie Coin 12/14/2018 email regarding JH Classical Academy
70. Aaron Heindel 12/14/2018 email regarding JH Classical Academy
71. Todd Lamppa 12/14/2018 email regarding JH Classical Academy
72. Rachel Greb 12/14/2018 email regarding JH Classical Academy
73. Carlton Loewer 12/14/2018 email regarding JH Classical Academy
74. Ellen Karpf 12/15/2018 email regarding JH Classical Academy
75. Becca Block 12/15/2018 email regarding JH Classical Academy
76. Mike Fischer 12/14/2018 email regarding JH Classical Academy
77. Aaron Heindel 12/15/2018 email regarding JH Classical Academy
78. Emily Darnell 12/15/2018 email regarding Fire in the Mountains Music Festival
79. Jon and Britt Baker 12/15/2018 email regarding JH Classical Academy

80. Susan Mick, START Board 12/15/2018 email regarding Town Council Workshop and START Funding
81. Kathe Coelho 12/15/2018 email regarding JH Classical Academy
82. Virginia Anderson 12/15/2018 email regarding JH Classical Academy
83. Debbie Schlinger 12/15/2018 email regarding Library Director Process
84. Mark Memmer 12/16/2018 email regarding JH Classical Academy
85. Jesse Combs 12/16/2018 email regarding JH Classical Academy
86. Jack and Kay Krouskup 12/16/2018 email regarding JH Classical Academy
87. Robert Flath 12/16/2018 email regarding JH Classical Academy
88. Joe and Ellen Sanford 12/16/2018 email regarding JH Classical Academy
89. Donald and Jenny Felsing 12/16/2018 email regarding JH Classical Academy
90. Alex Maher 12/16/2018 email regarding JH Classical Academy
91. Marv Heilesen 12/17/2018 email regarding JH Classical Academy
92. Donna Niemi 12/17/2018 email regarding JH Classical Academy
93. Chuck Harris 12/17/2018 email regarding JH Classical Academy
94. William Eckerle 12/17/2018 email regarding JH Classical Academy
95. Mickey Babcock 12/17/2018 email regarding JH Classical Academy
96. Tom Holland 12/17/2018 email regarding JH Classical Academy
97. Louis Wang 12/17/2018 email regarding JH Classical Academy
98. Rolf Belden Jr. 12/17/2018 email regarding JH Classical Academy
99. Alli Noland 12/17/2018 email regarding JH Classical Academy
100. Mary Pantin 12/17/2018 email regarding JH Classical Academy
101. Skye Schell, Jackson Hole Conservation Alliance 12/17/2018 email regarding Natural Resource LDRs
102. Chi Melville 12/17/2018 email regarding JH Classical Academy
103. Echo Miller 12/17/2018 email regarding JH Classical Academy
104. Mike May 12/17/2018 email regarding JH Classical Academy
105. Jon Stuart 12/17/2018 email regarding JH Classical Academy
106. Beth Whitworth 12/17/2018 email regarding JH Classical Academy
107. Barbara Zelazo 12/17/2018 email regarding JH Classical Academy
108. Paul Alden 12/17/2018 email regarding JH Classical Academy
109. Britt Baker 12/17/2018 email regarding JH Classical Academy
110. Sandy Shuptrine 12/17/2018 email regarding Natural Resource LDRs
111. Pat Butts 12/17/2018 email regarding JH Classical Academy
112. Caryn Feuz Haman 12/17/2018 email regarding JH Classical Academy
113. Janet Whitmire 12/17/2018 email regarding JH Classical Academy
114. Mike Hornbuckle 12/17/2018 email regarding JH Classical Academy
115. Donna Hornbuckle 12/17/2018 email regarding JH Classical Academy
116. Aaron Pruzan 12/17/2018 email regarding JH Classical Academy
117. Tamsen Pruzan 12/18/2018 email regarding JH Classical Academy
118. Kim McGregor 12/17/2018 email regarding JH Classical Academy
119. Blythe Cox 12/17/2018 email regarding JH Classical Academy
120. Maureen O'Leary 12/17/2018 email regarding JH Classical Academy
121. Lynne Becker 12/18/2018 email regarding JH Classical Academy
122. Connie Kemmerer 12/18/2018 email regarding JH Classical Academy
123. Herb and Amy Brooks 12/18/2018 email regarding JH Classical Academy
124. Mandy Dornan 12/18/2018 email regarding JH Classical Academy
125. Mandy Dornan 12/18/2018 email regarding JH Classical Academy
126. Frederick Reimers 12/18/2018 email regarding JH Classical Academy
127. Brooke Bullinger 12/18/2018 email regarding JH Classical Academy
128. Sarah Schwarz 12/19/2018 email regarding JH Classical Academy
129. Geneva Chong 12/20/2018 email regarding Snow King Development
130. Beverly Boynton 12/20/2018 email regarding Snow King Development
131. Gloria Courser 12/20/2018 email regarding JH Classical Academy
132. Edward King 12/21/2018 email regarding JH Classical Academy
133. Kathy Tompkins 12/21/2018 email regarding Tribal Trail Connector
134. Michelle Anderson, Jackson Hole Airport Board 12/21/2018 email regarding Summary of Airport Board Meeting December 19,
135. Claudia Gillette 12/24/2018 email regarding Summary of Airport Board Meeting December 19, 2018
136. Richard Bloom 12/26/2018 email regarding Summary of Airport Board Meeting December 19, 2018
137. Carol Peck, Teton County Library Board 12/26/2018 email regarding Library Director Recruitment
138. US Army Corps of Engineers 12/27/2018 letter regarding County Flood Operations
139. Al Zuckerman 12/27/2018 email regarding JH Classical Academy
140. Lowell Martindale 12/28/2018 email regarding Vail - JH Golf & Tennis
141. Timothy Macker 12/28/2018 email regarding Vail - JH Golf & Tennis
142. Rich Bloom 12/28/2018 email regarding JH Classical Academy
143. Susan and Fred Kingwell 12/28/2018 email regarding Vail - JH Golf & Tennis
144. Arthur Miller 12/28/2018 email regarding Vail - JH Golf & Tennis
145. Rich Bloom 12/28/2018 email regarding JH Classical Academy
146. Mark Newcomb, County Commissioners 12/29/2018 email regarding Library Director Recruitment Process
147. Susan Marsh 12/29/2018 email regarding Snake River Sporting Club River Damage
148. Thomas and Linda Markovits 12/29/2018 email regarding Vail - JH Golf & Tennis
149. Tim and Judy Heffernan 12/29/2018 email regarding Vail - JH Golf & Tennis
150. Mary Gibson Scott 12/29/2018 email regarding Vail - JH Golf & Tennis
151. Dorie Schwertz 12/29/2018 email regarding Vail - JH Golf & Tennis
152. Del and Terry Johnson 12/29/2018 email regarding Vail - JH Golf & Tennis
153. Leon Campbell 12/30/2018 email regarding JH Classical Academy
154. Larry and Ellen Catt 12/30/2018 email regarding Vail / JH Golf & Tennis
155. Gregg Ward 12/30/2018 email regarding Vail / JH Golf & Tennis
156. Paula Szytko 12/30/2018 email regarding Vail / JH Golf & Tennis
157. Marten Quadland 12/30/2018 email regarding Vail / JH Golf & Tennis
158. Charles and Vicki Hutson 12/30/2018 email regarding Vail / JH Golf & Tennis
159. William Fausone 12/30/2018 email regarding Vail / JH Golf & Tennis
160. Cary Stowe 12/31/2018 email regarding Vail / JH Golf & Tennis

