

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

The Teton County Board of Commissioners met in regular meeting on **February 15, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:01 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

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

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt today's agenda with the addition of Item #13: Consideration of a Grant Application to the Wyoming State Historical Preservation Office. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

MINUTES

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the 1-24-22, 1-31-22, and 2-1-22 minutes. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

CONSENT AGENDA

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

1. Consideration of Purchase of Election Printer Equipment
2. Consideration of 2022 Fair Petting Zoo Contract
3. Consideration of 2022 Fair Strolling Attraction Contract
6. Consideration of Employee Housing Lease for Powderhorn
7. Consideration of Amendment #1 to Opioid Settlement Agreement
8. Consideration of Jorgensen BUILD Contract Task Work Order 2 Amendment No. 2022-1
9. Consideration of BUILD Partner Letter of Agreement Amendment No. 1 with City of Driggs

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

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the items on the Consent Agenda with the motion as stated in their respective staff report. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Purchase of Election Printer Equipment

To approve the purchase of 26 Dymo Label printers and 16 HP LaserJet Pros printers to be utilized for the Wyoming 2022 Primary & General elections and future elections.

2. Consideration of 2022 Fair Petting Zoo Contract

To approve the contract with DSS: Backyard Petting Zoo, in the amount of \$8,352 to provide an educational and interactive petting zoo at the 2022 Teton County Fair.

3. Consideration of 2022 Fair Strolling Attraction Contract

To approve the contract with Animal Cracker Conspiracy, in the amount of \$5,600, to provide stilt walker/ strolling entertainment at the 2022 Teton County Fair.

6. Consideration of Employee Housing Lease for Powderhorn

To approve the Lease Agreement for 804 Powderhorn Lane with Charlotte Frei.

7. Consideration of Amendment #1 to Opioid Settlement Agreement

To approve Amendment One to the OneWyo Opioid Settlement MOA.

8. Consideration of Jorgensen BUILD Contract Task Work Order 2 Amendment No. 2022-1

To approve Task Work Order Agreement #2, Amendment No. 2022-1 with Jorgensen Associates, Inc., for additional services and fees for BUILD/TMCI Project Component No. 10: ID-33 Pathway to Airport, the costs of which will be borne solely by the City of Driggs, Idaho.

9. Consideration of BUILD Partner Letter of Agreement Amendment No. 1 with City of Driggs

To approve Amendment No. 1 between Teton County, Wyoming and the City of Driggs, Idaho to the Teton Mobility Corridor Improvements Project Funding Partners' Letter Of Agreement for Build Grant Administration & Project Component Design And Management Consultant.

DIRECT CORRESPONDENCE

1. Justin Tatosian 1/25/2022 email regarding Building Code Resolution
2. Anna Knaeble 1/25/2022 email regarding Rafter J Lot 333
3. John Lotshaw 1/26/2022 email regarding Rafter J Lot 333
4. Kathy Tompkins 1/26/2022 email regarding Northern South Park/Tribal Trails Traffic
5. William Gale 1/26/2022 email regarding BLM Lots 9/10
6. Austin Sessions 1/27/2022 email regarding JH Firefighters Appreciation

