

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

The Teton County Board of Commissioners met in regular session on **June 18, 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 Chair, Greg Epstein Vice-Chair, Mark Barron, Mark Newcomb, and Luther Propst were present.

**MINUTES**

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the **6/3/19, 6/4/19, and 6/10/19** minutes. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**ADOPTION OF AGENDA**

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

**TO POSTPONE:** Action Item #10 - Consideration of Approval of Renewal of 2008 MOU Providing for Cooperative Management of the Snake River Corridor (**POSTPONED FROM THE JUNE 4, 2019 BCC HEARING**) **POSTPONE TO A DATE UNCERTAIN**

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 Barron to place the following Matters from Staff on a Consent Agenda:

1. Consideration of Approval of Request for EMP Funds for Planet Footprint Annual Subscription
2. Consideration of Approval of Request for EMP Funds and Contract for Fire Commissioning Agent at Fire Station 1
3. Consideration of Approval of Request for EMP Funds and Contract for LED Lighting at the Jail
4. Consideration of Approval of Amendment #2 to Public Health Contract with State of Wyoming for Maternal/Child Health and Public Health Preparedness and Response

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

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

**MATTERS FROM COMMISSION AND STAFF:**

**1. Consideration of Approval of Request for EMP Funds for Planet Footprint Annual Subscription**

To approve the use of EMP Funds in the amount of \$5,285.00 for the one-year renewal of Planet Footprint.

**2. Consideration of Approval of Request for EMP Funds and Contract for Fire Commissioning Agent at Fire Station 1**

To approve the contract for commissioning services for the construction of Fire Station 1 to Cator Ruma & Associates in an amount not to exceed \$55,560.00.

**3. Consideration of Approval of Request for EMP Funds and Contract for LED Lighting at the Jail**

To approve the contract to install LED lighting in the jail stairwells and sally port to Mountain Electrical in the amount of \$7,995.00 utilizing Energy Mitigation Funds.

**4. Consideration of Approval of Amendment #2 to Public Health Contract with State of Wyoming for Maternal/Child Health and Public Health Preparedness and Response**

To approve Amendment Two to the Contract between the Wyoming Department of Health, Public Health Division and Teton County for Maternal and Child Health, Public Health Preparedness and Response and Public Health Preparedness and Response Crisis Funding for the period July 1, 2019 to June 30, 2020.

**DIRECT CORRESPONDENCE**

1. Keith Benefiel 5/29/2019 email regarding Wilson Pathway
2. Chris Hawks, Hawks & Associates 5/29/2019 email regarding Persephone Bakery LLC Application for Restaurant Liquor
3. Emily Hagedorn, Teton Conservation District 5/29/2019 email regarding Teton Conservation District FY2020 Budget
4. Jon Wylie, Wylie Baker LLP 5/30/2019 email regarding Persephone Bakery LLC Application for Restaurant Liquor License
5. Chris Hawks, Hawks & Associates 5/30/2019 email regarding Persephone Bakery LLC Application for Restaurant Liquor
6. Morgan Jaouen, Jackson Hole Historical Society 5/30/2019 email regarding SPET / Genevieve Block Project and Historical Society Request