161. Katherine Brooks and George Beller 12/31/2018 email regarding Vail / JH Golf & Tennis
162. Nanci Halper 12/31/2018 email regarding Vail / JH Golf & Tennis
163. Joan Anzelmo 12/31/2018 email regarding Vail / JH Golf & Tennis
164. Gary Edmonds and Lynn Gaviotis 12/31/2018 email regarding Vail / JH Golf & Tennis
165. Robert Halper 12/31/2018 email regarding Vail / JH Golf & Tennis
166. Mark and Ann Messana 12/31/2018 email regarding Vail / JH Golf & Tennis
167. Robbi Farrow 12/31/2018 email regarding JH Classical Academy
168. Susan Watts 12/31/2018 email regarding Vail / JH Golf & Tennis
169. Garnett Smith 12/31/2018 email regarding JH Classical Academy
170. Tom Davis 12/31/2018 email regarding Vail / JH Golf & Tennis
171. Matthew Hall 12/31/2018 email regarding JH Classical Academy
172. Emily Smith 12/31/2018 email regarding JH Classical Academy
173. Robyne and Randolph Townsend 12/31/2018 email regarding Vail / JH Golf & Tennis

## **PUBLIC COMMENT**

Public comment was given by Stefan Fodor regarding the Walton Ranch and the transfer of BLM Parcels 9/10.

