

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

The Teton County Board of Commissioners met in regular session on **January 21, 2020** 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 Newcomb and seconded by Commissioner Epstein to adopt the agenda as presented. Chair 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 Newcomb to approve **1/6/2020, 1/7/2020, and 1/13/2020** 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 Newcomb and seconded by Commissioner Epstein to place the following Matters from Staff on a Consent Agenda:

4. Consideration of Approval of Award of Bid/Approval of Contract for Recreation Center Custodial Services
6. Consideration of Approval of Assignment of Ambulance Billing Services Agreement
7. Consideration of Approval of 2019 Annual Report for the Historic Preservation Board
8. Consideration of Approval of Resolution Approving FY2021 Treatment Court State Grant Application

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 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 Award of Bid/Approval of Contract for Recreation Center Custodial Services**

To approve Award of Bid/Approval of Contract for Recreation Center Custodial Services with Premier Cleaning Services, LLC in the amount not to exceed \$114,600.00, subject to compliance with bonds, proof of liability and worker's compensation insurance.

**6. Consideration of Approval of Assignment of Ambulance Billing Services Agreement**

To approve the Assignment Agreement from EMS Billing Services, Inc. to Quick Med Claims.

**7. Consideration of Approval of 2019 Annual Report for the Historic Preservation Board**

To approve the 2019 Annual Report of the Teton County Historic Preservation Board.

**8. Consideration of Approval of Resolution Approving FY2021 Treatment Court State Grant Application**

To approve a resolution authorizing the submission of a grant application to the Wyoming Behavioral Health Division for FY2021 Treatment Court funding in the amount of \$84,191.94 with a required match of \$21,889.91.

**DIRECT CORRESPONDENCE**

1. Don Everitts 12/31/2019 email regarding Pathway 22
2. Don Everitts 1/1/2020 email regarding Scenic Helicopter Tours
3. Ray Sachs 1/3/2020 email regarding Cody Lane Tract H-1
4. Paul Beaupre, St. Johns Medical Center 1/3/2020 email regarding CWC Zoning Application
5. Phelps and Pam Swift 1/3/2020 email regarding Rains Parcel
6. Nicole Krieger, Hess D'Amours and Krieger 1/3/2020 email regarding Teton Village New Development Tract H-1
7. Bob Bell 1/3/2020 email regarding CWC Rezone
8. Michele Pacifico and John Martin 1/6/2020 email regarding Century Link Internet Service on Snow King Drive
9. Joni Upsher 1/6/2020 email regarding CWC Rezone
10. Shane Rothman 1/6/2020 email regarding Snow King Mountain Improvements
11. Mitch Lewis 1/6/2020 email regarding CWC Re-zone
12. Wendy Cook 1/6/2020 email regarding Hwy 22 Pathway
13. Dan Smitherman 1/6/2020 email regarding Proposal for Public Lands
14. Ed Ryan 1/8/2020 email regarding JHGT / Vail Resorts
15. Chris Hawks 1/8/2020 email regarding START Bus Fare Establishment - Jackson Hole Mountain Resort
16. Gregg Ward 1/9/2020 email regarding JHGT / Vail Resorts
17. Richard Bloom 1/9/2020 email regarding AMD2019-0002 – Amendment to maximum allowed scale of individual buildings for certain institutional uses.
18. Amy Asbell 1/9/2020 email regarding JH Half Marathon
19. Patrice Stowe 1/12/2020 email regarding JHGT / Vail Resorts
20. Cary Stowe 1/12/2020 email regarding JHGT / Vail Resorts
21. Darren Brugmann, START 1/13/2020 email regarding Teton Valley - START Service Changes due to ROAD CLOSURES
22. Edward Iwanicki 1/13/2020 email regarding Cody Lane Re: SKC2019-0001, VAR2019-0004, VAR2019-0005, VAR2019-0006 and VAR2019-0007
23. Charles Gross 1/13/2020 email regarding Cody Lane Re: SKC2019-0001, VAR2019-0004, VAR2019-0005,

- VAR2019-0006 and VAR2019-0007
24. Nick White 1/13/2020 email regarding Cody Lane Re: SKC2019-0001, VAR2019-0004, VAR2019-0005, VAR2019-0006 and VAR2019-0007
25. Steven Bishop 1/14/2020 email regarding Cody Lane Re: SKC2019-0001, VAR2019-0004, VAR2019-0005, VAR2019-0006 and VAR2019-0007
26. Robert Fitton 1/14/2020 email regarding Cody Lane Re: SKC2019-0001, VAR2019-0004, VAR2019-0005, VAR2019-0006 and VAR2019-0007
27. Naci Halper 1/14/2020 email regarding JHGT / Vail Resorts
28. Steven MacGregor 1/14/2020 email regarding Cody Lane Re: SKC2019-0001, VAR2019-0004, VAR2019-0005, VAR2019-0006 and VAR2019-0007

## **PUBLIC COMMENT**

There was no public comment.