7. Chris Hawks, Hawks & Associates 5/30/2019 email regarding Persephone Bakery LLC Application for Restaurant Liquor
8. Mike Crook, Sheriff's Office 5/30/2019 email regarding Teton County Courthouse Assessment and Security Needs
9. Rod Dykehouse, Rocky Mountain Elk Foundation 5/31/2019 letter regarding Rocky Mountain Elk Foundation Banquet
10. Darren Brugmann, START 5/31/2019 email regarding START Transit System
11. Jean Lewis, Jackson Hole Childrens Museum 5/31/2019 email regarding FY20 Budget
12. Leslie Cook 5/31/2019 email regarding Hwy 22 and Coyote Canyon Road Intersection
13. Carly Schupman, Skyline Ranch ISD 5/31/2019 email regarding Proposed FY 2020 Budget
14. Peter Regan 5/31/2019 email regarding Hwy 22 and Coyote Canyon Road Intersection
15. Leah Zamesnik, Jackson Hole Conservation Alliance 5/31/2019 email regarding SPET / Wildlife Crossings
16. Tim Linger, Indian Paintbrush Water District 5/31/2019 email regarding Proposed FY2020 Budget
17. Irene Steeg, Fish Creek ISD 6/1/2019 email regarding Proposed FY2020 Budget
18. Kirk Davenport 6/1/2019 email regarding SPET / Wildlife Crossings
19. Beverly Boynton 6/1/2019 email regarding SPET / Wildlife Crossings
20. Jesse and Karen O'Connor 6/2/2019 email regarding Melody Ranch Attainable Housing
21. Jeff Rice 6/2/2019 email regarding Workforce Housing
22. Leanne Staley Moore 6/2/2019 email regarding SPET / Jackson Hole Historical Society and Museum
23. John Culbertson 6/2/2019 email regarding Jackson Hole Classical Academy
24. Frances Clark 6/3/2019 email regarding SPET / Wildlife Crossings
25. Josh Metten 6/3/2019 email regarding SPET / Wildlife Crossings
26. Taylor Phillips 6/3/2019 email regarding SPET / Wildlife Crossings
27. Jon Mobeck, Jackson Hole Wildlife Foundation 6/3/2019 email regarding SPET / Wildlife Crossings
28. Lorna Miller 6/3/2019 email regarding SPET / Wildlife Crossings
29. Beth Burrough 6/3/2019 email regarding SPET / Wildlife Crossings
30. Carol Day, Wyoming Department of Health 6/3/2019 letter regarding Teton County Court Supervised Treatment Program's June payment
31. Ted McDaniel 6/3/2019 regarding Scholarship Thank You
32. Emily Cohen, Planning & Development 6/3/2019 email regarding Thank you
33. Doug McWhirter, Wyoming Game & Fish Department 6/3/2019 email regarding SPET / Wildlife Crossings
34. Wade McKoy 6/4/2019 email regarding Tribal Trail Connector
35. Alexander Muromcew 6/4/2019 email regarding Tribal Trail Connector
36. Dan Baker 6/6/2019 email regarding Integrated Transportation Plan
37. Carla Watsabaugh 6/7/2019 email regarding Wildlife SPET / Wildlife Crossings
38. Kea Molnar 6/7/2019 email regarding SPET / Wildlife Crossings
39. Jennifer Feltner 6/7/2019 email regarding SPET / Wildlife Crossings
40. Lisa Friebeck 6/7/2019 email regarding SPET / Wildlife Crossings
41. Woody Stone 6/7/2019 email regarding SPET / Wildlife Crossings
42. Robin Moyer 6/7/2019 email regarding SPET / Wildlife Crossings
43. Lisa Robertson 6/7/2019 email regarding SPET / Wildlife Crossings
44. Adam Blatt 6/7/2019 email regarding SPET / Wildlife Crossings
45. Kaylee Little 6/7/2019 email regarding SPET / Wildlife Crossings
46. Kaylee Little 6/7/2019 email regarding SPET / Wildlife Crossings
47. Adam Blatt 6/7/2019 email regarding 440 W Kelly
48. Cathy and Frank Greek 6/7/2019 email regarding SPET / Wildlife Crossings
49. Mercedes Huff 6/7/2019 email regarding SPET / Wildlife Crossings
50. Liza Millet 6/7/2019 email regarding SPET / Wildlife Crossings
51. Lauren McClees 6/7/2019 email regarding SPET / Wildlife Crossings
52. Kevin Getz 6/7/2019 email regarding SPET / Wildlife Crossings
53. Jacqueline Potter 6/9/2019 email regarding SPET / Wildlife Crossings
54. Emily Lacoste 6/9/2019 email regarding SPET / Wildlife Crossings
55. David Hardie 6/10/2019 email regarding SPET / Wildlife Crossings
56. Bruce Bowen 6/10/2019 email regarding Jackson Hole Classical Academy
57. John Wright 6/10/2019 email regarding Tribal Trail Connector Open House and Process
58. Beth McCoy 6/10/2019 email regarding SPET / Wildlife Crossings
59. Dave Coon 6/10/2019 email regarding SPET / Wildlife Crossings
60. Katherine Dowson, Friends of Pathways 6/10/2019 email regarding SPET / Transportation
61. Willy Watsabaugh 6/10/2019 email regarding SPET / Fire Stations
62. Jon Wiedie 6/11/2019 email regarding SPET / Wildlife Crossings
63. Mike Trumbower 6/11/2019 email regarding SPET / Fire Stations
64. Mary Lohuis 6/11/2019 email regarding SPET / Wildlife Crossings
65. Reade Dornan 6/11/2019 email regarding SPET / Jackson Hole Historical Society and Museum
66. Frank Christensen, Teton Pines Owners Association 6/11/2019 letter regarding Proposal to Install AT&T Cell Tower on Teton Pines Lot 11
67. Stephanie Harsha, Wyoming Department of Transportation 6/11/2019 letter regarding 2019 State Transportation Improvement Program Working Meeting - June 17, 2019
68. Billi Jennings, Housing Department 6/11/2019 letter regarding Thank You
69. Morgan Graham 6/11/2019 email regarding SPET / Wildlife Crossings

#### **PUBLIC COMMENT**

There was no public comment.