7. Michael Keegan 1/27/2022 email regarding Rafter J Lot 333
8. Christopher Laing 1/27/2022 email regarding Alta Recreation
9. Nancy Henderson/Rafter J Ranch HOA 1/27/2022 email regarding Rafter J Lot 333
10. Amberley Baker 1/28/2022 email regarding Letter for Workshop: Northern South Park
11. Kevin Mnich 1/28/2022 email regarding Wildlife Feeding/Management
12. Jonathan Schechter 1/28/2022 email regarding EPA and Methane Emissions
13. Mark Newcomb 1/29/2022 email regarding PLSC Resolutions
14. Jim Clouse 1/29/2022 email regarding Pay Raises
15. Matt Faupel 1/31/2022 email regarding Hog Island
16. Charlotte Kidd 1/31/2022 email regarding Bear Proof Trash
17. Camille Obering 1/31/2022 email regarding WY22 Speed Reduction
18. Terry McClellan 1/31/2022 email regarding Rafter J Lot 333
19. Jamie Smock 1/31/2022 email regarding COVID-19 Testing/Surveillance Funding
20. Martha Vorel 1/31/2022 email regarding COVID-19 Testing/Surveillance Funding
21. Gloria Courser 1/31/2022 email regarding COVID-19 Testing/Surveillance Funding
22. Jaclyn Neumann 2/1/2022 email regarding Hoop House Building Codes
23. Katie Dahlgren 2/1/2022 email regarding Building Code Amendments
24. Joe Rice 2/1/2022 email regarding COVID-19 and Masks
25. Erica Legerski 2/1/2022 email regarding WY22 Speed Reduction
26. Madeline Forrester 2/1/2022 email regarding WY22 Truck Arrestor
27. Maury Jones 2/2/2022 email regarding Letter to School Board
28. Gloria Courser 2/2/2022 email regarding COVID-19 and Numbers
29. Kevin Cochary 2/2/2022 email regarding Housing Needs Assessment
30. Sarah Graham 2/2/2022 email regarding Rafter J Lot 333
31. Jonathan Schechter 2/3/2022 email regarding Property Replacement Costs/Insurance Concerns
32. Kathy Hoffman 2/3/2022 email regarding Letter to Parks and Rec Board re: Alta Recreation
33. Heidi Leeds 2/3/2022 email regarding Bear Proof Trash
34. Gloria Courser 2/3/2022 email regarding N95 Masks
35. Karin King 2/3/2022 email regarding Rafter J Lot 333
36. Susan Elliott 2/3/2022 email regarding Wilson Multi-Modal Transportation Study
37. Marybeth Hansen 2/3/2022 email regarding Teton County Fairgrounds Lease
38. Kathie Branzinski 2/3/2022 email regarding Rafter J Lot 333
39. Joe Rice 2/4/2022 email regarding Twitter Link Regarding Masks
40. Elisa San Souchi 2/4/2022 email regarding Policymaking Round Table Information
41. Janna Rankin 2/4/2022 email regarding Leland Christensen
42. Hans Flinch 2/4/2022 email regarding Workforce Housing/Rafter J Lot 333
43. Kathy Tompkins 2/6/2022 email regarding Workforce Housing Developments
44. Kathy Farbod 2/6/2022 email regarding Rodeo/Fairgrounds
45. Celia Dillon 2/6/2022 email regarding Rodeo/Fairgrounds
46. Carma Miller 2/6/2022 email regarding Rodeo/Fairgrounds
47. M Delgado 2/6/2022 email regarding Rodeo/Fairgrounds
48. Beth Walsh 2/6/2022 email regarding Rodeo/Fairgrounds
49. Sharleen Kominsky 2/6/2022 email regarding Rodeo/Fairgrounds
50. Yvonne Robertson 2/6/2022 email regarding Rodeo/Fairgrounds
51. Debra Dalbec 2/7/2022 email regarding Rodeo/Fairgrounds
52. Judd Grossman 2/6/2022 email regarding Rodeo/Fairgrounds
53. Joe Rice 2/7/2022 email regarding Masks/School
54. Suzanne Niles 2/7/2022 email regarding Rafter J Lot 333
55. Theresa Baiotto 2/7/2022 email regarding Rafter J Lot 333
56. Sadee Wheeldon 2/7/2022 email regarding Rodeo/Fairgrounds
57. Tessa Johnson 2/7/2022 email regarding Rodeo/Fairgrounds
58. Venti Joosten 2/7/2022 email regarding Rodeo/Fairgrounds
59. Janice Sproule 2/7/2022 email regarding Rafter J Lot 333
60. Don Grasso 2/7/2022 email regarding Rodeo/Fairgrounds
61. Tom Pockat 2/7/2022 email regarding Rafter J Lot 333
62. Sandra Ostdiek 2/7/2022 email regarding Rafter J Lot 333
63. Department of Revenue 2/8/2022 letter regarding Taxing Authority Compliance Report
64. Jared Baecker 2/7/2022 email regarding Snake River Management
65. Chi Melville 2/8/2022 email regarding Teton Canyon/Painting
66. Ryan Hamberlin 2/8/2022 email regarding Alta Recreation

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

4. Consideration of 105 Mercill Avenue Nonresidential Space

April Norton, Housing Director, presented to the Board for consideration of approval possible future uses for the nonresidential space located at 105 Mercill Avenue.