## **MATTERS FROM COMMISSION AND STAFF**

### **1. Consideration of Approval of County Vouchers**

A motion was made by Commissioner Propst and seconded by Commissioner Barron to approve the January 21, 2020 county voucher run in the amount of \$827,407.26. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

### **2. Consideration of Approval of RY2020 6-Month Budget Amendment**

Sherry L. Daigle, County Clerk, presented to the Board for consideration of approval an amendment of the FY2020 budget to account for unanticipated revenues and expenditures.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Propst to adopt the proposed 6-month budget amendment for FY2020 as presented today. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### **3. Consideration of Approval of Eagle Scout Letters of Commendation**

Shelley Fairbanks, Deputy County Clerk, presented to the Board for the consideration of approval letters of commendation to the Boy Scouts earning the rank of Eagle Scout. The six Boy Scouts that were recognized are Kirby Castagno and Carsen Cook from Troop 66; Thomas Salerno from Troop 67; and Henry Berezay, David Danby, and Evan Scott from Troop 68.

There was no public comment.

A motion was made by Commissioner Propst and seconded by Commissioner Epstein to approve the Eagle Scout Letters of Commendation as presented and request each Commissioner to sign. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### **5. Consideration of Approval for Jail Lobby Remodel Contract**

Sarah Mann, Director of General Services, presented to the Board for consideration of approval a contract for the remodel of the Detention Center locker room and lobby area. Detention Center staff currently uses a closet as a locker room for the purpose of changing into and out of uniform. The Sheriff's Department would like to have larger facilities to accommodate the needs of staff, as well as separate facilities for male and female staff. This project would convert an existing janitorial closet, closet (existing locker room), and men's and women's restrooms into a reconfigured janitorial closet, public area restroom, and male and female locker rooms.

There was no public comment.

A motion was made by Commissioner Propst and seconded by Commissioner Epstein to approve the contract to ACM for the Detention Center Locker Room/Lobby remodel on a time and materials basis with the total amount not to exceed \$228,553.00. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

### **9. Consideration of Approval of WCCA Workers' Compensation County Employer Group Proposal**

Julianne Fries, Director of Human Resources, presented to the Board for consideration of approval a resolution to join the Wyoming County Commissioners Association (WCCA) to establish a Workers' Compensation County Employer Group (CEG). Wyoming County Commissioners Association (WCCA) is requesting all Wyoming Counties to participate in Employer Group program, in regard to the Wyoming Workers' Compensation system, with the objective to improve safety within county government across Wyoming and potentially reduce Workers' Compensation premiums for participants. The County Clerk, County & Prosecuting Attorney, Chief Deputy Attorney, and Human Resources Director met to review the proposal and a follow up call was conducted with Jeremiah Rieman, Executive Director of WCCA. Several questions were raised and reviewed with Mr. Rieman to better understand the objectives, structure, cost savings potential, and participant responsibilities of the proposed system.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Propst to continue this item to the February 4, 2020 BCC regular meeting. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

## **MATTERS FROM PLANNING & DEVELOPMENT:**

1. Applicant: TETON COUNTY
- Presenter: Kristi Malone
- Permit No.: AMD2019-0002
- Request: Request to amend the Teton County Land Development Regulations, pursuant to Section 8.7.1, to include standards for specific institutional uses to exceed the zone-specific maximum scale for an individual building.
- Location: County-wide

Kristi Malone, Planning Staff, presented to the Board for consideration of approval a request to amend the Teton County Land Development Regulations, pursuant to Section 8.7.1, LDR Text Amendment, to include standards allowing for specific institutional uses to exceed the zone-specific maximum scale for an individual building.

The Board of County Commissioners (BCC) requested that Planning Staff prepare an amendment to the Teton County Land Development Regulations (LDRs) to create opportunity for certain institutional uses that require very large structures to exceed the zone-specified maximum scale for individual buildings. Three workshops on this topic were held by Planning Staff on April 29, 2019, July 22, 2019 and August 19, 2019 where direction on drafting a formal amendment was provided by the Board of County Commissioners. This LDR text amendment was precipitated by the 2019 passage of SF 49 by the State Legislature, which was requested by a private school in Teton County that perceived an inability to reasonably navigate County zoning for construction of a school facility with a building exceeding the current 10,000 sf restriction for the Rural-1 zone. Approval of SF 49 at the State-level exempts private schools from local zoning standards that regulate and restrict the location or use of structures and land. As such, facilities meeting the State definition of a private school may exceed the maximum scale for an individual building regulated by County zoning. In response to the observed need for institutional uses to operate within a large-scale single building, the BCC directed Planning Staff to develop an amendment to maximum scale of individual building standards for consideration.

Public comment was given by Rich Bloom.

The meeting was recessed at 10:00am and reconvened at 10:09am.