## **MATTERS FROM COMMISSION AND STAFF:**

### **1.Consideration of Appointments to Teton County Weed & Pest District**

Sherry Daigle, County Clerk, presented to the Board for consideration of approval the appointments to the Teton County Weed & Pest Control District. By statute 11-5-104(a-b), County Commissioners shall make appointments at their first regular meeting in January 2019 to the Weed & Pest Board of Directors. Terms are for 4 years and are appointed from nomination petitions signed by at least 10 landowners within that district.

There was no discussion between the Board and staff.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve to reappoint the following to the Teton County Weed and Pest Control District: Mary Cernicek to District 1 in Town, Kasey Mateosky to District 2 in Hoback, and to appoint Lucas Turner to District 3 in Moran, each for full terms of 4 years. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### **10. Consideration of Responses to the Request for Proposals (RFP) for a New Stall Barn at the Teton County Fairgrounds**

Alyssa Watkins, BCC Administrator, presented to the Board for consideration of bids received in response to the Request for Proposals (RFP) for a new stall barn at the Teton County Fairgrounds. In November, Teton County released an RFP for a new stall barn to be built to replace the existing facility which is currently being remodeled into the temporary fire station and future expo building. The Fairgrounds has \$270,000 budgeted for the project. Bids came back significantly higher ranging from approximately \$697,000 to \$1,200,000. Also, the Fair Board is strongly opposed to the proposed location on the west side of the Grassy Arena, as well as the size of the stall barn. Given the Fair Board's concerns and the shortage of available funding, staff recommends rejecting all bids and considering a project redesign that could lower costs and be more acceptable to the Fair Board.

Discussion between the Board and staff included outlined process moving forward including the Fair Board and potentially looking at the budget again.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to reject all stall barn bids. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### **11. Consideration of a Budget Amendment to Purchase New Commercial Washer and Dryer for the Detention Center**

Matt Carr, County Sheriff, presented to the Board for consideration that money be allocated for the purchase of a new commercial washer and dryer at the Teton County Jail. The current washer and dryer has been in use since 1986. According to facilities it can no longer be adequately repaired and its functioning is on its last days of life. County facilities have bid the project and selected a vender.

Discussion between the Board and staff included schematic of old vs new machines, bids on machines, size of machines continue to be the same, needs of a budget amendment, re-appropriate funds.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the purchase of the new commercial washer/dryer for the Teton County Jail. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### **12. Consideration of Change Orders (3) for Temporary Fire Pavilion Construction**

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval three change orders to the temporary fire pavilion construction contract. Wapiti Construction has the construction contract to converting the Pavilion, currently an open livestock building into a short term (18 month) temporary fire station and then into a long-term Community Event Center. The temporary fire pavilion will be used while Fire Station #1 on Pearl Street is renovated. The three change orders are for:

- Water Fountain – This is not needed by building code for the temporary fire station, but it will be needed when the building is converted 2 years from now from the temporary fire station to the long-term community event center. This was an oversight to not recognize the building code needs of the final use of this building.
- Heating & Insulation - 25% of the current building is occupied by the Fair Office. No changes or additions were contemplated for the Fair Office space other than to extend the wet sprinkler system to cover the storage area above the Fair Office space. The subcontractor installing the sprinkler system has pointed out that there is no insulation or heating in that storage area and without heating and insulation, the wet sprinkler system will freeze. The change order is to install heat and insulation in the storage area above the Fair Offices in order to ensure that the sprinkler system does not freeze.
- Electrical – There is an ongoing discussion as to whether or not the electrical subcontractor had received a full set of up to date plans in order to install the electrical. The county is continuing to look into the matter and determine culpability, if any, of 3rd parties. However, in the meantime it has become apparent that the electrical needs to get done in order to stay on schedule.