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

##### **5. Consideration of Approval of a Census Count Committee**

Alyssa Watkins, Board of County Commissioner's Administrator, presented to the Board for consideration of approval a resolution establishing a Teton County Complete Count Committee for the 2020 Census.

There was no public comment.

RESOLUTION # \_\_\_\_\_

**(Establishing a 2020 Census Teton County Complete Count Committee)**

**WHEREAS**, the Constitution of the United States of America requires an enumeration, or “census,” of the population every 10 years; and  
**WHEREAS**, the next decennial census of the population will be taken on April 1, 2020; and  
**WHEREAS**, the decennial census data compiled in the 2020 Census will be used to determine the apportionment of seats in the State Legislature and the allocation of billions of dollars of federal, state and county funds for social and other programs for the next decade until the next decennial census is taken; and  
**WHEREAS**, it is vitally important that every person in the Teton County is counted in the 2020 Census; and  
**WHEREAS**, Teton County and the Town of Jackson seek to establish a Complete Count Committee that will develop and implement an awareness campaign that motivates residents to respond to the 2020 Census and encourages participation by population groups that are often undercounted; and  
**WHEREAS**, County and Town staff will recruit government and community leaders to serve as members of the Complete Count Committee and to partner with the U.S. Census Bureau to provide training to the members of the Complete Count Committee;  
**NOW, THEREFORE**, having duly met at a regular meeting and considered the matter it is,  
**RESOLVED**, that the Teton County Complete Count Committee is hereby established to develop and implement an awareness campaign that motivates residents to respond to the 2020 Census and encourages participation by population groups that are often undercounted; and  
**IT IS FURTHER RESOLVED**, that the Board of County Commissioners’ Administrator is hereby authorized to partner with the Jackson Town Manager to recruit government and community leaders to serve as members of the Teton County Complete Count Committee, to partner with the U.S. Census Bureau to provide training to the members of the Teton County Complete Count Committee, and to take all steps necessary to accomplish these purposes.

Adopted on the \_\_\_\_ day of \_\_\_\_\_, 2019

**TETON COUNTY BOARD OF COUNTY COMMISSIONERS**

Natalia D. Macker, Chair  
Attest: Sherry L. Daigle, Teton County Clerk

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Resolution Establishing a 2020 Census Teton County Complete Count Committee. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**6. Consideration of Approval of the Transfer of a Retail Liquor License from VG II, LLC to TGR Resorts and Services, LLC**

Shelley Fairbanks, Deputy County Clerk, presented to the Board for consideration of approval the transfer of a retail liquor license from VG II, LLC to TGR Resorts and Services, LLC, located at 2550 Moose-Wilson Road (location of old Vista Grande/Q Roadhouse).

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the transfer of a retail liquor license from VG II, LLC to TGR Resorts and Services, LLC. for time period of June 18, 2019 through January 6, 2020. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**7. Public Hearing on Adoption of Amendments to Chapter 3 Use of County Right of Way for Small Wireless Facilities**

Keith Gingery, Chief Deputy County Attorney, presented to the Board an overview of Chapter 3 and the amendments to be considered for approval regarding Use of County Right Way for Small Wireless Facilities. Pursuant to the Wyoming Administrative Procedures Act (Wyo. Stat. §16-6-103), notice was published of the intent to adopt these rules on April 24, 2019. The 45-day comment period has passed.

A public hearing was held for comment on Adoption pursuant to the Wyoming Administrative Procedures Act (Wyo. Stat. §16-6-103) of a new Chapter 3 regarding Use of County Right Way for Small Wireless Facilities.

There was no public comment.

**8. Consideration of Approval of Adoption of Amendments to Chapter 3 Use of County Right of Way for Small Wireless Facilities**

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to continue the Adoption pursuant to the Wyoming Administrative Procedures Act of a new Chapter 3 regarding Use of County Right of Way for Small Wireless Facilities as well as continue the open public hearing for this item to July 2, 2019. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 9:23am and reconvened at 9:29am.