There was discussion between the Board and staff.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve AMD2019-0002, as presented in the draft dated December 3, 2019, to amend the maximum allowed scale of individual buildings for certain institutional uses, being able to make the findings of Section 8.7.2 as recommended by the Planning Director and Planning Commission with the three following conditions recommended by the Planning Commission:

1. The requirement to perform a Sketch Plan and Development Plan be added as criteria in proposed LDR Section 6.1.8.D. Use Standards.
2. Proposed LDR Section 6.1.8.D.3 be amended to: "The proposed site for the large-scale institutional building must be within the boundaries of a County Complete Neighborhood (5: West Jackson, 7: S Hwy 89, 11:Wilson, 12: Aspens/Pines, 13: Teton Village) as indicated on the Official Zoning Map. For use and development at the boundary of a Complete Neighborhood and not solely within one of the specified Complete Neighborhood Districts, the characteristics of the site, and proposed use and physical development will be compared to each District to determine if it contributes to the desired future characteristics of the Complete Neighborhood District. In general, the majority of development shall be located in the area that is designated for higher intensity use. This standard may be deviated from if it can be demonstrated that the location proposed will improve scenic views and lessen adverse environmental impacts. Applicant must demonstrate to the satisfaction of the BCC that the proposed institutional use provides services necessary for the functions of a Complete Neighborhood and that the proposed size of the building is the minimum square footage necessary to sufficiently serve the community based on relevant community size and needs assessment data."
3. Friendly amendment adds to 6.1.8.D Section 2 - the "developable site" is outside the NRO. (Okayed with Commissioner Newcomb and Commissioner Propst – motion maker and second)

Chair Macker called for the vote. The vote showed 2-3 in favor with Commissioners Macker, Epstein, and Barron opposed, and the motion failed.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve AMD2019-0002, as presented in the draft dated December 3, 2019, to amend the maximum allowed scale of individual buildings for certain institutional uses, being able to make the findings of Section 8.7.2 as recommended by the Planning Director and Planning Commission with the two following conditions recommended by the Planning Commission:

1. Proposed LDR Section 6.1.8.D.3 be amended to: "The proposed site for the large-scale institutional building must be within the boundaries of a County Complete Neighborhood (5: West Jackson, 7: S Hwy 89, 11:Wilson, 12: Aspens/Pines, 13: Teton Village) as indicated on the Official Zoning Map. For use and development at the boundary of a Complete Neighborhood and not solely within one of the specified Complete Neighborhood Districts, the characteristics of the site, and proposed use and physical development will be compared to each District to determine if it contributes to the desired future characteristics of the Complete Neighborhood District. In general, the majority of development shall be located in the area that is designated for higher intensity use. This standard may be deviated from if it can be demonstrated that the location proposed will improve scenic views and lessen adverse environmental impacts. Applicant must demonstrate to the satisfaction of the BCC that the proposed institutional use provides services necessary for the functions of a Complete Neighborhood and that the proposed size of the building is the minimum square footage necessary to sufficiently serve the community based on relevant community size and needs assessment data."
2. Amendment to 6.8.1.D.2 "the developable site is outside the NRO".

Chair Macker called for the vote. The vote showed 3-2 in favor with Commissioners Newcomb and Propst opposed and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to direct staff to further their investigation in the Suburban Zone as it applies to educational use under the institutional category. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:54am and reconvened at 11:00am.

2. Applicant: JACKSON HOLE GOLF & TENNIS CLUB

- Presenter: Hamilton Smith  
 Permit No.: PUD2019-0002  
 Request: Master Plan amendment pursuant to Section 8.7.3 of the Teton County Land Development Regulations, to amend the physical area and use standards for the golf maintenance and employee housing area and include the cell tower use as part of Required Utilities on the Property.
3. Permit No.: AMD2019-0004  
 Request: Amend Section 4.3.5 of the Land Development Regulations, pursuant to Section 8.7.1, LDR Text Amendments, to the Jackson Hole Golf and Tennis Club Master Plan description (Sec. 4.3.5.B), Building Size description (Sec. 4.3.5.D.2.b), and Dimensional Limitation Plan Table (Sec. 4.3.5.D.3). Teton County has complied with the requirements of Wyoming State Statute § 9-5-304 pertaining to the Wyoming Regulatory Takings Act.
- Location: 5000 North Spring Gulch Road. Generally located on the east side of Spring Gulch Road, approximately 1 mile south of the East Sage Brush Drive and Spring Gulch Road intersection. The property is zoned Planned Resort and is in the Natural Resources Overlay.

PUD2019-0002 and AMD2019-0004 are continued from December 17, 2019.

1. Approval of a Master Plan Amendment pursuant to Section 8.7.3 of the Teton County Land Development Regulations (LDRs) to amend the physical area and use standards for the golf maintenance and employee housing area and include the cell tower use as an allowed utility in the Use Plan.
2. Approval of an LDR Text Amendment, pursuant to Section 8.7.1 of the Teton County Land Development Regulations (LDRs) to update the language in Section 4.3.5, Jackson Hole Golf and Tennis Club of the LDRs in order to ensure consistency with the proposed changes to the PUD Resort Master Plan proposed as part of this application.

JHGT is requesting an amendment to its current 2002 Resort Master Plan to further define the physical area and use standards associated with the Golf Maintenance/Employee Housing site identified within the previously approved PUD for JHGT. No physical development is proposed with the Master Plan and LDR Text amendments, although future development can be expected if these applications are approved.

The applicant proposes to amend the Master Plan, based on the following changes:

1. Permit up to 11,000 square feet for voluntary apartment style or dormitory style employee housing and up to 6 accommodations for recreational vehicles for employees on the Golf Maintenance and Employee Housing site
2. Flexibility to combine or divide the currently entitled maintenance and administration square footage into one or multiple structures and/or add a second story to accommodate employee housing
3. Permit the cell tower use as part of the Utility Services on the Property
4. Flexibility to use the maintenance facility, administration building and/or employee housing for Jackson Hole Golf and Tennis (JHGT) Club and/or Grand Teton Lodge Company (GTLC) employees
5. Create a physical boundary in the Master Plan for the Property
6. Though not specifically called out in the Narrative Description of the proposed amendments, the proposed Dimensional Limitation Plan includes a 15-foot setback from a river channel in the Golf Maintenance/Employee Housing site.

Discussion among the Board began with the Key Issues:

1. Does the Planned Resort allow flexibility for an increase of 8,478 square feet of habitable floor area for employee housing?
2. Can the Board legally restrict inclusion of Wireless Communications Facilities as an allowed use in the Master Plan?
3. Can the Jackson Hole Golf & Tennis Resort be amended to allow Grand Teton Lodge Company operations?
4. Is the proposed 15-foot setback appropriate for this river channel?

The meeting was recessed at 11:31am and reconvened at 11:39am.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve PUD2019-0002, to amend the Jackson Hole Golf and Tennis Master Plan Planned Unit Development in accordance with Section 8.7.3 of the Teton County Land Development Regulations, and to the degree that the applicant proposes to amend the following:

1. Permit up to 11,000 square feet for voluntary apartment style or dormitory style employee housing and up to 6 accommodations for recreational vehicles for employees on the Golf Maintenance and Employee Housing site
2. Flexibility to combine or divide the currently entitled maintenance and administration square footage into one or multiple structures and/or add a second story to accommodate employee housing
3. Flexibility to use the maintenance facility, administration building and/or employee housing for Jackson Hole Golf and Tennis (JHGT) Club and/or Grand Teton Lodge Company (GTLC) employees
4. Create a physical boundary in the Master Plan for the Property
5. Though not specifically called out in the Narrative Description of the proposed amendments, the proposed Dimensional Limitation Plan includes a 15-foot setback from a river channel in the Golf Maintenance/Employee Housing site.

with the exception of condition of approval #2 based upon the application dated July 15, 2019, having fully considered the five (5) findings for approval under Section 8.7.3.D. which have been satisfied and met with eight (8) conditions of approval as follows:

1. All past and current approved conditions shall be incorporated in the associated sections of the Master Plan, or in an appendix to the Master Plan, with final hard and electronic copies provided to the Teton County Planning Department no later than forty-five (45) days after approval by the Board of County Commissioners. Subject to approval by the Teton County Planning Director and the Teton County Attorney's Office, the final Master Plan and Appendix or Affidavit of the Planning Director which references the final Master Plan shall be recorded in the Office of the Teton County, Wyoming Clerk within ninety (90) days of Board approval.

2. Prior to submitting the amended Master Plan the applicant shall submit two versions of Land Development Regulations (LDR) Text of Section 4.3.5, Jackson Hole Golf and Tennis Club, to ensure consistency with the approved changes to the PUD Resort Master Plan, a red-lined version demonstrating proposed amendments and a final text version, for review and approval by the Planning Director.
3. All trash containers shall be replaced with bear-proof trash containers and Jackson Hole Golf and Tennis shall provide education and information materials to its employees and other residents about wildlife feeding, proper storage of food, garbage, pet food and other bear attractants. Jackson Hole Golf and Tennis shall implement this condition as part of employee regulations.
4. Pets shall be prohibited. Jackson Hole Golf and Tennis shall implement this condition as part of employee regulations.
5. Mitigation plantings shall be located in the Gros Ventre River riparian zone no closer to the site than the southeast side of the remnant river channel, as depicted in figure 5 of the Development Impact Analysis, September 2018, produced by LT Environmental. Shrub mitigation plantings shall consist of shrub species preferred by ungulates and not berry producing shrub species.
6. At or prior to submittal of any Grading and Erosion Control Permit(s), a Final Mitigation Plan shall be submitted, subject to review and approval by the Planning Director. The Final Mitigation Plan shall provide actual impact and mitigation amounts with specific locations. Pursuant to the LDRs, the Final Mitigation Plan shall include (but may not be limited to) species specific plantings, a monitoring plan and remedial measures to ensure mitigation project success. In addition, prior to issuance of any Grading and Erosion Control Permits, a cost estimate and surety for mitigation implementation is required.
7. All future physical development impacting the original 150' river channel setback shall establish the 15-foot setback in native vegetation. Establishment shall consider existing native vegetation and channel maintenance and until such time as the 15-foot setback is fully vegetated.
8. Development Permits (DEV) shall be required for all employee housing in the GMEH area. At or prior to submittal of any DEV in the GMEH area, a vegetative screening plan shall be submitted to the Teton County Planning Department, meeting the requirements of Master Plan Design Guidelines B.1., subject to review and approval by the Planning Director. Master Plan Section Design Guidelines B.1 shall be amended to include screening for Recreational Vehicles (RVs). All approved RV pads shall be screened from Spring Gulch Road at a minimum of 60% to a height of 24 feet within a period of five years of from the date of approval. Master Plan Section Design Guidelines B.1 shall be amended to restrict vegetative screening to non-wildlife attracting vegetation species.

Chair Macker called for the vote. The vote showed 2-3 in favor with Commissioners Macker, Newcomb, and Propst opposed, and the motion failed.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve PUD2019-0002, to amend the Jackson Hole Golf and Tennis Master Plan Planned Unit Development in accordance with Section 8.7.3 of the Teton County Land Development Regulations, with the exception of Amendment #3, to not allow a Wireless Communication Facility Use in the Use Program/Dimensional Limitation Plan table within the Master Plan, based upon the application dated July 15, 2019, having fully considered the five (5) findings for approval under Section 8.7.3.D. which have been satisfied and met with (9) conditions of approval as follows:

1. All past and current approved conditions shall be incorporated in the associated sections of the Master Plan, or in an appendix to the Master Plan, with final hard and electronic copies provided to the Teton County Planning Department no later than forty-five (45) days after approval by the Board of County Commissioners. Subject to approval by the Teton County Planning Director and the Teton County Attorney's Office, the final Master Plan and Appendix or Affidavit of the Planning Director which references the final Master Plan shall be recorded in the Office of the Teton County, Wyoming Clerk within ninety (90) days of Board approval.
2. Prior to submitting the final amended Master Plan, the applicant shall remove all in-line and section references to the Grand Teton Lodging Company and /or GTLC, including, but not limited to, section heading and page number references, below:
  - a. Golf Maintenance/Employee Housing Site (p.22)
  - b. Employee Housing Mitigation Plan (p. 29)
  - c. Voluntary Employee Housing Mitigation Plan (p. 30)
3. Prior to submitting the amended Master Plan the applicant shall submit two versions of Land Development Regulations (LDR) Text of Section 4.3.5, Jackson Hole Golf and Tennis Club, to ensure consistency with the approved changes to the PUD Resort Master Plan, a red-lined version demonstrating proposed amendments and a final text version, for review and approval by the Planning Director.
4. All trash containers shall be replaced with bear-proof trash containers and Jackson Hole Golf and Tennis shall provide education and information materials to its employees and other residents about wildlife feeding, proper storage of food, garbage, pet food and other bear attractants. Jackson Hole Golf and Tennis shall implement this condition as part of employee regulations.
5. Pets shall be prohibited. Jackson Hole Golf and Tennis shall implement this condition as part of employee regulations.
6. Mitigation plantings shall be located in the Gros Ventre River riparian zone no closer to the site than the southeast side of the remnant river channel, as depicted in figure 5 of the Development Impact Analysis, September 2018, produced by LT Environmental. Shrub mitigation plantings shall consist of shrub species preferred by ungulates and not berry producing shrub species.
7. At or prior to submittal of any Grading and Erosion Control Permit(s), a Final Mitigation Plan shall be submitted, subject to review and approval by the Planning Director. The Final Mitigation Plan shall provide actual impact and mitigation amounts with specific locations. Pursuant to the LDRs, the Final Mitigation Plan shall include (but may not be limited to) species specific plantings, a monitoring plan and remedial measures to ensure mitigation project success. In addition, prior to issuance of any Grading and Erosion Control Permits, a cost estimate and surety for mitigation implementation is required.
8. All future physical development impacting the original 150' river channel setback shall establish the 15-foot setback in native vegetation. Establishment shall consider existing native vegetation and channel maintenance and until such time as the 15-foot setback is fully vegetated.
9. Development Permits (DEV) shall be required for all employee housing in the GMEH area. At or prior to submittal of any DEV in the GMEH area, a vegetative screening plan shall be submitted to the Teton County Planning Department, meeting the requirements of Master Plan Design Guidelines B.1., subject to review and approval by the Planning Director. Master Plan Section Design Guidelines B.1 shall be amended to include screening for Recreational Vehicles (RVs). All approved RV pads shall be screened from Spring Gulch Road

at a minimum of 60% to a height of 24 feet within a period of five years from the date of approval. Master Plan Section Design Guidelines B.1 shall be amended to restrict vegetative screening to non-wildlife attracting vegetation species.

Chair Macker called for the vote. The vote showed 3-2 in favor with Commissioners Epstein and Barron opposed and the motion carried.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve LDR Text Amendment AMD2019-0004, to update the language in Section 4.3.5, Jackson Hole Golf and Tennis Club, of the Teton County Land Development Regulations (LDRs), based upon the application dated August 13, 2019, with the exception of footnote #7 of the Dimensional Limitation Plan, in order to ensure consistency with the changes to the PUD Resort Master Plan proposed as part of this application having fully considered the six (6) findings for approval under Section 8.7.1.C which have been satisfied and met with no conditions of approval. Chair Macker called for the vote. The vote showed 3-2 in favor with Commissioners Epstein and Barron opposed and the motion carried.

The meeting was recessed for lunch at 12:01pm and reconvened at 1:30pm.

4. Applicant: TOWN OF JACKSON  
Presenter: Taylor Cook  
Permit No.: MSC2019-0049  
Request: Fee Waiver Request pursuant to the Teton County Fee Waiver Policy, being made by the Town of Jackson to waive fees associated with the Commercial Building Permit for a Wastewater Treatment Plant garage.  
Location: Located at 5450 S Ricks Road, in the Large River Bottom Parcels Subarea, west of S Highway 89 and south of the Polo Ranches Subdivision. Zoned Public/Semi-Public (P/SP-TC) and it is located in the Natural Resource Overlay (NRO).

Taylor Cook, Planning Staff, presented to the Board for consideration of approval a request to waive all commercial building permit fees for the construction of the Wastewater Treatment Plant Garage at 5450 S Ricks Road which is used by the Town of Jackson Sewer, pursuant to Finding 2.b of the Teton County Fee Waiver Policy (Resolution 2014-054).

The Town of Jackson has already submitted for a Commercial Building Permit, for a Wastewater Treatment Plant Garage (BDC2019-0036). Currently this permit is under review by the Teton County Building Department.

The total costs associated with this permit (BDC2019-0036) are \$1,950.70. The Permit fee is \$1,182.22 and the Plan Review fee is \$768.48. This fee waiver request applies to the Commercial Building Permit (BDC2019-0036).

The Applicant is requesting that these fees be waived based on applicability of the Teton County Fee Waiver Policy which states in pertinent part:

*2. The Board of County Commissioners of Teton County, Wyoming, may consider and approve a request for a full or partial waiver of fees, when one of the following criteria is demonstrated and met:*

- b. An application by a government agency, other than an agency or division of Teton County, Wyoming, or an application by an agency or division of Teton County, Wyoming with associated fees in excess of \$6,000.*

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Town of Jackson's Fee Waiver Request MSC2019-0049 received October 30<sup>th</sup>, 2019 for \$1,950.70 of County fees associated with Planning and Building permits, being able to make findings 2.b 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.

5. Applicant: FOUR SHADOWS LLC  
Presenter: Andrew Bowen  
Permit No.: BUP2019-0044  
Request: Basic Use Permit pursuant to Teton County Land Development Regulations (LDR) Section 8.4.1 for approval of a temporary use for a construction storage and staging area in what is referred to as the Granite Ridge site that will be reviewed and decided upon by the Board of County Commissioners.  
Location: Teton Village Area Two, east of Teton Village Area One at the following property with legal description as: GOV. LOTS 2, 3 & 4 S19, T42, R116 & PT. NW1/4SE1/4, GOV. LOTS 3, 4, 5 & 6 S24, T42, R117 & PT. N1/2NE1/4 S25 T42, R117. More specifically the 2.7-acre site is located east of the Snake River Lodge and Spa, south of the Cabins at Granite Ridge and the Timbers at Granite Ridge. The property is zoned Planned Unit Development-Planned Resort and is within the Scenic Resources Overlay.

Andrew Bowen, Planning Staff, presented to the Board for consideration of approval a request to re-permit a Temporary Use Permit for a construction storage and staging area at the Granite Ridge Site of Teton Village Area Two. This site has been, and still will be, used for construction staging for any development projects within the Teton Village Planned Resort Zone, which includes both Area One (historic Teton Village) and Area Two (Teton Village Expansion). The use was previously permitted under a Temporary Use Permit (TMP2013-0002), Basic Use Permit BUP2015-0065, and is currently operating under BUP2017-0059, which expires on January 16, 2020.

The requested use of the site includes:

- Storage of construction equipment, construction materials, and modular unit sections
- Placement of construction trailers serving as construction management offices or material equipment storage
- General construction staging
- Masonry storage and work areas
- Soil and other material stockpiles and screening
- Placement of one or more dumpsters for construction refuse

- Placement of one or more bear-resistant trash containers for trash that is considered a bear attractant

Susan Johnson, SJ Planning Solutions, addressed the Board on behalf of the applicant.

Public comment was given by Carolyn Miller, Beth Burrough, Renee Mathews, Clare Tayback, Hal Hutchinson, Mark Sullivan, Chase Beninga, and Melissa Turley.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve a Basic Use Permit BUP2019-0044 to permit a temporary use for construction storage and staging at the Granite Ridge Lot, based upon finding that the application meets all applicable standards set forth in section 8.4.1 of the Teton County Land Development Regulations, with the eight conditions recommended below:

1. This basic use permit shall expire one (1) year from the date of issuance.
2. Any subsequent permit for the site shall only be considered and acted upon by the Board of County Commissioners.
3. Electrical Permits shall be required prior to occupancy of any new trailers used on the site.
4. The contractor shall control the disturbance limits by use of fencing materials, landscaping or berms to prevent the staging area from growing during the construction period.
5. If excavated materials are stored on the site, then a Grading and Erosion Control Permit shall be required.
6. No construction shall occur on the site.
7. The construction site shall be gated and locked when not in use.
8. Hours of operation are restricted to Monday through Saturday 6:30 a.m. to 6:30 p.m. (No outdoor operation allowed until 7:00am per applicant's operational standards).

Commissioner Barron left the meeting at 2:27pm. The prior motion, due to the departure of the motion maker, was taken off the table.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve a Basic Use Permit BUP2019-0044 to permit a temporary use for construction storage and staging at the Granite Ridge Lot, based upon finding that the application meets all applicable standards set forth in section 8.4.1 of the Teton County Land Development Regulations, with the eight conditions recommended below:

1. This basic use permit shall expire one (1) year from the date of issuance.
2. Any permit application for this site submitted within one (1) year of this permit's issuance shall only be considered and acted upon by the Board of County Commissioners.
3. Electrical Permits shall be required prior to occupancy of any new trailers used on the site.
4. The contractor shall control the disturbance limits by use of fencing materials, landscaping or berms to prevent the staging area from growing during the construction period.
5. If excavated materials are stored on the site, then a Grading and Erosion Control Permit shall be required.
6. No construction shall occur on the site.
7. The construction site shall be gated and locked when not in use.
8. Hours of operation are restricted to Monday through Saturday 6:30 a.m. to 6:30 p.m. (No outdoor operation allowed until 7:00am per applicant's operational standards).

Chair Macker called for the vote. The vote showed 4-0 in favor and the motion carried.

**MATTERS FROM COMMISSION**

1. Wyoming Public Lands Initiative Follow-Up – This was pulled from the agenda.
2. Calendar Review – The Board reviewed their weekly calendars.

**EXECUTIVE SESSION**

There was no executive session.

**ADJOURN**

A motion was made by Commissioner Epstein and seconded by Commissioner Propst to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 2:56pm.

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

**TETON COUNTY CLERK'S OFFICE  
01-21-2020 WARRANTS**

<b>Warrant Number</b>	<b>Name</b>	<b>Amount</b>
385088	ACTION EXCAVATION LLC	33,030.00
385089	LANI K MATTHEWS	649.00
385090	AED EVERYWHERE INC.	1,286.90
385091	AIRGAS USA LLC	182.57
385092	ALDER ENVIRONMENTAL LLC	600.00
385093	ALLEGIANCE BENEGIT PLAN MNGT INC.	190.00
385094	ANK CORPORATION	13,250.00
385095	ANNA DAY	79.02
385096	ARNOLD MACHINERY COMPANY	1,160.00
385097	ASPEN AUTOMOTIVE/NAPA	476.82
385098	ASPEN PINES WATER & SEWER DISTRICT	96.72
385099	ASPEN TRAVEL	746.20
385100	BISON HVAC LLC	36,811.80
385101	BLUE SPRUCE CLEANERS, INC.	581.10
385102	BOB BARKER COMPANY, INC.	493.76
385103	BOUND TREE MEDICAL, LCC	373.24
385104	BRENDA ASHWORTH	70.41
385105	BRANDON MERRILL	52.50
385106	BUSHONG EQUIPMENT INC	1,319.75
385107	CASPER COLLEGE	1,000.00
385108	CAROLINA SOFTWARE INC	850.00
385109	C&A PROFESSIONAL CLEANING LLC	2,806.75
385110	CAMBRIDGE SYSTEMATICS INC.	23,400.04
385111	CANYON TRUCKING	897.50
385112	CCH INCORPORATED	1,731.75
385113	LLC CENTURYLINK COMMUNICATIONS	649.06
385114	CENTURYLINK	3,037.18
385115	CLARKS' BROADWAY AUTO PARTS, LLC	457.20
385116	CLEAN HARBORS ENV SERVICES INC.	44,839.63
385117	COUGAR FUND	880.00
385118	CONVERGEONE INC.	5,193.57
385119	CUSTOM INSIGHT LLC	4,000.00
385120	DBR, INC.	557.88
385121	DEPT.OF FAMILY SERVICES	10.00
385122	DEARING FURNITURE WORKSHOP, LLC	2,250.00
385123	DIGITAL APPLESAUCE, INC.	535.00
385124	DAKOTA JAY BLEDSOE	730.00
385125	ELECTION SYSTEMS & SOFTWARE	11,125.00
385126	EVANS CONSTRUCTION COMPANY	63.86
385127	FALL RIVER RURAL ELEC.COOP.,INC.	38.00
385128	FISH CREEK I.S.D.	152.00
385129	FIRE SERVICES OF IDAHO INC.	105.00
385130	GLOBAL TIES WYOMING	6,000.00
385131	GRAINGER	58.75
385132	GRAINGER	64.34
385133	GREENWAY PAINTING LLC	3,780.00
385134	GRAVITY GRAPHICS	151.20
385135	G&S STRUCTURAL ENGINEERS, P.A.	480.00
385136	HARMONY DESIGN , INC.	896.00
385137	GARY BRINK INC.	106.84
385138	IAFC c/o EXPERIENT INC.	400.00
385139	INTERACTION ASSOCIATES INC	2,495.00



385140	JACKSON CURBSIDE, INC	1,914.00
385141	JB APPLIANCE	2,014.99
385142	JH20 WATER CONDITIONING & FILTRATIO	216.00
385143	JORGENSEN ASSOCIATES PC	350.00
385144	JOAN LAMMERS	120.79
385145	JOSEPH ALVARADO & MARGARET SULLIVAN	8,000.00
385146	KAREN MAROLF	21.00
385147	KEDRIC PUTNAM	52.50
385148	KEITH SBIRAL	1,142.99
385149	KIMBALL MIDWEST	122.74
385150	KLINE, MCCORKLE & PILGER LLP	6,798.30
385151	LEICA GEOSYSTEMS INC	666.00
385152	LEXISNEXIS RISK DATA MNGT INC.	150.00
385153	LILY SULLIVAN	42.69
385154	L.N. CURTIS & SONS	720.00
385155	LONG BUILDING TECHNOLOGIES, INC.	3,725.58
385156	LOWER VALLEY ENERGY	9,819.70
385157	LOWER VALLEY ENERGY	30,665.03
385158	MACY'S,INC.	12.00
385159	MAURENE GUSTAFSON	35.85
385160	MAILFINANCE	244.83
385161	MATT HANSEN	109.68
385162	MCKESSON MEDICAL- SURGICAL INC.	234.21
385163	MERIDIAN ENGINEERING P.C.	3,895.97
385164	MOUNTAIN ALARM/WATCHGUARD	155.00
385165	MOTOROLA SOLUTIONS INC.	87.60
385166	MOST WANTED PERFORMANCE LLC	414.19
385167	MUNICIPAL EMERGENCY SERVICES	1,221.86
385168	NAVITUS HEALTH SOLUTIONS, LLC	7,241.41
385169	NELSON ENGINEERING COMPANY	4,604.00
385170	NEVCO SPORTS LLC	669.23
385171	net TRANSCRIPTS	533.42
385172	PARK PLACE CONDOMINIUMS	730.00
385173	PARTSMASTER	141.08
385174	PAUL HARTL	374.40
385175	PREMIER CLEANING SERVICES LLC	980.00
385176	PRIORITY HEALTHCARE DIST	863.25
385177	QUICK MED CLAIMS LLC	3,644.92
385178	RAFTER J ISD	585.72
385179	RICOH USA, INC.	159.00
385180	RIDGELINE EXCAVATION INC.	21,167.43
385181	RAFTER J IMPROVEMENT & SERVICE DIST	146.43
385182	ROCKY MOUNTAIN COMPETITIVE SOLUTION	112.31
385183	ROSSITER ELECTRIC MOTOR	754.65
385184	RTR SERVICES LLC	165.00
385185	R&S NORTHEAST LLC	218.29
385186	SARA KING	52.50
385187	SHERVIN'S INDEP. OIL	620.60
385188	SILVER STAR COMMUNICATIONS	3,696.36
385189	STAPLES ADVANTAGE	382.25
385190	STOTZ EQUIPMENT	1,150.80
385191	ST JOHN'S MEDICAL CENTER	130.00
385192	ELIOR INC.	3,731.74
385193	TAYLOR TECHNOLOGIES	188.15
385194	TETON COUNTY HOUSING AUTHORITY	178,640.00
385195	TETON COUNTY LIBRARY	3,400.00
385196	TETON COUNTY TREASURER	140,647.01
385197	TETON COUNTY YOUTH & FAMILY SERVICE	1,319.00
385198	TETON MEDIA WORKS INC.	2,264.90
385199	TIAA COMMERCIAL FINANCE INC	230.63
385200	TOWN OF JACKSON	1,761.53
385201	TOWN OF JACKSON	24,609.39
385202	TOTAL FUNDS BY HASLER	3,000.00

385203	TREVOR AITKEN	181.76
385204	UNIVERSITY OF WYOMING	8,000.00
385205	UNIVERSITY OF WY EXTENSION	26,573.39
385206	UNITED STATES TREASURY	117.90
385207	VISA	2,004.86
385208	WATSABAUGH EXCAVATION, INC.	20,982.66
385209	WENDY BLAIR	63.47
385210	WESTWOOD CURTIS CONSTRUCTION INC	1,435.00
385211	WELLRIGHT	1,072.50
385212	WEST PAYMENT CENTER	1,688.40
385213	WESTERN RECORDS DESTRUCTION INC.	35.00
385214	WHITE GLOVE PROFESSIONAL CLEANING	20,763.83
385215	WILSON HARDWARE	56.90
385216	WIMACTEL INC	77.00
385217	WILLIAM R. SMITH M.D.	250.00
385218	WYOMING DEPT OF AGRICULTURE	50.00
385219	WYOMING DEPT OF HEALTH	112.50
385220	WYOMING DEPARTMENT OF REVENUE	24.76
385221	WYOMING DOT	30,392.49
385222	WyoNAHRO	75.00
385223	WYOMING PUBLIC HEALTH LABORATORY	2,111.00
385224	WYOMING STARGAZING	160.00
385225	WYOMING TAXPAYERS ASSOC.	390.00
385226	WYO. TRIAL LAWYERS ASSOC.	145.00
385227	XEROX FINANCIAL SERVICES	146.71
385228	XEROX CORPORATION	2,464.32
385229	XEROX CORPORATION	125.95
385230	YELLOW IRON EXCAVATING, LLC	14,777.12
385231	YETI	69.50