There was no discussion between the Board and staff.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve to revise the contracted amount with Wapiti Corporation to include the 3 change orders presented in the amount of \$53,250.87. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### 13. Consideration of Employee Rental Lease at 1120 Meadowlark Lane

Stacy Stoker, Housing Manager, presented to the Board for consideration of approval of a lease agreement for Teton County Employee Housing located at 1120 Meadowlark Lane. In January 2015, the Board of County Commissioners approved the purchase of six (6) dwelling units located in the Town of Jackson for the purposes of providing rental housing opportunities for Teton County Government employees. Since then have added three more units to their inventory. Eligibility for a Teton County employee housing unit is determined by the Jackson/Teton County Affordable Housing Department based on the Employee Housing Policy adopted by the Board of County Commissioners August 28, 2018.

The attached lease, if approved, is with GovTempUSA, LLC, for a term of three months beginning January 8, 2019 and will automatically renew for an additional three-month term so long as the GovTempUSA, LLC keeps a contractual agreement with Teton County. There will be no rent or security deposit charged.

There was no discussion between the Board and staff.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the Lease Agreement for 1120 Meadowlark Lane with GovTempUSA, LLC. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### MATTERS FROM PLANNING & DEVELOPMENT

1. Applicant: LOCKHART, ELIZABETH REVOCABLE TRUST  
 Presenter: Emily Cohen  
 Permit No.: S/D2018-0011 **POSTPONED FROM THE DECEMBER 18, 2018 BCC HEARING**  
 Request: Partial Vacation of a Plat, pursuant to Section 8.2.13. Amendment of Permits or Approvals and pursuant to Section 8.5.5. Boundary Adjustment, of the Teton County Land Development Regulations, to re-configure Lots 11 & 12 in the Wilson Town Site. The number of lots is remains the same and the size of the lots remains the same at 0.17 acres.  
 Location: 1255 N Second Street, Lots 11 and 12 Wilson, Blk. 2, Wilson, immediately north and adjacent to Highway 22. The lots are zoned Neighborhood Conservation with no overlay.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to postpone the Lockhart, Elizabeth Revocable Trust item to January 15, 2019. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

2. Applicant: SECOND BASE, LLC  
 Presenter: Emily Cohen  
 Permit No.: VAR2018-0004 **POSTPONED FROM THE DECEMBER 18, 2018 BCC HEARING**  
 Request: Variance, pursuant to Section 8.8.2., Variance, of the Teton County Land Development Regulations, to vary Section 5.1.6.D.2.b.i to reduce the 20:1 slope requirement in the Scenic Resources Overlay to allow a 2:1 slope.  
 Location: 7940 S Ross Lane. The property is located 0.5 miles south of Swinging Bridge, immediately west of and adjacent to S. Highway 89, The property is zoned Rural, and is within the Scenic Resources Overlay.

Emily Cohen, Planning staff, presented to the Board for consideration of approval a variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations, to vary Section 5.1.6.D.2.b.i, which requires berms located in the Scenic Resources Overlay (SRO) to be no steeper than 20:1, in order to allow a berm in the street yard that has a slope of 2:1, as allowed outside of the SRO. The applicant is seeking a variance to LDR Section 5.1.6 pertaining to the outward slope of berms in the SRO which requires the slope to be no steeper than 20 (horizontal): 1 (vertical). Outside the SRO a berm in the street yard shall have an outward slope no steeper than 2 (horizontal): 1 (vertical). The lot is currently vacant, with no structures. There is little to no vegetation on site and is instead covered in exposed top soil and mulch. Two large stockpiles/berms span the eastern and southern property lines with the eastern "berm" spanning nearly 200 feet at a slope of approximately 1:1. The berm is approximately 9'4" high.

Pursuant to Section 8.8.2. Variance of the Land Development Regulations, a variance shall be approved upon being able to make all six (6) findings:

1. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood – CAN BE MADE.
2. The special circumstances and conditions have not resulted from any willful modification of the land or building – CAN BE MADE.
3. The special circumstances and conditions are such that the strict application of the regulation sought to be varied would create a hardship on the applicant far greater than the protection afforded to the community – CAN BE MADE.
4. The variance sought is the minimum variance necessary to provide balance between the purpose of the regulation sought to be varied and its impact on the applicant – CAN BE MADE AS CONDITIONED
  - a. The variance would allow for the berm regulations for properties not in the SRO to apply. Those standards allow the maximum height of a berm as measured to the nearest point to the low-side toes, to be six feet; except that the following berms shall not exceed 10 feet: A berm in the street yard; or a berm in the R-1, R-2, or R-TC zones. This property is located in the R-TC zone; the berm measures 9'4". In order for the 2:1 non-SRO standard to apply the berm would need to either be reduced to 5 feet in height or have its outward slope extended by 10 feet.
5. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed and is otherwise not detrimental to the public welfare – CAN BE MADE.
6. The granting of the variance is consistent with the general purpose and intent of these LDRs – CAN BE MADE.