In February 2021, the Board voted to exercise its option to purchase the nonresidential space in the 105 Mercill Avenue development for \$800/square foot (\$5,488,800 total). This development is a public-private partnership that will result in 30 Workforce homes along with 6,861 square feet of nonresidential space. The development is estimated for completion at the end of 2022. Housing is requesting direction for the use of this space.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to direct staff to release requests for proposals for early childhood care for the Mercill space and would support that the RFP should express a preference for the type of arrangement that Teton County has with Teton Tots, which provides childcare for Teton County Employees, for part of the space. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

5. Consideration of Employee Housing Lease for Hoback #8 Unit

April Norton, Housing Director, presented to the Board for consideration of approval a lease agreement for Teton County Employee Housing located at Hoback Cabins #8.

Teton County, Wyoming owns property located at 11055 S. Highway 89, Jackson, Wyoming, to among other things, provide rental opportunities for qualified employees of Teton County in six cabins located on the property ("Hoback Cabins"). The Jackson/Teton County Housing Department manages Teton County's employee housing program according to the Teton County Employee Housing Policy adopted by Resolution #18-026 on August 28, 2018. This unit is utilized by the County as a transitional rental unit to provide short-term housing for new employees moving to Jackson. The employee is expected to find other housing as soon as possible. This lease will be on a month-to-month basis until the unit is needed for another new employee.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the Lease Agreement for Hoback Cabin Transitional Unit #8 located at 11055 S Highway 89, with County employee Erin Monroe. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

10. Consideration of Wilson Multi-Modal Corridor Improvements Plan

Heather Overholser, Director of Public Works, presented to the Board for consideration of approval the Wilson Multi-Modal Transportation Plan

Through a Co-Op agreement approved by the County Commissioners in April 2019, Teton County, Wyoming and the Wyoming Department of Transportation, along with a Wilson Steering Committee, worked collaboratively on the Wilson Multimodal Transportation Study. The purpose of the study was to develop a long-range transportation plan that will improve safety for motorists and non-motorists on, and adjacent to, Wyoming Highway 22 in the (unincorporated) Community of Wilson area in a manner that fits with the desired character of the community.

Public comment was made by Tim Young with Wyoming Pathways.

Dave Foster with Alta Planning and Design answered questions from the Board.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Wilson Multi-Modal Transportation Plan.

Commissioner Newcomb suggested a friendly amendment that the truck arrestor mentioned in the plan is for informational purposes only.

Commissioner Barron, the motion maker, and Commissioner Epstein, the second, accepted the friendly amendment.

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

11. Consideration of FAA Grant to Jackson Hole Airport for Concessionaire Relief

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval an FAA Grant to the Jackson Hole Airport Board in the amount of \$380,414. Under the American Rescue Plan Act, Public Law 117-2 ("Act").

The Act provides funding to the Board for costs related to the provision of relief from rent and minimum annual guarantees to eligible in-terminal airport concessions at the Jackson Hole Airport. The purpose of this grant is to prevent, prepare for, and respond to the coronavirus pandemic, and funds provided under this grant must be used only for purposes directly related to the Airport, including the provision of relief from rent and minimum annual guarantees to eligible in-terminal airport concessions at the Airport, in accordance with the Act.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adopt the proposed Resolution and approve the FAA Grant Agreement Under the American Rescue Plan Act for costs related to relief from rent and minimum annual guarantees to eligible in-terminal airport concessions at Jackson Hole Airport Board, with the FAA obligation under the grant being \$380,414. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

