

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

The Teton County Board of Commissioners met in a special meeting on **July 11, 2023** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 1:33 p.m.

A continuation of the hearing of Contested Case Docket 2023-003 on June 27, 2023.

Contestants: Case M. Brown; Jan Demarsh-Lovett; Mark Lovett, and Alison F. Merritt.

vs.

Planning Director of Teton County, Wyoming

Commission present: Luther Propst, Chair, Natalia Macker, Vice-Chair, Mark Newcomb, and Wes Gardner were present in-person, and Greg Epstein was present via Zoom.

Others: Abigail Moore, Deputy County Attorney representing Chris Neubecker, Planning Director, and Leah Schwartz, Attorney representing the Contestants were present in-person, and Brandon Jensen, Attorney for Stage Stop, LLC, was present via Zoom.

Hearing Officer: Richard Stout

Deliberations:

On June 27, 2023 the Board heard arguments from all parties. The Hearing Officer's Recommendation was to affirm the Final Agency Action since the Contestants did not provide sufficient evidence to overturn the Planning Director's Decision. The Board voted to take the matter under advisement and to postpone deliberations to this day.

A motion was made by Commissioner Macker and seconded by Commissioner Propst to remand BUP2022-0075 and BUP2022-0085 through 0107, based on the findings for remand in the Land Development Regulations section 8.8.3.E, with the reasons in paragraphs #2, #4 and #5, noting that within the Rafter J PUD section 7 there is a process for determining a similar use which was not followed.

Commissioner Macker clarified that she was making the motion based mainly on paragraph 2:

2. The agency misunderstood how to apply a standard

Hearing Officer Stout called for a vote. The vote showed three in favor and the motion carried 3-2 with Commissioners Gardner and Epstein opposed.

Abigail Moore, Deputy County Attorney, clarified that ARU 76 should be included in the motion and not ARU 75. The Board accepted that correction, and BUP2022-0076, and BUP2022-0085 through -0107 were remanded.

ADJOURN

A motion was made by Commissioner Macker and seconded by Commissioner Newcomb to adjourn. Hearing Officer Stout called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 1:50 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Luther Propst, Chair

ATTEST:

Maureen E. Murphy, County Clerk