Discussion between the Board and staff included slope angle and ratio of the WYDOT berms on the east side.

The applicant, Harry Statter, addressed the Board regarding his application.

Discussion between the Board and the applicant included the staff condition.

There was no public comment.

Discussion among the Board included Commissioners Epstein and Newcomb could make all of the findings, the applicant will need to get the Grading and Erosion Permit, Commissioner Barron can make all of the findings.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to APPROVE VAR2018-0004, to vary Section 5.1.6 of the Teton County Land Development Regulations, to allow a berm within the SRO to have 2:1 slopes where 20:1 slopes are required, as set forth in the application dated September 28, 2018, subject to one (1) condition of approval as recommended by the Planning Director, being able to make all six (6) findings of Section 8.8.2. of the Teton County Land Development Regulations.

1. Decrease the current slope of the berm to a 2:1 ratio either by extending the outward slope of the berm by 10 feet to the property line or reducing the height of the berm to 5 feet.

Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 9:42am and reconvened at 9:50am.

3. Applicant: SNAKE RIVER ASSOCIATES, LLC  
Presenter: Roby Hurley  
Permit No.: MSC2018-0054  
Request: Miscellaneous Permit to review the Snake River Ranch Giltner Event site annual report, as required by Condition of Approval #4 of Conditional Use Permit 20015-0001, pursuant to Article 8.4.2 of the Teton County Land Development Regulations and consideration of release of the third-party monitoring.  
Location: 5700 Snake River Ranch Road. Generally located on the west side of Highway 390/Moose-Wilson Road, approximately 3 miles south of Teton Village. The property is zoned Rural 1 and is located in the Natural Resources and Scenic Recourse Overlays.

Roby Hurley, Principal Planner, presented to the Board for consideration of approval Request for the 2018 annual review of the Snake River Ranch/Giltner Event Site Conditional Use Permit, pursuant to the Teton County Land Development Regulations Subsection 6.1.11.K.3.n, in effect when this permit was issued and in conformance with Condition #4 of CUP2015-0001, which requires annual review of the approved event site by Teton County to ensure compliance with the conditions of the permits. The applicant has also requested release of the third party monitoring based on three years of data proving compliance and to have annual reviews conducted administratively.

On April 21, 2015, a Conditional Use Permit (CUP2015-0001) was approved by the Board of County Commissioners to allow for a reception/event site at the Giltner site on the Snake River Ranch, which is located on the west side of Highway 390/Moose-Wilson Road approximately 2.5 miles south of Teton Village. The original CUP was approved with 4 conditions. During the 2015 monitoring report review the Board of County Commissioners added 2 additional conditions to the original CUP (#5 and #6) as part of MSC2015-0053. During the 2017 monitoring report review the Board of County Commissioners modified 2 of the conditions to the original CUP (#1 and #4) as part of MSC2017-0066. Throughout this past summer, Staff has consistently received the required noise monitoring reports directly from Cross-Spectrum Acoustics, a third-party monitoring professional hired by Snake River Ranch for a total of 7 events held between June 23 and September 15, 2018. The applicant submitted an overall monitoring report on October 31, 2018.

Discussion between the Board and staff included conditions to be amended.

Matt Turner, representative of the applicant, addressed the Board regarding the annual review. He addressed issue with noise, monitoring by Cross-Spectrum Acoustics (CSA) and retained as a third party monitoring professional, one instance of the noise exceeding the noise ordinance.

Discussion between the Board and Mr. Turner included number of winter events scheduled, why winter events are considered.

The meeting was recessed at 10:08am and the meeting reconvened at 10:17am.

Public comment was given by Steve Feldman, Kristeen Hand, Mary Coyne, Alex Gambal, and Christine Murdoch.

Matt Turner, representative of the applicant, addressed the Board to respond to public comment.

Discussion between the Board and Mr. Turner included releasing the third-party monitoring and how the ranch would defend themselves and ranch perspective on the proposal from neighbors.

