

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

The Teton County Board of Commissioners met in regular session on **October 1, 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, Mark Barron, Mark Newcomb, and Luther Propst were present. Greg Epstein was absent.

ADOPTION OF AGENDA

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

TO REMOVE: MFS #5 – Consideration of Approval of State Trails Winter Grooming Grant

TO ADD: MFC #1 - Highway 22/Coyote Canyon Intersection and START Bus Service

TO ADD: MFC #2 - Teton Pass Truck Arrestor

TO ADD: MFC #3 - Liaison reports / Commission updates

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

MINUTES

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve 9/16/19, 9/17/19, and 9/23/19 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 Barron and seconded by Commissioner Propst to place the following Matters from Staff on a Consent Agenda:

4. Consideration of Approval of Town Square Lighting Contract
7. Consideration of Approval of the US Forest Service and Teton County Cooperative Forest Road Agreement/Schedule A
8. Consideration of Approval of FY20 Treatment Court Funding Agreement with Town of Jackson
9. Consideration of Approval of Grand Targhee Resort Employee and Affordable Housing Agreement
10. Consideration of Approval of Notice of Award and Contract for the Search and Rescue Helicopter 2019-2020 Season
13. Consideration of Approval of Support Letter for Skyline Improvement and Service District's Mineral Royalty Grant Request to Repair Water Tank Roof
15. Consideration of Approval of Amendment to Custom Insight Proposal for Employee Engagement Survey Services

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

A motion was made by Commissioner Barron and seconded by Commissioner Propst 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:

4. Consideration of Approval of Town Square Lighting Contract

To award bid and approve contract to Teton Mountain Lights, LLC for Town Square Holiday Lighting services in the amount of \$ 49,840.00.

7. Consideration of Approval of the US Forest Service and Teton County Cooperative Forest Road Agreement/Schedule A

To approve the U.S. Forest Service (USFS) Caribou-Targhee National Forest and Teton County Cooperative Forest Road Agreement/Schedule "A".

8. Consideration of Approval of FY20 Treatment Court Funding Agreement with Town of Jackson

To approve and sign the Social Services Agreement with the Town of Jackson for a maximum funding contribution of \$57,403.

9. Consideration of Approval of Grand Targhee Resort Employee and Affordable Housing Agreement

To approve the Grand Targhee Employee and Affordable Housing Agreement.

10. Consideration of Approval of Notice of Award and Contract for the Search and Rescue Helicopter 2019-2020 Season

To award the Search and Rescue helicopter services bid to Helicopter Express and further move to approve the Search and Rescue Helicopter Agreement with Helicopter Express.

13. Consideration of Approval of Support Letter for Skyline Improvement and Service District's Mineral Royalty Grant Request to Repair Water Tank Roof

To approve the letter of support to the State Lands and Investment Board for the Skyline Improvement and Service District to request a Mineral Royalty Grant to repair the roof of the water system building.

15. Consideration of Approval of Amendment to Custom Insight Proposal for Employee Engagement Survey Services

To approve the amendment for additional costs due to County-wide participation in the amount of \$2000.

DIRECT CORRESPONDENCE

1. Jeremy Walker 9/10/2019 email regarding Fire in the Mountains Music Festival
2. Meg Daly 9/12/2019 email regarding 440 W Kelly Avenue
3. Miranda Adams 9/13/2019 email regarding Code Compliance
4. Jack Koehler, Friends of Pathways 9/13/2019 email regarding Gros Ventre Riverbank Stabilization
5. Janis Parent 9/13/2019 email regarding Fire in the Mountain Music Festival
6. Doug Stanley 9/14/2019 email regarding Affordable Housing Fees
7. Justin Adams 9/14/2019 email regarding 440 W Kelly Avenue
8. Mickey Babcock 9/16/2019 email regarding Fire in the Mountains Music Festival
9. Perri Stern 9/16/2019 email regarding 440 W Kelly Ave
10. Tom Segerstrom, Teton Conservation District 9/16/2019 email regarding Gros Ventre Riverbank Stabilization Project
11. Perri Stern 9/17/2019 email regarding 440 W Kelly Avenue
12. Sandy Shuptrine 9/18/2019 email regarding Climate Strike
13. Jackson Hole Working 9/18/2019 email regarding Jackson Hole Working Statement re: Lunch and Learn with Joint Corporations, Elections, and Political Subdivisions Committee in Jackson
14. David Cernicek, Bridger Teton National Forest 9/20/2019 email regarding Gros Ventre Riverbank Stabilization Project
15. Jeff Rice 9/20/2019 email regarding Teton Science School - Driver Provider bus service to the Jackson Campus
16. Norman Duke 9/22/2019 email regarding Wilson Lower Teton Pass Arrestor
17. Perri Stern 9/22/2019 email regarding 440 West Kelly Avenue
18. Scott Bosse 9/23/2019 email regarding Gros Ventre Riverbank Stabilization Project

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Approval of Resolution Recognizing October as Domestic Violence Awareness Month

Karen Waidley, Director of Education at Community Safety Network, presented the resolution recognizing Domestic Violence Awareness Month.

BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY RESOLUTION # (Domestic Violence Awareness Month)

WHEREAS, every person in America has the right to live free from violence in their homes, neighborhoods, and communities, and domestic violence is a serious crime that affects all individuals—adults and children—disrupts communities, destroys relationships and families; and

WHEREAS, violence against predominantly women and children continues to become more prevalent as a social problem, the problems of domestic violence are not confined to any one group of people but crosses all gender identities, economic, racial, and societal barriers; and violates an individual's dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological, and economic control and / or abuse; and

WHEREAS, the U.S. Department of Justice estimates that **one million women** are victimized by domestic violence each year, with less than half of all such crimes actually thought to be reported; and

WHEREAS, in Wyoming, this past year, there were 1,868 *reported* incidents of domestic violence; however, from this data, only 9 cases were reported in Teton County. We as service providers know that this is severely underreported and under-recognized as a serious problem, and,

WHEREAS, in Wyoming on a given day, almost 300 victims were served; over 100 adult and child victims found refuge in emergency shelters or transitional housing; almost 150 adult and child victims received non-residential assistance and services, including counseling, legal advocacy and children's support groups; and

WHEREAS, **Teton County Victim Services, The Community Safety Network, the Wyoming Division of Victim Services** and the **Wyoming Coalition Against Domestic Violence & Sexual Assault** encourages community leaders, co-workers, friends and loved ones to take a personal pledge to end domestic violence.

NOW, THEREFORE, having duly met at a regular meeting and considered the matter, the Teton County Board of County Commissioners, do hereby encourages all of us to be part of the solution by pledging to never commit, condone, or remain silent about violence and do hereby proclaim October as

DOMESTIC VIOLENCE AWARENESS MONTH

Adopted on the 1st day of October 2019.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Natalia D. Macker, Chairwoman

(Seal)

Attest:

Sherry L. Daigle, Teton County Clerk
There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the Resolution recognizing October as Domestic Awareness Month. Chair Macker called for the vote. The vote showed all in favor and the motion carried. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

2. Consideration of Approval of Amendment No. 2 to the Wyoming Department of Transportation South 89 Enhancements Cooperative Agreement N104079

Heather Overholser, Director of Public Works, presented to the Board for consideration of approval Amendment #2 to the WYDOT Cooperative Agreement for construction of a 10'-wide paved multi-use pathway and related improvements on the Wyoming Department of Transportation (WYDOT) Hoback Junction to Jackson / Snake River South Section highway widening project.

Brian Schilling, Pathways Coordinator, addressed the Board regarding additional funds for this project.

Public comment was given by Tim Young.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to continue this item for more information to October 15, 2019. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

3. Consideration of Approval of Purchase of Wildlife Crossing Silhouette Structures

Amy Ramage, County Engineer, presented to the Board for consideration of approval an of expenditure of \$19,500 to Jackson Hole Public Art to build and furnish 6 wildlife silhouettes (two elk, two deer, two moose).

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve an expenditure in the amount of \$19,500 for six wildlife crossing silhouette structures to be provided by Bland Hoke/JH Public Art and expended from Engineering's Safe Wildlife Crossings budget line item. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

6. Consideration of Approval of Employee Housing Lease for Hoback Cabin No. 7

Stacy Stoker, Housing Manager, presented to the Board for consideration of approval a lease agreement for Teton County Employee Housing located at 11055 South Highway 89, Hoback Cabins Unit #7.

Public comment was given by Sheriff Matt Carr.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the Lease Agreement with Jodi Rankin for 11055 South Highway 89, Hoback Cabin Unit #7. 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 Barron to convene as the Board of Equalization. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

11. Consideration of Approval of the First Amended Decision of the Teton County Board of Equalization for SSDA, LLC 2018 Valuation

Sherry L. Daigle, County Clerk, presented to the Board for consideration of approval the amended order from Board of Equalization Hearings on August 16, 2018 and September 13, 2018. The State Board of Equalization heard the appeal rendering a decision and order of remand on May 6, 2019, stating that "The County Board's decision is in excess of the Board's authority", thus requiring an Amended Decision to be considered. The County Assessor and the landowner have discussed the proposed Amended Decision and both parties agree, as evidenced by their signatures on the order.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the proposed First Amended Decision of the Teton County Board of Equalization in the matter of the appeal of SSDA LLC from a decision of the Teton County Assessor 2018 Property Valuation, State docket #2018-0059. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to reconvene as the Board of County Commissioners. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

12. Consideration of Approval of Workforce Rental Restriction for 12 Units at Old West Cabins

Stacy Stoker, Housing Manager, presented to the Board for consideration of approval a Special Restriction for twelve (12) Accessory Residential Units (ARU) located at 5575 S Hwy 89.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the Special Restriction as presented by staff for the twelve Accessory Residential Units at Old West Cabins located at 5575 South Highway 89. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Propst 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.

14. Consideration of Approval of the Teton County Scenic Preserve Trust Response to Teton County School District #1 Inquiry

Angie Martell, Associate Long Range Planner, presented to the Board for consideration of approval a response letter dated October 1, 2019 to the Teton County School District, regarding the terms of the easement encumbering the Melody Ranch Investment I, LLC property on the southern side of South Park Loop road.

John Graham, Deputy County Attorney, addressed the Board regarding interpreting language of the easement.

Public comment was given by Dave Larson and Stefan Fodor.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the Teton County Scenic Preservation Trust response letter dated October 1, 2019 to the Teton County School District, regarding the terms of the easement encumbering the Melody Ranch Investment I, LLC property. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Propst and seconded by Commissioner Barron to reconvene as the Board of County Commissioners. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:16am and reconvened at 10:25am.

MATTERS FROM PLANNING & DEVELOPMENT:

- 1. Applicant: TETON COUNTY SHERIFF'S OFFICE
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 Apres Vous Road. The property is located within the Scenic Resources Overlay.

Hamilton Smith, Principal 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 to permit an emergency helicopter landing zone in the Teton Village Area.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve CUP2019-0003, for a Conditional Use Permit for an Aviation Use, as set forth in the application dated May 28, 2019, being able to make all eight (8) findings of Section 8.4.2. of the Teton County Land Development Regulation with one recommended condition of approval.

- 1. The landing zone shall have an attendant while in use.

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

- 2. Applicant: LYNX, LLC
Presenter: Chandler Windom
Permit No. MSC2019-0037
Request: A request pursuant to LDR section 8.2.13 to amend a previously approved development permit, DEV1999-0030, to revise the conditions of approval for the 3-lot subdivision, the Snake River Business Park.
Location: 4175, 4177, and 4179 S Highway 89 are in the South Park Business Park are, 1/3 of a mile north of the South Park Loop and Highway 89 intersection. Lot 1 is zoned Business Park, while Lots 2 and 3 are split-zoned Business Park and Neighborhood Conservation. The subdivision exists outside of any overlays.

Chandler Windom, Associate Planner, presented to the Board for consideration of approval a request to amend the conditions of approval from DEV1999-0030, per LDR Section 8.2.13, Amendment of Permits or Approvals, for the Snake River Business Park Subdivision. The conditions are 1) Fire Protection, 2) Future Stormwater Management, 3) Past and Future Landscape Requirements, 4) Exterior Lighting, 5) Site Development, and 6) Irrigation Ditch Protection. They are requesting to remove Conditions #1-5 and revise Condition #6.

Stefan Fodor addressed the Board on behalf the applicant.

Public comment was made by Dave Larsen and Robin Levy-Mommsen.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve Miscellaneous Planning request MSC2019-0037 as set forth in the application dated August 2nd, 2019, with the Planning Director recommendation to remove Conditions #1, 3-5 and revise conditions #2 and #6 of DEV1999-0030 as amended by Planning Staff to state the following:

- 1. Condition #2 shall be revised to say the following "Stormwater Management. The owners of Lots 1,2, and 3 shall coordinate stormwater management facilities and drainage requirements.
- 2. Condition #6 shall be revised to say the following "Irrigation Ditch Protection. The irrigation ditch below the development area must be protected from any falling debris or material".

and Affidavit of Title shall be executed and the existing CCR's will be terminated by this approval.

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

MATTERS FROM COMMISSION

- 1. Highway 22/Coyote Canyon Intersection and START Bus Service

Chair Macker brought up discussion based on public comment at the September 30, 2019 meeting regarding the Highway 22 and Coyote Canyon intersection and START Bus service. The Board received a letter from Darren Brugmann on START Bus service and why that was cancelled.

Sheriff Matt Carr addressed the Board regarding concerns of traffic control at Coyote Canyon Road.

Heather Overholser, Director of Public Works, addressed the Board regarding possible solutions, both short-term and long-term options, being considered by Wyoming Department of Transportation (WYDOT).

Bob Hammond, WYDOT Resident Engineer, addressed the Board regarding the safety of intersections along the corridor of Highway 22.

Chris Agnew, Teton Science Schools, addressed the Board regarding the need for bus service for the school.

2. Teton Pass Truck Arrestor

Chair Macker brought up discussion based on public comment at the September 30, 2019 meeting regarding the Teton Pass Truck Arrestor.

Heather Overholser, Director of Public Works, addressed the Board giving a brief history on the truck arrestors on the pass. There was a study in 2017 of 6 possible locations and safety of these locations.

Bob Hammond, WYDOT Resident Engineer, addressed the Board regarding the timing of the arrestor being on the Statewide Transportation Improvement Plan (STIP). The pass is closed to trailer traffic on Teton Pass from November 15 – April 15. The upper arrestor is currently closed and may not open before the pass closes to trailer traffic.

3. Calendar Item

Chair Macker brought up a request from Commissioner Propst to cancel the second meeting in November (19th) to allow the Board to attend the Joint Corporations meeting in Cheyenne. The voucher meeting scheduled for November 18th will be moved to Friday, November 15, 2019.

4. Employee Ski Pass Wellness Benefit

Chair Macker brought up discussion regarding options from staff for the Employee Ski Pass Wellness Benefit.

5. South Highway 89 Between Adams Canyon and Lower Valley Energy

Commissioner Barron brought up a discussion item regarding a pathway and/or tunnel for pedestrians and bicyclists on South Highway 89.

6. Liaison Reports / Commission Updates

- A. Natalia Macker gave updates on WACO – resolution regarding County Employer’s Group for Workers Comp; Lincoln County Commissioners interest in meeting regarding CWD and housing in Alpine; and use of NERPA funds.
- B. Mark Newcomb had no updates.
- C. Mark Barron had no updates.
- D. Luther Propst had no updates.

EXECUTIVE SESSION

There was no executive session held today.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:44am.

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