**MATTERS FROM PLANNING & DEVELOPMENT**

1. Applicant: GTNPF HOLDINGS, LLC  
Presenter: Chandler Windom  
Permit No.: MSC2019-0019  
Request: Fee waiver request being made by the Grand Teton National Park Foundation for Planning & Building Permit fees associated with the upgrades being made to the site and existing cabins.  
Location: The Moulton Cabins are located in Kelly off of Mormon Row Road. The single parcel is surrounded on all sides by Grand Teton National Park property and is approximately 2 miles to the east of Hwy 89.

Chandler Windom, Planning Staff, presented to the Board for consideration of approval a request to Waive all Building Permit fees for the improvements to the Moulton Loop Cabins at 3535 Lower Gros Ventre Rd, pursuant to finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).

Mark Berry, representing Grand Teton National Park, addressed the Board.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve The Grand Teton National Park Foundation's Fee Waiver Request MSC2019-0019 received May 7<sup>th</sup>, 2019 for \$3,712.70 of County fees associated with Planning and Building permits, being able to make finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054). Chair Macker called for the vote. The vote showed all in favor and the motion carried.

2. Applicant: SRSC LOTS, LLC  
Presenter: Hamilton Smith  
Permit No.: PUD2018-0002  
Request: Amend Snake River Canyon Ranch Resort Planned Unit Development Planned Resort Master Plan, pursuant to Section 8.7.3, Planned Unit Development (PUD) of the Teton County Land Development Regulations, to revise the height limitation within Sub Area III for a multi-family building or lodge from 30 ft to 37.5 ft.  
Location: Sub Area III of the Snake River Canyon Ranch Resort. The property is zoned Planned Resort and is within the Natural Resources and Scenic Resources Overlays.

Hamilton Smith, Planning Staff, presented to the Board for consideration of approval an amendment to the Snake River Canyon Ranch Resort Planned Unit Development Planned Resort Master Plan, pursuant to Section 8.7.3, Planned Unit Development (PUD) of the Teton County Land Development Regulations, to revise the height limitation within Sub Area III for a multi-family building or lodge from 30 feet to 37.5 feet.

Brendon Schulte, Jorgensen Associates, representing the applicant addressed the Board.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve PUD2018-0002, application dated July 27, 2018, as revised on March 13, 2019, to amend the height limitation to 37.5 feet within Sub Area III for a multi-family building or lodge containing five (5) or more contiguous dwelling units OR being greater than 10,000 square feet of floor area, after being able to make all five (5) findings for approval under Section 8.7.3.D. including all nine (9) findings under LDR Section 4.3.1.D. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

3. Applicant: THOMAS, TREVOR & MILLS, RUBY  
Presenter: Susan Johnson  
Permit No.: CUP2019-0002  
Request: Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations, to permit a welding studio home business.  
Location: 1800 E River Drive, Lot L of the Rogers Point Subdivision. The subject property is south of Hoback Junction with an additional access from Hoback Junction South Rd. The property is zoned Neighborhood Conservation and is located within the Natural Resources Overlay.

Susan Johnson, Planning Staff, 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, to permit a welding studio home business.

Trevor Thomas, applicant, addressed the Board regarding the application.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve CUP2019-0002, for a Conditional Use Permit for a Home Business for a welding studio, as set forth in the application dated March 1, 2019 being able to make all eight (8) findings of Section 8.4.2. of the Teton County Land Development Regulations, with no conditions. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

4. Applicant: DEVIL DOG, LLC  
Presenter: Susan Johnson  
Permit No.: DEV2019-0002  
Request: Development Plan approval, pursuant to Section 8.3.2 of the Teton County Land Development Regulations, to build a 37,998 square foot an indoor sports facility and two storage units on Lot 24 of the South Park Service Center.  
Location: The property is located at 3580 South Park Drive, east of S Highway 89, approximately two miles south of the Town of Jackson. The property is zoned Bushiness Park and is within the Natural Resources Overlay.

Susan Johnson, Planning Staff, presented to the Board for consideration of approval a Development Plan approval, pursuant to Section 8.3.2 of the Teton County Land Development Regulations (LDRs), to build a sports facility and two storage buildings.

Joe Rice, applicant, addressed the Board regarding the application.

Public comment was given by Brendon Schulte.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve Development Plan DEV2019-0002, as set forth in the application dated February 19, 2019, in accordance with Sec. 8.3.2. for the development of a sports facility and storage units, with no conditions. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

5. Applicant: LODGES AT FISH CREEK, LLC  
Jorgensen Associates, PC - Agent  
Presenter: Susan Johnson  
Permit No.: S/D2019-0003  
Request: Partial Vacation of Plat, pursuant to Section 8.2.13. Amendment of Permits or Approvals, processed pursuant to Section 8.5.3. Subdivision Plat of the Teton County Land Development Regulations, to vacate a lot line, combining Lots 3 and 4 of Parcel I (Plat No. 1337) into a single lot.  
Location: Lots 3 & 4, Parcel I at Teton Village. Generally located directly north of the existing 25 employee units, adjacent to and directly west of the Ranch Lot, and north of Teton Thai, which is on the southern portion of Parcel I. The property is zoned Planned Unit Development-Planned Resort and is within the Scenic Resources Overlay.

Susan Johnson, Planning Staff, presented to the Board for consideration of approval a Partial Vacation of Plat, pursuant to Section 8.2.13. Amendment of Permits or Approvals, processed pursuant to Section 8.5.3. Subdivision Plat of the Teton County Land Development Regulations, to vacate a lot line, combining Lots 3 and 4 of Parcel I (Plat No. 1337) into a single lot.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve S/D2019-0003, submitted March 7, 2019 for the partial vacation of Lots 3 & 4, Parcel I to combine said lots into one, based on the Teton County Land Development Regulations, findings of Section 8.5.3. and the standards of Section 8.2.13.C., being able to make the finding pursuant to Wyoming Statute §34-12-108, that such partial vacation does not abridge or destroy any of the rights and privileges of other proprietors in Plat No. 1337, with no conditions as recommended herein by the Planning Director, and request the Teton County Clerk to write vacate across the common boundary between Lots 3 & 4 of Parcel I, Plat No. 1337. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to convene as the Teton County Scenic Preserve Trust. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

6. Applicant: SCOGGIN, JO ANN A. & SUNDHEIM, JOHN M.  
Presenter: Kristi Malone  
Permit No.: EAS2018-0001 (CONTINUED FROM JUN 4, 2019 BCC HEARING)  
Request: Request to amend the Alta Ridge Open Space Easement held by the Teton County Scenic Preserve Trust to allow a residential access drive within the designated open space.  
Location: Alta Ridge Easement located on Lot 1 Alta Ridge Subdivision, generally one quarter of a mile east of State Line Road in Alta north of South Leigh Creek. The property is zoned Rural-2 and is not within any Overlays.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to continue EAS2018-0001 to the July 16, 2019 regular BCC meeting. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

7. Applicant: LOVETT, RICHARD TRUST OF 1996; LOVETT, RICHARD J. TRUSTEE  
Intermountain Aquatics, Inc. - Agent  
Presenter: Kristi Malone  
Permit No.: EAS2019-0001 (CONTINUED FROM JUN 4, 2019 BCC HEARING)  
Request: Request to accept two new easements to the Teton County Scenic Preserve Trust to allow approval of a Floor Area Option.  
Location: 1725 S. Ely Springs Road, generally located 1.5 miles west of South Park Loop Road. The property is zoned Rural-2 and is within the Natural Resources Overlay. And 22-43-18-05-2-00-011, generally located 0.3 miles southeast of the intersection of State Line Road and Spring Creek Road in Alta. The property is zoned Rural-2 and is within the Natural Resources Overlay.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to continue EAS2019-0001 to the July 16, 2019 BCC regular meeting. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**MATTERS FROM COMMISSION AND STAFF (continued):**

9. Consideration of Approval of Teton County Scenic Preserve Trust Annual Monitoring Contract (MSC2019-0020)

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the proposed Teton County Scenic Preserve Trust monitoring contract with Y2 Consultants, LLC. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to adjourn as the Teton County Scenic Preserve Trust. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**MATTERS FROM COMMISSION**

There were no matters from Commission.

**EXECUTIVE SESSION**

No executive session was held.

**ADJOURN**

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 10:18am.

Respectfully submitted,

Shelley Fairbanks  
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Natalia D. Macker, Chair

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Greg Epstein, Vice-Chair

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Mark Barron

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Mark Newcomb

ATTEST:

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Sherry L. Daigle, County Clerk