Discussion among the Board included condition #8 from the 2017-066.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to accept and acknowledge that the 2018 Snake River Ranch annual review of the Giltner Event site, approved under CUP2015-0001, as amended in MSC2015-0053 and MSC2017-0066 with six (6) conditions, and find that CUP2015-0001 is compliant for the year 2018 with the requirements and conditions of the approved Conditional Use Permit with no further conditions or requirements, and move to modify Condition Number 5 for third party monitoring and require that the annual review be conducted administratively. Commissioner Newcomb moved to amend the motion on the table to condition #4 of the CUP20150001 so 8 events are allowed from April 15 – October with 6 amplified and 2 unamplified. Commissioner Barron, as the motion maker, did not agree to the change. Commissioner Propst seconded the motion. Chair Macker called for the vote. The vote showed 3-2 in favor with Commissioners Barron and Epstein opposed and the motion carried.

The amended motion is to accept and acknowledge that the 2018 Snake River Ranch annual review of the Giltner Event site, approved under CUP2015-0001, as amended in MSC2015-0053 and MSC2017-0066 with six (6) conditions, and find that CUP2015-0001 is compliant for the year 2018 with the requirements and conditions of the approved Conditional Use Permit with no further conditions or requirements, and move to modify Condition Number 5 for third party monitoring and require that the annual review be conducted administratively and a change to Condition Number 4 allowing eight (8) events with two being unamplified. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

4. Applicant: JACKSON HOLE GOLF & TENNIS CLUB, INC.  
Presenter: Roby Hurley  
Permit No.: PUD2018-0001  
Request: Master Plan amendment pursuant to Section 8.7.3 of the Teton County Land Development Regulations, to amend the physical area and use standards for the golf maintenance and employee housing area.  
Location: 5000 North Spring Gulch Road. Generally located on the east side of Spring Gulch Road, approximately 1 mile south of the East Sage Brush Drive and Spring Gulch Road intersection. The property is zoned Planned Resort and is in the Natural Resources Overlay.

Roby Hurley, Principal Planner, presented to the Board for consideration of approval of a request to amend the Resort Master Plan by submitting the following application:

- Amend the Jackson Hole Golf and Tennis Master Plan (Master Plan) pursuant to Sections 8.7.3 and 4.3.1.D. of the Teton County Land Development Regulations, Planned Unit Development (PUD) (PUD2018-0001)

The application states that the applicant proposes to amend the Master Plan, based on the following changes:

- I. To further define the physical area and use standards associated with the Golf Maintenance/Employee Housing site identified within the previously approved PUD for JHGTC, the subject property of this application.
- II. To add cellular, wireless telephone utilities to the list of utility services in the Golf Maintenance/Employee Housing site.
- III. To establish a 15 foot setback from a river channel in the Golf Maintenance/Employee Housing site.

The application includes revisions dated November 1, 2018 and December 17 and 22, 2018. Both revisions were requested by Planning Staff or Planning Commission to clarify the Master Plan Amendment application. The application includes the 2 sets of findings associated with a PUD application (Section 8.7.3 and 4.3.1.D), a PUD Site Plan Map and a Master Site Plan.

#### Definitions and Abbreviations:

Jackson Hole Golf and Tennis Resort (JHGT) – The applicant  
Golf Maintenance and Employee Housing Area (GMEH) - The area subject to the amendment

JHGT is requesting an amendment to its current 2002 Resort Master Plan to further define the physical area and use standards associated with the Golf Maintenance/Employee Housing site identified within the previously approved PUD for JHGT. No other changes are proposed for the Master Plan amendment and no physical development is proposed.

Specifically, JHGT requests the following amendments to the Master Plan:

- Replace the current artist's rendering of the GMEH area with a site plan map of the 6.3 acre area to be identified in the Master Plan as Golf Maintenance/Employee Housing Site Plan
- Revise the Use Program/ Dimensional Limitation Plan table to include Cellular wireless services to the list of uses and identify dimensional limitations in the GMEH site
- Revise the Use Program/ Dimensional Limitation Plan table to include a 15 foot setback from a river channel in the Golf Maintenance/Employee Housing site
- Revise Section 4 Housing Requirements section to broaden the types of housing strategies to accommodate workforce housing in the GMEH site