12. Consideration of Transfer of FAA Grant funds from Jackson Hole Airport to 4 other Wyoming Communities

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the transfer of funds from the Jackson Hole Airport to 4 communities in Wyoming

The Jackson Hole Airport received FAA grants that were designated to other Wyoming communities because those cities did not have "shovel-ready" projects in place to receive the funds. This allowed the Jackson Hole Airport to complete some projects early rather than wait for the FAA funding this year. Thus, the funds were transferred to the Jackson Hole Airport with the understanding that when the Jackson Hole Airport received this year's FAA funds, the same amount of funds that were received would be transferred back to the same communities. The amounts being transferred are as follows"

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt the proposed Resolution and approve the transfer of portions of the Jackson Hole Airport Board's FY 22 FAA entitlement grant funding in the amount of \$250,000 to the City of Cody; \$300,000 to the City of Newcastle and Weston County; \$1,301,019 to the Sheridan County; and \$389,981 to Torrington. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

13. Consideration of a Grant Application to the Wyoming State Historical Preservation Office

Alyssa Watkins, Board of County Commissioners Administrator, presented to the Board for consideration of approval a grant application to the Wyoming State Historical Preservation Office to fund historic preservation mapping layer on the county GIS system.

The Teton County Historic Preservation Board (TCHPB) wishes to submit a grant application to the Wyoming State Historical Preservation Board through the Certified Local Government Grant Program. The grant would fund a project entitled “JH Preservation Plan: Moving Forward II.” Moving Forward II builds on the 2019 preservation plan. Specifically, the 2019 plan stated the following: “Improve the mapping of historic information. A map of surveyed properties exists but is not a part of the GIS system. Move the map of surveyed properties into the GIS system such that this information can be synchronized with other land use data.”

Since July, 2021, staff at Jorgensen & Associates have been mapping the historic property resources. The GIS mapping project will assist the TCHPB’s historic preservation efforts. The current data storage system used by TCHPB creates a barrier of access to historic property information and prevents property owners from accessing preservation incentives. To successfully promote historic preservation in Teton County, historic property information should be easily available online. If approved, the monies received through this current grant application would be used to continue the historic property mapping work, ensuring map accessibility, long-term data integrity, and responsive user formats.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the grant application to the Wyoming State Historical Preservation Board for the JH Preservation Plan: Moving Forward II. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 9:32 a.m. and reconvened at 9:37 a.m.

MATTERS FROM PLANNING AND DEVELOPMENT

- 1. Permit:** AMD2021-0006 – Request to Postpone to the April 12, 2022, Hearing
Applicant: Teton County Department of Planning and Building Services
Presenter: Ryan Hostetter
Request: Pursuant to Wyoming Statute §16-3-103 and §18-5-202(b) and (c) that Teton County is considering adoption of amendments to the Teton County Land Development Regulations (LDRs) to update the wildlife feeding and bear conflict area standards. This amendment proposal is made by the Teton County Planning Division at the direction of the Teton County Board of County Commissioners to update the Natural Resource Land Development Regulations in phases. The proposed amendments would update and clarify certain standards related to wildlife feeding requirements in 5.1.3 of the LDRs, bear conflict areas in 5.2.2 of the LDRs, and requirement for bear resistant trash containers county-wide.
Location: Countywide

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to continue AMD2021-0006 to the April 12, 2022 BCC meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

CUP2021-0003 and CUP2021-0004 were presented concurrently:

- 2. Permit:** CUP2021-0003 – Continued from January 4, 2022.
Applicant: J & J WILSON LTD.
Presenter: Chandler Windom
Request: A Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations to allow for an Outdoor Reception Site at the Double Diamond Bar Ranch.
Location: 140 Alta North is at the intersection of Alta Ski Hill Road and Alta North Road. The reception site is proposed approximately 2,000 feet north of Alta Ski Hill Road, on the eastern edge of the property. The site is zoned Rural-1 and is partially within the Natural Resources Overlay.
- 3. Permit:** CUP2021-0004
Applicant: J & J WILSON LTD.
Presenter: Chandler Windom
Request: A Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations to allow for an Assembly Reception Hall at the Double Diamond Bar Ranch.
Location: 140 Alta North is at the intersection of Alta Ski Hill Road and Alta North Road. The reception hall is proposed approximately 200 feet north of Alta Ski Hill Road, on the southern edge of the property. The site is zoned Rural-1 and is partially within the Natural Resources Overlay.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations (LDRs) to allow for an Outdoor Reception Site at the Double Diamond Bar Ranch (CUP2021-0003) and a Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations (LDRs) to allow for an Assembly Reception Hall at the Double Diamond Bar Ranch (2021-0004).

The proposal is for 140 Alta North, i.e., the Double Diamond Bar Ranch, in Alta. The site, owned by the Wilson Family (J&J Wilson, LTD), is currently under agricultural use, and the owner wishes to dedicate the eastern “grove” area as a site to host private events such as weddings. The purpose is to provide an additional revenue to supplement the

existing agricultural use. Maintaining the agricultural operation is of primary importance to the Wilson Family. The applicant has also submitted a second Conditional Use Permit application, CUP2021-0004, for an Assembly Reception Hall on the same site, which will run concurrently with this application.

Hal Hutchinson, for the Applicant, presented additional information to the Board.

Public comment was given by Karen Cummings, Dan Anderson, and Rosa Mayberry (in-person), and via Zoom: Scott Pierson, Kathy Hoffman, Niki Richards, Janna Rankin, Ned Hurley, and Robert Hankinson. Additional in-person public was given by Kevin Mayberry.

The meeting recessed at 11:16 a.m. and reconvened at 11:22 a.m.

Hal Hutchinson, for the Applicant, answered questions from the Board.

Commissioner Epstein left the meeting at 11:53 a.m. and rejoined after the break at 1:30 p.m.

The meeting recessed at 11:57 a.m. and reconvened at 1:30 p.m.

Motion for CUP2021-0003

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve CUP2021-0003, dated July 30, 2021 and updated January 31, 2022, for the proposed Outdoor Reception Site, with the following recommended conditions, based on the recommended findings.

1. Prior to this permit issuance, the Property Owner shall record a restriction, through an instrument approved by the County Attorney, against the adjacent lot of record (PIDN 22-44-18-21-2-00-004) whose area is required to entitle the reception site use.
2. Prior to this permit issuance the Property Owner shall demonstrate, through an access easement recorded in the Teton County Clerk's Records, that the owner of 140 Alta North Road has legal access through the neighboring property 130 Alta North Road.
3. Prior to the start of operations, the applicant shall demonstrate, to the satisfaction of the County Engineer, that an adequate parking area is provided for the required 50 parking spaces, including the recording of a parking agreement for 130 Alta North Road in the Teton County Clerk's Records, and adequate vehicle access is provided to the "Grove" event site.
4. The hours of operation for the reception site shall be 9:00 AM to 9:00 PM.
5. No more than 30 individual events shall take place at the outdoor reception site each year, and all events shall occur between May 1 and October 31 of each year. At minimum 10 of these events shall be associated with an event taking place at the assembly reception hall (CUP20221-0003) on the same day. The use of both sites by a single event constitutes an event for the purposes of tracking frequency allowances for each CUP2021-0003 and CUP2021-0004.
6. Separate events shall not occur simultaneously at the Outdoor Reception Site and the Reception Hall.
7. Special Event Permits may be required from Teton County for discrete events.
8. Prior to January 1st of each year, a monitoring report shall be submitted by the Property Owner to the Teton County Planning Director that details the date and frequency of events from the previous year, including number of guests at each event. The Property Owner shall monitor noise via decibel readings at property lines and provide this data in their annual monitoring report. If the report demonstrates noncompliance, or the Planning Director has received any complaints regarding the use, the monitoring report shall be elevated to the Board of County Commissioners for review.
9. The Owner shall enforce all aspects of the Operations Plan dated February 7, 2022 including the occupancy limit of 200 guest per event.
10. Any guidance signs installed on Alta Ski Hill Road shall be approved by Teton County Road & Levee
11. No amplified music is permitted at the Grove past 7 p.m.
12. A maximum of one (1) tent not to exceed 4400 sf may be erected for each event
13. The support parking for the Outdoor Reception Site, for a maximum of 8 vehicles, shall be screened from view of neighboring properties to the west with the use of mature vegetation.

