

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

The Teton County Board of Commissioners met in regular session on **September 17, 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.

ADOPTION OF AGENDA

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

TO ADD: MFS #10 – Consideration of Approval of Outgoing Correspondence – Letter to Wyoming Department of Transportation Regarding June Meeting **CONTINUED FROM SEPTEMBER 16, 2019 BCC MEETING**

TO ADD: MFS #11 – Consideration of Approval of a 24-Hour Catering Permit for The Liquor Store of Jackson Inc / Bar SIP Bar, LLC – Wedding Rehearsal - 5655 Main St., Wilson, WY 83014

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

MINUTES

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve 9/1/19, 9/3/19, 9/9/19, and 9/10/19 minutes. 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:

2. Consideration of Approval of the FY 2019 Emergency Management Performance Grant (EMPG) Award Agreement
3. Consideration of Approval of an Acceptance Certificate for Wyoming Department of Transportation's (WYDOT) Cattleman's Bridge Project
4. Consideration of Approval of a Memorandum of Understanding Between St. John's Medical Center and Teton County to Provide Family Planning Services
5. Consideration of Approval of Award of Bid and Purchase of Utility Tractor
7. Consideration of Approval of Resolution Giving Authorization to Sign Closing Documents for 915 Smith Lane, Unit C

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 each of the items on the Consent Agenda along with their respective staff report and recommended motions for 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 Approval of the FY 2019 Emergency Management Performance Grant (EMPG) Award Agreement

To approve the FY2019 Emergency Management Performance Grant Award Agreement.

3. Consideration of Approval of an Acceptance Certificate for Wyoming Department of Transportation's (WYDOT) Cattleman's Bridge Project

To approve the WYDOT Acceptance Certificate for the Cattleman's Bridge project.

4. Consideration of Approval of a Memorandum of Understanding Between St. John's Medical Center and Teton County to Provide Family Planning Services

To approve the MOU between St John's Medical Center and Teton County to provide family planning services.

5. Consideration of Approval of Award of Bid and Purchase of Utility Tractor

To award bid and approve purchase for the Toolcat 5600 with attachments from Pro Rental & Sales in the amount of \$70,570.72.

7. Consideration of Approval of Resolution Giving Authorization to Sign Closing Documents for 915 Smith Lane, Unit C

To approve the Resolution giving Authority to Sign Closing Documents regarding purchase of 915 Smith Lane, Unit C, Jackson, Wyoming.

DIRECT CORRESPONDENCE

1. Jackson Hole Land Trust 8/27/2019 email regarding JHLT Letter of Support - BLM Parcel transfer

2. T.J. McCann 8/28/2019 email regarding Paid Parking
3. Berte Hirschfield 8/29/2019 email regarding Affordable Housing
4. Matt Scheidenhelm 9/4/2019 email regarding Heart 6 Ranch Vacation
5. Erin Weisman, County Attorney's Office 9/3/2019 email regarding Civil Division, Attorney Assignments
6. Anne Sutton, Clerk of the District Court 9/4/2019 email regarding Chancery Court Location
7. Mike Gumpert 9/4/2019 email regarding Spectrum Franchise
8. K. Luke Reiner, Director, Wyoming Department of Transportation 9/5/2019 letter regarding Jackson Area Coordinating
9. Douglas Stanley 9/5/2019 email regarding Affordable Housing Fee Issue
10. Rod Lewis 9/6/2019 regarding 5G Cell Tower Risks
11. Melissa Turley, Teton Village Association 9/6/2019 email regarding START Funding Formula
12. Gloria and Dave Lorenzo 9/7/2019 email regarding 440 W Kelly Avenue
13. Jessica Chambers 9/7/2019 email regarding 440 W Kelly Avenue
14. Mary Obringer 9/7/2019 email regarding 440 W Kelly Avenue
15. Nancy St.Clair 9/8/2019 email regarding 440 W Kelly Avenue
16. Sandy Shuptrine 9/8/2019 email regarding 440 W Kelly Avenue
17. Estela Torres 9/8/2019 email regarding 440 W Kelly Avenue
18. Dick Shuptrine 9/8/2019 email regarding 440 W Kelly Avenue
19. Jonathan Schechter, Jackson Town Council 9/8/2019 email regarding START Funding Formula
20. Laken Allen 9/9/2019 email regarding Mountain Towns 2030 Invitation
21. Adrian Croke 9/9/2019 email regarding 440 W Kelly Avenue
22. Laura Langberg 9/9/2019 email regarding 440 W Kelly Avenue
23. Bruce Hawtin 9/9/2019 email regarding 440 W Kelly Avenue
24. Jordan Rich 9/9/2019 email regarding 440 W Kelly Avenue
25. Julia Johari 9/9/2019 email regarding 440 W Kelly Avenue
26. Kate Roberts 9/9/2019 email regarding 440 W Kelly Avenue
27. Richard Bezemer 9/9/2019 email regarding Mountain Towns 2030 Invitation
28. Tasha Starr 9/9/2019 email regarding START Funding Formula
29. Christine Kiely 9/19/2019 email regarding 440 W Kelly Avenue
30. Cristina Briones 9/9/2019 email regarding 440 W Kelly Avenue
31. Lisa Lord Price 9/9/2019 email regarding Vaping
32. Nina Lenz 9/10/2019 email regarding Mercill Housing Development
33. Nina Lenz 9/10/2019 email regarding Mercill Housing Development

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Approval of Change Order No. 10, 15, and 16 for the Parks and Recreation Shop/Housing Project

Steve Ashworth, Director of Parks and Recreation, presented to the Board for consideration of approval Change Order #10, 15, and 16 for the Parks and Recreation Department Maintenance Shop and Housing Project with RSCI, Inc. in the amount of \$126,362.00. The project is at approximately 68% complete.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve Change Order #10, 15, and 16 in the amount of \$126,362.00 with RSCI, Inc. for the Parks and Recreation Maintenance and Housing Project. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

6. Consideration of Approval of Notice of Award for the 2019 Gros Ventre Bank Stabilization Project

Brian Schilling, Pathways and Trails Program Coordinator, presented to the Board for consideration of approval a notice of award for the 2019 Gros Ventre Bank Stabilization project. The Gros Ventre River near Gros Ventre Junction has experienced significant scouring and channel migration southward since 2017. The pathway south of the Gros Ventre Bridge also tends to flood during spring runoff, and this has become more frequent since the major bank erosion in 2017. Further erosion of the south bank and lateral shift of the river channel will threaten the County-owned pathway and bridge, and eventually could threaten the highway bridge as well.

Public comment was given by Tom Segerstrom – Teton Conservation District and Jared Baecker – Snake River Fund.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to issue a Notice of Award to CM Owen Construction for the 2019 Gros Ventre Bank Stabilization Project in an amount not to exceed \$443,832.50 and authorize staff to issue a Notice to Proceed following execution of all contract documents. Chair Macker called for the vote. The vote showed 4-1 in favor with Commissioner Propst opposed and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to convene as the Board of Equalization. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

8. Consideration of Approval of Findings of Fact and Conclusions of Law in the Assessor's Appeals from the Board of Equalization – Dale M. Sarro and Xuemeng Han 2019 Property Valuation

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to continue the Consideration of Approval of Findings of Fact and Conclusions of Law in the Assessor's Appeals from the Board of Equalization – Dale M. Sarro and Xuemeng Han 2019 Property Valuation. 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 exit as the Board of Equalization and to convene as the Scenic Preserve Trust. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

9. Consideration of Approval for Scoggin/Sundheim Amendment to Open Space Easement

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval an amendment to the Scoggin/Sundheim Open Space Easement. On July 16, 2019, the Teton County Scenic Preserve Trust Board voted to approve EAS2018-0001, dated September 18, 2018 and revised May 17, 2019 for a requested amendment to the Alta Ridge Subdivision Open Space easement held by the Teton County Scenic Preserve Trust to allow a residential access drive and additional open space area. The applicant has now submitted a proposed Amendment to the Open Space Easement to be recorded against the property. The proposed amendment is in conformance with the approval given by the TCSPT Board on July 16, 2019.

Paul D'Amours addressed the Board on behalf of the Applicant.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the Amendment to the Open Space Easement for the Alta Ridge Subdivision and that the amendment be recorded with the County Clerk. 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 exit as the Teton County Scenic Preserve Trust. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

10. Consideration of Approval of Outgoing Correspondence – Letter to Wyoming Department of Transportation Regarding June Meeting **CONTINUED FROM SEPTEMBER 16, 2019 BCC MEETING**

Discussion between the Board and staff was regarding possible changes to the letter presented to the Board during the September 16, 2019 voucher meeting. This item will continue later in the meeting after the changes are made to the letter.

The meeting was recessed at 10:07am and reconvened at 10:11am.

11. Consideration of Approval of a 24-Hour Catering Permit for The Liquor Store of Jackson Inc / Bar SIP Bar, LLC – Wedding Rehearsal - 5655 Main St., Wilson, WY 83014

Kassie Hansen, Deputy County Clerk, presented to the Board for consideration of approval a catering permit submitted by Bar SIP Bar, LLC and The Liquor Store of Jackson Inc. for a wedding rehearsal in Wilson to be held September 20, 2019. The application was received by the Clerk's Office on Monday, September 16, 2019.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the catering permit submitted by Bar SIP Bar, LLC and The Liquor Store of Jackson Inc. to be held on September 20, 2019 with the permit being valid for a 24-hour period. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING & DEVELOPMENT:

1. Findings of Fact and Conclusions of Law CUP2019-0005 – Teton County

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact and Conclusions of Law and Order granting approval of a Conditional Use Permit (CUP2019-0005) for General Dynamics Wireless, pursuant to Section 8.4.2, Conditional Use Permit of the Teton County Land Development Regulations.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the Findings of Fact and Conclusions of Law and Order granting approval of a Conditional Use Permit (CUP2019-0005). Chair Macker called for the vote. The vote showed all in favor and the motion carried.

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| 1. Applicant: | TETON COUNTY POSTPONED TO THE OCTOBER 1, 2019 BCC MEETING |
| Presenter: | Hamilton Smith |
| Permit No. | CUP2019-0003 |
| Request: | Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations, to permit an emergency helicopter landing zone in the Teton Village area. |
| Location: | Teton County Village Exaction Parcel, accessed from Après Vous Road. The property is located within the Scenic Resources Overlay |

MATTERS FROM COMMISSION

- A. Chair Macker brought up discussion on moving things forward on 440 W Kelly Avenue.

EXECUTIVE SESSION

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to go into Executive Session pursuant to Wyoming Statute §16-4-405(a)(ii) To consider the appointment of a public officer, professional person or employee to volunteer boards. Chair Macker called for the vote. The vote showed all in favor and the motion carried. The board went into executive session at 10:19am.

Commissioners present: Natalia Macker Chair, Greg Epstein Vice-Chair, Mark Barron, Mark Newcomb and Luther Propst.

Others present: Alyssa Watkins, Keith Gingery, and Sherry Daigle.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to adjourn from executive session. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The Board came out of executive session at 10:25am and no action was taken.

10. Consideration of Approval of Outgoing Correspondence – Letter to Wyoming Department of Transportation Regarding June Meeting (continued)

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the revised letter as edited by Commissioner Epstein. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 10:27am.

Respectfully submitted,

Shelley Fairbanks
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chair

Greg Epstein, Vice-Chair

Mark Barron

Mark Newcomb

ATTEST:

Luther Propst

Sherry L. Daigle, County Clerk