The subject property, owned by Vail Resorts, Jackson Hole Golf and Tennis Club Inc., is part of a Planned Resort located on Spring Gulch Road containing residential and recreational uses. The Golf Maintenance/Employee Housing Area (GMEH), identified in the Master Plan, is located on Lot 49 on the east side of Spring Gulch Rd. The site contains previously approved employee housing and maintenance structures. Today, the GMEH grounds consist of the Golf Maintenance Building, Equipment Yard, Manager's Residence, Employee Housing Dormitory, a Maintenance Out-Building, Potable Water Well Building, Trash/Recycling Enclosure, FAA Monitoring Tower, LVE Overhead Powerline Infrastructure, multiple potable water well heads and two-track roads for interior circulation between all aforementioned structures. In addition to the existing structures, the previously approved JHGTC Resort Master Site Plan Overview depicts and shows allowances for a 3,000 s.f. Administrative Building and an additional 8,000 s.f. Maintenance Building to be located within the GMEH site.

In December 1997, the Grand Teton Lodge Company, was granted approval for a text amendment, initiating the Master Plan process, subject to the regulations at the time. PUD1998-0001 was approved establishing a Planned Unit Development for



Planned Resort. JHGT became a new resort district through a zoning map amendment, September 2002 as AMD2002-0003. The Proposed Site Plan Overview of the amended Master Plan revealed a location for future employee housing identified as Golf Maintenance/Employee Housing. JHGT received permit number DEV2003-0014, for the development of permanent employee housing located within the identified GMEH. On February 2, 2010, JHGT received Final Plat approval for affordable housing units to be located on the east side of Spring Gulch Rd. As part of the review process prior to Final Plat approval for the affordable units, an Environmental Analysis (EVA2008-0007) was approved.

An Environmental Analysis (EVA2017-0033) was completed in March 2018 focusing on the Golf Maintenance/Employee Housing site and its immediate vicinity and focused on permanent employee housing units. EVA2017-0033 was an update of the proceeding EVA2016-0022 that focused on the same area, but as a seasonal housing use. EVA2016-0022 contains existing natural resource conditions at length including, but not limited to: Soils, Surface Hydrology, Wetlands, Vegetative Cover-types, Wildlife, and Endangered Species. EVA2017-0033 included an update of the habitat inventory and a development impact analysis. The environmental analysis included review of a remnant river channel formerly considered a ditch that is discussed below and in the Key Issues section of this staff report.

The current uses on the 6.3 acre site are golf course maintenance and employee housing, and the site contains related structures for both uses. Additional site development includes gravel parking and staging areas, wash stations, fuel tanks and a public pathway. The site represents developed woodlands with numerous overstory cottonwood trees. The subject property contains three separate accesses from Spring Gulch Road. To the rear or east of the site is a remnant river channel. All existing uses and physical development are considered conforming with the exception of physical development encroachment into the 150 foot river setback. When the GMEH site was developed it was considered conforming because the river channel was identified as a ditch, only requiring a 15 foot setback. Historically, all development along the channel was setback only 15 feet including the workforce housing northeast of the GMEH area. The recent Environmental Analysis determined that the ditch is a side channel of the Gros Ventre River, and as a result, most development in the GMEH area is non-conforming as illustrated in the map below. The PUD amendment application proposes an alternative setback to address this non-conformity.

The Planning Director recommends approval of PUD2018-0001 to amend the Jackson Hole Golf and Tennis Master Plan Planned Unit Development in accord with Sections 8.7.3 of the Teton County Land Development Regulations, based upon the application dated July 11, 2018 and revised November 1, 2018 and December 17 and 22, 2018, being able to make all five (5) findings for approval under Section 8.7.3.D. including all nine (9) findings under Section 4.3.1.D., which have been satisfied and met with seven (7) conditions of approval.

Discussion between the Board and staff included Comprehensive Plan included not growing or expanding footprints of current resorts, how conditions are enforced – mainly complaint driven, water flow regime and water management, best management practice on runoff and vehicle fluids.

Robert Infanger from Y2 Consultants, agent for the applicant, addressed the Board regarding the application and reevaluation of employee housing. He covered boundary data, physical development, existing site conditions, current allowed uses and dimensional limitation plan, 2002 PUD employee housing requirements, JHGTC current housing mitigation, proposed PUD employee housing solutions and types, proposed Golf Maintenance/Employee Housing Site Plan, proposed amendments to allowed uses and limitation plan table, existing PUD physical development standards, voluntary employee housing, proposed PUD physical development standards.

Discussion between the Board and the applicant included how the 6.3 acre site been defined,

Irene Cooke, Kappa Consulting LLC, addressed the Board regarding the wireless communications facilities needed.

Discussion between the Board, Ms. Cooke, and Ben Floyd – System Performance Engineer for Verizon Wireless included upgrades to new site as it pertains to health concerns, type of tower to be installed, site for coverage near Gros Ventre Bridge.

The meeting was recessed for lunch at 12:05pm and reconvened at 1:30pm.

Alex Klein - Vice President of Grand Teton Lodge Company, applicant, addressed to the Board regarding status as the largest summer employer in Teton County and Grand Teton National Park, history of the JHG&TC, public notice, concerns of neighbors, postponement of amendment in 2017 due to neighborhood feedback, housing is top priority three years after the process was started.

Discussion between the Board and Mr. Klein included the 6.3 acre parcel, tracts, lots – how to define the employee housing parcel, potential RV sites, in-town employee housing, year-round employees – 9, winter employees – 11 FT equivalent, summer employees – 88 FT equivalent, and opportunities for 8,000 square feet and current maintenance facility.

Public comment was given by Joan Anzelmo, Frank Boyer, Jeff Golightly, Art Miller, Greg Ward, Maurine Karabatsos, Tom Markovits, Deb Penk, Susan Frankowich, Kelly Smith, Shannon Whalen, Joseph Weinger, Tom Barker, Chris Smith, and Paul D'Amours.

The meeting was recessed at 2:51pm and reconvened at 3:00pm.

Discussion between the Board and applicant included has JHGT hit all obligations from 2002 Master Plan with triggering and phasing regarding housing, landscape, etc., dorm housing and year-round housing, triggering mechanism based on the RV pads to put in more permanent housing, Gros Ventre campground – 2 week limit for non-park employees, employee dormitories are full.

Discussion among the Board was about the topics the Board wanted to discuss, which included Key Issue #1 – 15-foot setback, Voluntary Housing Allowances table clarification, phasing and predictability, are RV pads temporary, management practices for water quality, habitat protection, height allowances on housing, health risks of cell towers in residential areas, mitigation efforts by the cell phone carriers, what it looks like in the future with new technology, and siting for cell towers under FCC.

The Board began their discussion about the key issue of a 15-foot setback which included recommended staff motion with condition – are Commissioners okay with that, drainage requirements at Shooting Star with 15-foot setback, grading and erosion requirements into water body, water management best practices, water quality issues for any type of development, not just recreational vehicles.

Discussion about phasing and predictability included recreation vehicles and other alternate types of housing, restrictions on those types of housing uses, RV pads – level of predictability on length of time they will be there, not leave things open ended, process after Master Plan is amended, JHGT Master Plan 2002 amended to Master Plan 2019, and seasonal housing for wildlife winter habitat.

Discussion about the volunteer housing allowances table included landscape surface ratio, tracts vs. parcel in LDRs, 6.3 acre area with designated uses – in that area will be a fixed landscape surface (develop 4.725 of site development), allowance of up to 8,000 sf more for maintenance and 3,000 sf more for administrative plus a goal to house employees, do RV pads count against developed acreage, square footage is all development on parcel not just employee housing.

Discussion about cell towers included not an ability for County Commissioners to dictate placement of cell towers, cell tower on county property.

Alex Klein, Vice-President and General Manager of Grand Teton Lodge Company, stated the General Manager of JHGT is out of town next week and looked for other dates to continue this item to.

Discussion among the Board included bear proof trash containers, pets, other employee housing allowing pets, preservation of habitat.

A motion was made by Commissioner Propst and seconded by Commissioner Epstein to continue this item to February 19, 2019. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### **COMMISSION MATTERS**

Discussion of liaison assignments made at the January 7, 2019 BCC meeting.

### **EXECUTIVE SESSION**

There was no executive session.

### **ADJOURN**

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chair Macker called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 4:07pm.

Respectfully submitted,

Shelley Fairbanks  
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Natalia Macker, Chair

\_\_\_\_\_  
Greg Epstein, Vice-Chair

\_\_\_\_\_  
Mark Barron

\_\_\_\_\_  
Mark Newcomb

ATTEST:

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Luther Propst

\_\_\_\_\_  
Sherry L. Daigle, County Clerk