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

Motion for CUP2021-0004

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve CUP2021-0004, dated July 30, 2021 and updated January 31, 2022 for the proposed Reception Hall, with the following twelve (12) conditions, based on the recommended findings.

1. Prior to this permit issuance the Property Owner shall demonstrate, through an access easement recorded in the Teton County Clerk's Records, that the owner of 140 Alta North has legal access through the neighboring property 130 Alta North Road.
2. Prior to the start of operations, the Property Owner shall demonstrate, to the satisfaction of the County Engineer, that an adequate parking area is provided for the required 58 parking spaces, including the recording of a parking agreement for 130 Alta North in the Teton County Clerk's Records.

3. The hours of operation for the reception hall shall be 9:00 AM to 11:00 PM.
4. The Property Owner shall ensure that all music on the site shall end no later than 10:00 PM.
5. No more than 30 individual events shall take place at the reception hall each calendar year. At minimum 10 of these events shall be associated with an event taking place at the Outdoor Reception Site (CUP2021-0003) on the same day. The use of both sites by a single event constitutes an event for the purposes of tracking frequency allowances for each CUP2021-0003 and CUP2021-0004 respectively.
6. Separate events shall not occur simultaneously at the Outdoor Reception Site and the Reception Hall.
7. Special Event Permits may be required from Teton County for discrete events.
8. The Property Owner shall be required to submit, concurrent with their application for a building permit, an application showing compliance with the Teton County Small Wastewater Facility Standards, or Wyoming Department of Environmental Quality standards for wastewater disposal, whichever is applicable.
9. Prior to building permit issuance, an affordable housing fee of \$12,498.97 shall be paid by the Property Owner to Teton County. Should the reception hall proposed in the future be less than 5,000 sf of habitable floor area, a partial refund of this fee may be approved by the Planning Director.
10. The reception hall shall not exceed 5,000 sf of gross floor area.
11. The owner shall enforce all aspects of the Operations Plan dated February 7, 2022.
12. Any guidance signs installed on Alta Ski Hill Road shall be approved by Teton County Road & Levee.

Chairwoman Macker suggested a friendly amendment to change the words “partial refund” in condition #9 to “partial reduction.”

Commissioner Newcomb, the motion maker, and Commissioner Epstein, the second, accepted the friendly amendment.

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

CONVENE AS SCENIC PRESERVE TRUST

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to convene as the Scenic Preserve Trust. Chairwoman Macker called for a vote. The vote showed all in favor and the meeting convened as the Scenic Preserve Trust at 2:06 p.m. in order to consider the following application:

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| 4. Permit: | EAS2021-0003 |
| Applicant: | SCHRIER, DOUGLAS MATTHEW LIVING TRUST |
| Presenter: | Rian Rooney |
| Request: | To amend the Saddle Butte Ranch Teton County Scenic Preserve Trust conservation easement at 505 Saddle Butte Way by removing 719 square feet from the easement and adding 1,438 square feet to the easement. |
| Location: | Lot 2, Saddle Butte Ranch Subdivision, 505 W Saddle Butte Way, Jackson, WY 83001. The property is zoned Rural-3 and is within the Natural Resources Overlay and the Scenic Resources Overlay. |

Rian Rooney, Associate Long-Range Planner, presented to the Board for consideration of approval a Request by applicant to amend the geometry of the Saddle Butte Ranch open space easement held by the Teton County Scenic Preserve Trust (TCSPT), at 505 W Saddle Butte Way, to remove 719 square feet from the easement to the northwest of the building envelope and to add 1,438 square feet to the easement along the northeast edge of the building envelope.

This application requests to amend the Saddle Butte Ranch open space easement, held by the Teton County Scenic Preserve Trust at 505 W Saddle Butte Way, to change the easement and development areas to allow for the retention of a manicured, sod lawn that was established in the easement during development of the property, in violation of the terms of the easement encumbering the property. In exchange for amending the easement to remove the impacted lawn area, the applicant is proposing to add to the existing easement a new area double the size of the impacted area.

The Board next heard MSC2021-0063 before taking action on EAS2021-0003:

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| 5. Permit: | MSC2021-0063 |
| Applicant: | SCHRIER, DOUGLAS MATTHEW LIVING TRUST |
| Presenter: | Hamilton Smith |
| Request: | Miscellaneous Planning Request to amend a Habitat Enhancement Plan pursuant to Section 5.2.1.E of the Land Development Regulations. |
| Location: | Lot 2, Saddle Butte Ranch Subdivision, 505 W Saddle Butte Way, Jackson, WY 83001. The property is zoned Rural-3 and is within the Natural Resources Overlay and the Scenic Resources Overlay. |

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval Miscellaneous Planning Request to amend a Habitat Enhancement Plan pursuant to Section 5.2.1.E of the Land Development Regulations.

The applicant is requesting an amendment to an approved Habitat Mitigation Plan for impacts to sagebrush and aspen cover types located within the Natural Resources Overlay (NRO). This application was submitted concurrently with a request to amend a Teton County Scenic Preserve Trust (TCSPT) easement on the property (EAS2021-0003). Staff became aware of violations to the easement and failure to adequately implement required mitigation and initiated an enforcement action against the landowner on August 11, 2021 (ENF2021- 0013). The Notice of Violation states that, pursuant to Land Development Regulation (LDR) Section 8.9.2.F., “Activities that constitute a violation include, but are not limited to, the following: 1. Development of land or a structure without first obtaining all appropriate permits or development approvals, and complying with their terms and conditions.”

Public Comment for EAS2021-0003

There was no public comment.

Motion for EAS2021-0003

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve EAS2021-0003, received November 5, 2021 and revised January 13, 2022, for a requested amendment to the Saddle Butte Ranch Open Space Easement held by Teton County Scenic Preserve Trust, being able to make the findings for amendment in the Open Space Resources Resolution of Teton County, Wyoming.

Condition: 1. Within 120 days, the applicant shall submit a draft amendment of the conservation easement document, including an accurate legal description of the amendment. Prior to recordation, staff shall review to ensure accuracy and consistency with requested amendment.

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

Exit Scenic Preserve Trust

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to exit Scenic Preserve Trust. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried. The meeting exited Scenic Preserve trust at 2:33 p.m.

Public Comment for MSC2021-0036

There was no public comment.

Motion for MSC2021-0036

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve MSC2021-0063, as revised on January 12, 2022, to amend a Habitat Enhancement Plan pursuant to Section 5.2.1.E of the Land Development Regulations, with one recommended condition.

1. Prior to recordation of the TCSPT easement amendment the landowner or the landowner's agent shall submit to Teton County, WY a sufficient Surety Agreement and associated bond or other financial surety in the amount of \$42,250.00 for completion of Habitat Mitigation and Mitigation Monitoring as described in application MSC2021-0063 as submitted on January 12, 2022.

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

MATTERS FROM COMMISSION

- A. Northern South Park (NSP):** At the last BCC meeting on February 14, the Board had discussed encouraging a meeting/workshop between the NSP Steering Committee and Opticos Design, the Consultant for NSP Neighborhood Plan. Commissioner Barron revised his suggestion of involving the Steering Committee and to include instead the Trust for Public Lands. Chris Neubecker, Director of Planning and Building Services, answered questions from the Board.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 3:40 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk