

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

The Teton County Board of Commissioners met in regular session on **February 6, 2018** 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: Mark Newcomb Chair, Smokey Rhea, Greg Epstein, and Paul Vogelheim were present. Natalia Macker was absent.

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to adopt today's agenda as presented with the changes as noted.

TO ADD: MFS #0 - Consideration of Payment of County Vouchers

TO ADD: MFS #19 – Consent for Proposed Outgoing Commissioner Correspondence – Ted Ladd Recognition Letter

TO ADD: MFC #2 – Calendar Review

TO ADD: MFC #3 – County Commissioner Administrator Updates

TO ADD: MFC #4 – Commission Updates

TO POSTPONE: MFP #4 – Teton Raptor Center VAR2017-0002 **POSTPONED TO FEBRUARY 20, 2018 BCC HEARING**

TO POSTPONE: MFP #5 – Teton Raptor Center ZCV2017-0025 **POSTPONED TO FEBRUARY 20, 2018 BCC HEARING**

TO POSTPONE: MFP #6 – Teton Raptor Center CUP2017-0007 **POSTPONED TO FEBRUARY 20, 2018 BCC HEARING**

TO POSTPONE: MFP #7 – Teton Raptor Center MSC2017-0017 **POSTPONED TO FEBRUARY 20, 2018 BCC HEARING**

TO POSTPONE: MFP #8 – Mahin, Thomas P. VAR2017-0004 **POSTPONED TO A DATE UNCERTAIN**

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

MINUTES

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve the **1/16/18, 1/22/18, 1/29/18 voucher and 1/29/18 special meeting** minutes. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

CONSENT AGENDA

The agenda for February 6, 2018 was reviewed and items for the consent agenda were pulled.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to place the following Matters from Staff on a Consent Agenda:

4. Consideration of Fair Petting Zoo Contract
5. Consideration of Tax Roll Correction for William B. Johnson, Parcel #04-000672
6. Consideration of Approval of an Elevator Service Agreement for the Children's Learning Center on Mercill Avenue
7. Consideration of Approval of an Elevator Service Agreement for the ISWR Recycle Facility
8. Consideration of Approval of Contract for Fire Suppression System Repairs for the Search and Rescue Facility
9. Consideration of a Grant Application to the Brinson Foundation for FY2019 ISWR Funding
11. Consideration of Employee Housing for Hoback Cabin #7
13. Consideration of Memorandum of Understanding between WYDOT and Teton County for Road Signs, High Risk Rural Roads Program
14. Consideration of Award of Contract for Asbestos Abatement for the Old Library Building
16. Consideration of a Contract with Independent Contractor, Adair Flynt for Nurse Practitioner Services for Family Planning Clients at Teton County Public Health Department
17. Consideration of Approval of Contract for Renovation, Repair, and Re-Surfacing of Plaster for Leisure, Splash, and Therapy Pools

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

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

MATTERS FROM COMMISSION AND STAFF:

4. Consideration of Fair Petting Zoo Contract

To approve the contract in the amount of \$8,000 with Freckle Farm to provide petting zoo, pony rides, and turkey races at the 2018 and 2019 Teton County Fair.

5. Consideration of Tax Roll Correction for William B. Johnson, Parcel #04-000672

To approve the Tax Roll Correction for Parcel #04-000672 in the amount of \$185.24.

6. Consideration of Approval of an Elevator Service Agreement for the Children's Learning Center on Mercill Avenue

To approve the awarding of the elevator service contract at the Children's Learning Center on Mercill Avenue to ThyssenKrupp Elevator in the amount of \$235.00 monthly.

7. Consideration of Approval of an Elevator Service Agreement for the ISWR Recycle Facility

To approve the awarding of the service contract for the Garaventa LULA elevator at the Recycle Center to ThyssenKrupp Elevator in the amount of \$97.00 monthly.

8. Consideration of Approval of Contract for Fire Suppression System Repairs for the Search and Rescue Facility

To approve the awarding of the contract to replace the fire suppression pump at the SAR Facility to Old Faithful Fire Sprinkler in the amount of \$15,200.00.

9. Consideration of a Grant Application to the Brinson Foundation for FY2019 ISWR Funding

To approve the submission of a grant application to the Brinson Foundation for a FY2019 grant to ISWR in the amount of \$30,000.

11. Consideration of Employee Housing for Hoback Cabin #7

To approve and direct the Chair to sign the Lease Agreement for 11055 South Highway 89, Hoback Cabin Unit #7 with Teton County Employee, Mike Hazlett, for \$685 per month and a \$500.00 security deposit.

13. Consideration of Memorandum of Understanding between WYDOT and Teton County for Road Signs, High Risk Rural Roads Program

To approve and authorize the Board of Teton County Commissioner's Chairman to sign the Wyoming Rural Road Safety Program Memorandum of Understanding between the Wyoming Department of Transportation and Teton County.

14. Consideration of Award of Contract for Asbestos Abatement for the Old Library Building

To accept the proposal from TDA Environmental for asbestos abatement in the Old Library Building and authorize expenditure of up to \$13,030.00 for this work.

16. Consideration of a Contract with Independent Contractor, Adair Flynt for Nurse Practitioner Services for Family Planning Clients at Teton County Public Health Department

To approve the Contract between Independent Contractor, Adair Flynt for Nurse Practitioner services for family planning clients at Teton County Public Health.

17. Consideration of Approval of Contract for Renovation, Repair, and Re-Surfacing of Plaster for Leisure, Splash, and Therapy Pools

To award bid/approve contract with Mid-America Pool Renovations, Inc. for the Recreation Center Pool Plaster and Renovation project in an amount not to exceed \$103,460.00.

DIRECT CORRESPONDENCE

- 1.Shawn and Kristin Wright 1/10/2018 letter regarding Short-term Rental Neighborhood Notice
- 2.Amy McCarthy 1/10/2018 email regarding Teton Raptor Center
- 3.Geoff Gottlieb, Responsible Growth Coalition 1/11/2018 email regarding Travel Demand Model - Tribal Trails Connector
- 4.Jason Budd 1/11/2018 email regarding Snake River Management Plan
- 5.Rob DesLauriers 1/11/2018 email regarding Construction staging approval at Teton Village
- 6.Debra Patla 1/18/2018 letter regarding Buffalo Valley Water District
- 7.Steve Ashworth, Parks & Recreation 1/12/2018 email regarding Snake River Management Plan
- 8.Erin Weisman, County Attorney's Office 1/12/2018 email regarding Stilson Park Maintenance Agreement and Exaction Question Raised
- 9.Hugh O'Halloran, Hollard & Hart 1/12/2018 email regarding Stilson Park Maintenance Agreement and Exaction Question Raised
- 10.Chris Hawks, Hawks & Associates 1/13/2018 email regarding Stilson Park Maintenance Agreement and Exaction Question
- 11.Erin Weisman, County Attorney's Office 1/13/2018 email regarding Stilson Park Maintenance Agreement and Exaction Question Raised
- 12.Aaron Scher 1/15/2018 email regarding Outreach to Youngsters
- 13.Tim Rieser 1/14/2018 email regarding Four Shadows / Construction Staging
- 14.Jeff Tibbitts 1/14/2018 email regarding Snake River Management Plan
- 15.David Ellerstein 1/15/2018 email regarding Snake River Management Plan
- 16.Spencer Morton 1/15/2018 email regarding Snake River Management Plan
- 17.Jim Terry 1/15/2018 email regarding Teton Village Staging Area Location
- 18.Chris Morrell 1/15/2018 email regarding Snake River Management Plan
- 19.David Yoder 1/15/2018 email regarding Teton Village Staging Area
- 20.John Quintiliani 1/15/2018 email regarding Snake River Management Plan
- 21.Greg Falk 1/15/2018 email regarding Wilson Boat Launch
- 22.Bud Chatham 1/15/2018 email regarding Snake River Management Plan
- 23.Kyle Vosmus 1/15/2018 email regarding Snake River Management Plan
- 24.Baker Salisbury 1/15/2018 email regarding Snake River Management Plan
- 25.John Wasson 1/15/2018 email regarding Snake River Management Plan
- 26.Mike Rheam 1/15/2018 email regarding Snake River Management Plan
- 27.Mike Rheam 1/15/2018 email regarding Snake River Management Plan
- 28.Jason Balogh 1/15/2018 email regarding Snake River Management Plan
- 29.James Peck and Karen Youngblood 1/15/2018 email regarding Snake River Management Plan
- 30.Bud Chatham 1/15/2018 email regarding Snake River Management Plan

31. Karen Youngblood 1/15/2018 email regarding Snake River Management Plan
32. Nathan Bennett 1/16/2018 email regarding Snake River Management Plan
33. Stan Zaist 1/16/2018 email regarding Construction Staging at Teton Village
34. AJ DeRosa 1/16/2018 email regarding Snake River Management Plan
35. Don Frank 1/16/2018 email regarding Four Shadows Staging
36. Tyler Valentine, Town of Jackson Planning 1/16/2018 email regarding Item P17-166, 167, 168 Development Plan, Heavy Retail/Service, Conditional Use Plan at 60 E. Pearl Ave
37. State Public Defender 1/16/2018 letter regarding Appointment of Assistant Public Defender - James Causey
38. Department of Revenue 1/17/2018 letter regarding 2018 Property Tax Appraiser Certifications
39. Debra Patla 1/17/2018 email regarding Palisades Heli-Ski Legislation in Congress
40. Steve Feldman 1/17/2018 email regarding Giltner Hearing
41. KC Bess 1/17/2018 email regarding Snake River Management Plan
42. Greg Smith 1/18/2018 email regarding Snake River Management Plan
43. Baker Salisbury 1/18/2018 email regarding Snake River Management Plan
44. AJ DeRosa 1/18/2018 email regarding Snake River Management Plan
45. Robbin Levy 1/22/2018 email regarding Teton Raptor Center
46. AJ DeRosa 1/19/2018 email regarding Snake River Management Plan
47. Jake Nichols, Save Historic Jackson Hole 1/19/2018 email regarding Teton Raptor Center
48. Bud Chatham 1/19/2018 email regarding Snake River Management Plan
49. Bud Chatham 1/19/2018 email regarding Snake River Management Plan
50. Bud Chatham 1/19/2018 email regarding Snake River Management Plan
51. Jean Lewis, Jackson Hole Children's Museum 1/22/2018 email regarding Invitation
52. Brian Close 1/22/2018 email regarding Affordable Housing
53. Bud Chatham 1/22/2018 email regarding Snake River Management Plan
54. Wyoming T2 Center 1/22/2018 letter regarding OSHA 10-Hour Training
55. Department of Revenue 1/22/2018 letter regarding Bar Y Special Improvement District
56. Keith Benefiel 1/22/2018 email regarding Pathways
57. David Ellerstein, Jackson Hole Anglers 1/23/2018 email regarding Snake River Management Plan
58. Jason Balogh, Fish the Fly 1/23/2018 email regarding Snake River Management Plan
59. Bridger Teton National Forest 1/23/2018 letter regarding Snow King Mountain Recreation Proposed Master Development Plan
60. Wyoming Arts Council 1/23/2018 letter regarding Invitation to Governor's Arts Awards
61. Alex Norton, Planning & Development 1/23/2018 email regarding Fencing Direction
62. Bud Chatham 1/23/2018 email regarding Snake River Management Plan
63. Nicole Kreiger 1/24/2018 email regarding Public Comment regarding Weed & Pest Policies & Procedures
64. Brock and Jenny Carr 1/24/2018 email regarding Hoback Fire Station Property Line Boundary Adjustment
65. Travis Ziehl 1/25/2018 email regarding Thank You!
66. David and Leslye Hardie 1/25/2018 email regarding Compliments to the Treasurer
67. Andrew Salter 1/28/2018 email regarding Teton Raptor Center
68. Maureen O'Leary 1/29/2018 email regarding Tzompa Housing
69. Beverly Boynton 1/29/2018 email regarding Teton Raptor Center
70. Phil Hocker 1/29/2018 email regarding Representative Cheney HR4697
71. Wyoming Water Development Office 1/30/2018 letter regarding Winter 2018 Newsletter
72. Joan Anzelmo 1/30/2018 email regarding Dead and Co. Concert

PUBLIC COMMENT

Public comment was given by David Kaufman regarding support for the Jackson/Teton County Housing Authority and opposition to the decision on the Tzompa property.

Public comment was given by T.R. Shelby regarding opposition to the decision on the Tzompa property.

Public comment was given by Jim Genzer regarding opposition to the decision on the Tzompa property.

Public comment was given by Margaret Ackerly regarding opposition to the decision on the Tzompa property.

MATTERS FROM COMMISSION AND STAFF:

0. Consideration of Payment of County Vouchers

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to approve voucher run in the amount of \$655,467.79 and an inter-fund transfer in the amount of \$629,576.90. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

1. Consideration of Amended Decision of Teton County Board of Equalization Docket 2016-0040 – Lockhart Cattle Company

Sherry Daigle, County Clerk, presented to the Board for consideration of approval an amended order from the Board of Equalization Hearing on July 20, 2016 on Docket No. 2016-0040 for Lockhart Cattle Company LLC. This item was appealed by the County Assessor and was heard by the State Board of Equalization in February 2017. It was remanded back to the Teton County Board of Equalization in October 2017 due to lack of clarity on the decision by this Board.

Discussion between the Board and staff included timeline of a decision, proposed changes to Hearing Officer, postponement of decision.

Public comment was given by Kelly Lockhart and Erin Weisman – representing the County Assessor.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to postpone the proposed amended order as presented in the matters of the appeal of Lockhart Cattle Company LLC from a decision of the Teton County Assessor 2016 Property Valuation, State Docket #2016-0040 to the February 20, 2018 BCC meeting. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

2. Consideration of Amended Decision of Teton County Board of Equalization Docket 2016-0041 – Jackson Hole Hereford Ranch

Sherry Daigle, County Clerk, presented to the Board for consideration of approval an amended order from the Board of Equalization Hearing on July 20, 2016 on Docket No. 2016-0041 for Jackson Hole Hereford Ranch LLC.

Discussion between the Board and staff included proposed order reviewed by the Hearing Officer.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to approve the proposed amended order as presented in the matters of the appeal of Jackson Hole Hereford Ranch LLC from a decision of the Teton County Assessor 2016 Property Valuation, State Docket #2016-0041. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

3. Consideration of Eagle Scout Commendations

Commissioner Vogelheim read the Letters of Commendation for Brandon Galbraith, Josh Hansen, Liam O'Connor, Pace Harmon, and Pete Cook who are receiving the rank of Eagle Scout.

There was no public comment.

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

10. Consideration of Contract with Creative Curiosity JH for ISWR Rebranding and Marketing Strategy Development

Mari Allan Hanna, Waste Diversion Outreach Coordinator, presented to the Board for consideration a contract with Creative Curiosity JH in the amount of \$5,475.00 for rebranding, advertising design, and marketing strategy for ISWR outreach. The contract will involve working with a marketing and graphic design firm to assess the RRR logo, develop an ISWR style guide for color and typography, capture photographs, and produce enhanced, cohesive brochures and print ad templates. With these improved communications tools and strategies in place, ISWR outreach will be more targeted, more efficient and make a greater impact on waste diversion and sustainable practices in Teton County.

Discussion between the Board and staff included process of bidding and how selection was made.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Vogelheim to approve the contract with Creative Curiosity JH for \$5475.00. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

12. Consideration of an Update to the Teton County Employee Housing Policy

Stacy Stoker, Housing Manager, presented to the Board for consideration of approval and adoption of a Resolution changing the Employee Housing Policies for Teton County. It is the recommendation of the Housing Department that the policies adopted in 2009 be updated allowing for pets in all Teton County Employee rentals, with an additional \$250 pet deposit, and a pet addendum signed at time of lease. Additionally, some general housekeeping items have been updated including the Housing Department's name change, office address change, and some specifics regarding each unit's responsibilities for utilities and lease agreements as some of the units were not in existence when the original policies were made.

Discussion between the Board and staff included amount of pet deposit and addition to security deposit and first months rent.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to approve the Resolution Adopting Housing Policies for Teton County owned employee housing units as presented to be effective immediately. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

15. Consideration of the Purchase of a Wildland Fire Truck

Matt Redwine, Battalion Chief, presented to the Board for consideration of approval for the purchase of a new Type 6 Brush Truck for Station 1 to replace a Type 4 truck in current use. A formal bid process using specifications from Jackson Hole Fire/EMS staff produced three bids.

Discussion between the Board and staff included not choosing lowest bid, request asked for delivery included, long-term maintenance and warranty, service on truck with in-house mechanic or someone comes to us, scheduling of warranty/maintenance work, and price from Apparatus Equipment & Service includes delivery and pre-bid conference before signing the contract.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Vogelheim to approve the purchase of a Type 6 Fire Apparatus from Apparatus Equipment & Service for \$156,825.00. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:02am and reconvened at 10:10am.

18. Consideration of Snake River Management Plan 5-Year Adoption (continued from January 16, 2018 BCC Meeting)

Steve Ashworth, Director of Parks & Recreation, presented to the Board for review and to consider approval of the updated Snake River Management Plan and initiate a three (3) year management term. The staff report reflects updates and changes from the 1/16/18 report. The most significant recommendation is going back to the daily system, basically staying as it has been for the last three years. There is clarification in the Certified Outfitter rules. Changes to allocation includes 2 ½ month period for pre-season for both fishing and scenic, and return of boat in pool system is 48 hours for full refund. Refunds are paid out three times per year. Clarification on large groups includes launch times, number of boats that make up a large group, outfitter daily allowance of large group, multiple companies in a trip, and criteria to not be considered a large group. There is a reduction in fees for put in and take out.

Discussion between the Board and staff included large group timelines, deficit in final budget and adjustment of fees, Von Gontard's Landing, transportation policy, and traffic congestion issues in summer.

Public comment was given by Karen Youngblood – Lewis & Clark Expeditions, John Wasson, Casey Bess – Mad River Boat Trips, and Bud Chatham – Dave Hansen Whitewater.

Discussion between the Board and staff included Mr. Ashworth addressing questions that came from public comment – large groups, outfitter certification, public viewing of the web page, boat numbers, and non-profits; large group wording to include 4 or 5 boats, and refunds.

Discussion among the Board included comfort with changes, support for motion as proposed with changes of time and separate scenic and fishing, concerns of traffic impact, large groups comprised of two companies use minimum number of vehicles, company equipment sharing,

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to approve the recommendations of staff for the Teton County Snake River Management Plan (2018), referencing specifically revision 2, inclusive of a maximum number of boats per day per outfitter of seven (7) for Scenic and four (4) for Fishing, and direct staff to initiate a three-year commercial outfitter certification and allocation program, recognizing two issues still needing some additional clarification:

1. Refund: set time from 12:00am to 8:00am; and
2. Large Group: separating fishing and scenic

David Cernicek, Bridger Teton National Forest River Manager, addressed the Board regarding management of the river.

Chair Newcomb called for the vote. The vote showed 3-1 with Commissioner Epstein opposed and the motion carried.

19. Consent for Proposed Outgoing Commissioner Correspondence

A. Ted Ladd Recognition Letter

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to approve the letter as read. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING & DEVELOPMENT

1. Findings of Fact and Conclusion of Law: BUP2017-0059 Four Shadows, LLC

Erin Weisman, 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 Basic Use Permit for Four Shadows LLC.

Public comment was given by Amberley Baker.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve the Findings of Fact, Conclusions of Law and Order granting approval of a Basic Use Permit BUP2017-0059 as presented. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

2. Findings of Fact and Conclusion of Law: MSC2017-0066 Snake River Ranch, LLC

Erin Weisman, 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 for Snake River Ranch, LLC.

Public comment was given by Amberley Baker.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to approve the Findings of Fact, Conclusions of Law and Order granting approval of a Conditional Use Permit CUP2015-0001, MSC2015-0053, and MSC2017-0066, as presented. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

3. Findings of Fact and Conclusion of Law: DEV2017-0011 Ridgeline Development, LLC

Erin Weisman, 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 Development Plan for Ridgeline Development, LLC.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to approve the Findings of Fact, Conclusions of Law and Order granting approval of a Development Plan DEV2017-0011. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

- 4. Applicant:** TETON RAPTOR CENTER
Presenter: Kristi Malone
Permit No.: VAR2017-0002 **POSTPONED TO THE FEBRUARY 20, 2018 BCC HEARING**
Request: Variance, pursuant to Section 8.8.2, to vary Section 3.2.3.B.2 of the Teton County Land Development Regulations, to allow improvements to be made to an existing 36-foot tall structure that would result in a total structural height of 38 feet where 30 feet is the maximum structure height allowance for the zone.
- 5. Permit No.:** ZCV2017-0025 **POSTPONED TO THE FEBRUARY 20, 2018 BCC HEARING**
Request: Zoning Compliance Verification for Visual Resource Analysis, pursuant to Section 8.6.2 of the Teton County Land Development Regulations, to assess foreground scenic standards.
- 6. Permit No.:** CUP2017-0007 **POSTPONED TO THE FEBRUARY 20, 2018 BCC HEARING**
Request: Conditional Use Permit, pursuant to Section 8.4.2 of the Teton County Land Development Regulations, to amend an existing institutional use.
- 7. Permit No.:** MSC2017-0017 **POSTPONED TO THE FEBRUARY 20, 2018 BCC HEARING**
Request: Waive application fees for the proposed rezone and redevelopment of the Teton Raptor Center, pursuant to finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).
Location: Site of Teton Raptor Center and historic Hardeman barns; generally located in Wilson on the south side of Highway 22. The property is zoned R-2 and is located within the Scenic Resources Overlay.
- 8. Applicant:** MAHIN, THOMAS P.
Presenter: Hamilton Smith
Permit No.: VAR2017-0004 **POSTPONED TO A DATE UNCERTAIN**
Request: Variance, pursuant to Section 8.8.2., Variances, of the Teton County Land Development Regulations, for residential development within 30' rear setback.
Location: 3850 W. Holly Drive, Teton Village, WY. Lot 194, JHSC 11th Filing Subdivision, zoned Planned Resort with no overlay.
- 9. Applicant:** MELODY RANCH INVESTMENTS I LLC
Presenter: Jennifer Kocher-Anderson
Permit No.: MSC2017-0067
Request: Annual review of the Melody Ranch Lower Ranch gravel operation, as required by Condition of Approval #6 of Special Use Permit 2010-0001 and pursuant to Section 8.4.3 Special Use Permit, of the Teton County Land Development Regulations.
Location: Melody Ranch Lower Ranch. Generally located south of South Park Loop Road and Melody Ranch Subdivisions and north of the South Park Feed Grounds. The property is zoned Neighborhood Conservation-Planned Unit Development and is within the Natural and Scenic Resources Overlays.

Jennifer Anderson, Code Compliance Officer, presented to the Board for consideration a request for the 2017 annual review of the Melody Ranch gravel operation's Special Use Permit, pursuant to the Condition of Approval #6 of SUP2010-0001, which requires annual review of the gravel extraction operation to ensure compliance with the conditions of the permits. A review of the operation this past season and its conditions has been completed and the operation is in compliance.

Public comment was given by Dave Larson, attorney for Melody Ranch and Paul Von Gontard.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to accept and confirm that the 2017 annual review of the Melody Ranch Investments I, LLC, gravel extraction operation, approved under Special Use Permit SUP2010-0001, complies with the conditions of SUP2010-0001. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 12:02pm and reconvened at 1:30pm.

- 10. Applicant:** SRS CLUB, LLC
Presenter: Hamilton Smith
Permit No.: MSC2017-0037
Request: Amend the Snake River Sporting Club (previously Canyon Club) Conditional Use Permit Condition of Approval #7, Golf Course Water Quality Monitoring requirement, pursuant to Section 8.2.13, Amendment of Permits or Approvals, to request the removal of a condition requiring continuous water quality monitoring in perpetuity.
Location: Lot 116, Snake River Sporting Club Fourth Filing. Located east of Highway 23/89 and the Snake River, approximately 2.5 miles south of the Astoria bridge and four miles southwest of Hoback Junction. The property is zoned Rural-1 and is within the Natural and Scenic Resources Overlays.

Hamilton Smith, Senior Planner, presented to the Board for consideration to amend the Snake River Sporting Club (previously Canyon Club) Conditional Use Permit Condition of Approval #7, Golf Course Water Quality Monitoring requirement, pursuant to Section 8.2.13, Amendment of Permits or Approvals, to request the removal of a condition requiring continuous water quality monitoring in perpetuity. Agency reviews included Teton Conservation District, Wyoming Game and Fish, and Teton County Weed and Pest. Staff reached out to Audubon International Signature Program regarding background on the Canyon Club (SRSC). The Snake River Sporting Club does not carry the Signature Program Endorsement as they did not complete the signature endorsement process. They would not

recommend discontinuing the water quality monitoring in this industry. The Planning Director recommends denial, being unable to make the findings of Section 8.4.2.

Discussion between the Board and staff included what is the burden on Snake River Sporting Club to monitor the water quality, rely on Teton Conservation District because we don't have the expertise on staff, Audubon International knowledge back to original application.

Applicant Brian Remlinger, Alder Environmental LLC, addressed the Board regarding Teton County golf courses and the water quality monitoring. Discussion between the Board and Mr. Remlinger included does solution include five years from now with clean record or five years from 2013, why has Mr. Remlinger's opinion changed from in favor of water quality monitoring to now it is not necessary, variables with best practices and ownership changes, abide by Natural Resource Management Plan and operations, how do we know after five years there is not a one-off mishap, and TCD gave suggestions of how to reduce the burden on the Sporting Club without compromising the monitoring efforts.

Greg Ornowski, Golf Course Superintendent at Snake River Sporting Club, addressed the Board giving some history of his timeline with Snake River Sporting Club, addressed communications and path to certification with Audubon International, and was available to answer any questions. Discussion between the Board and Mr. Ornowski included running of the maintenance without building, operating with current owner since 2014, monitoring was not done during bankruptcy, if the course was designed to avoid environmental impacts – why did the Mesotriene get out of the system, and what is a typical membership fee for high-end course.

Discussion between the Board and staff included finding #2: In the event that the condition of approval requiring annual water quality monitoring is amended to remove the periodic reporting to the County, the outdoor recreation use would no longer meet the applicable standards – what does that really mean? Intent of periodic reporting is to minimize environmental impacts, and all Teton County golf courses under the same outdoor recreation use.

There was no public comment.

Discussion between the Board and staff included outdoor recreation use not meeting the applicable standards if the water quality monitoring is amended to remove the periodic reporting, Snake River Sporting Club partner with Teton Conservation District for more affordable and practical testing, water quality monitoring is part of the cost of doing business, should be a requirement not voluntary, and environment is valuable because of its richness, character, wildlife, and habitat.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to approve MSC2017-0037 application dated July 6, 2017 for the Amendment of a Conditional Use Permit for Outdoor Recreation at Snake River Sporting Club Golf Course, being able to make all eight (8) findings for a Conditional Use Permit of Section 8.4.2 of the LDRs and in compliance with prior approvals, as recommended herein by the Planning Director and as may be modified by the Board during the public hearing on this matter. Chair Newcomb called for the vote. The vote showed all opposed and the motion failed.

11. Applicant: 7-C INDUSTRIES, INC.
Presenter: Susan Johnson
Permit No.: EXD2017-0006
Request: Exempt Land Division, pursuant to Section 8.5.4 of the Teton County Land Development Regulations, to allow a noncontiguous 92.2-acre parcel to be divided into two parcels, one being 53.4 acres and the being 38.8 acres but consisting of two noncontiguous pieces: 26.7 acres and 12.1 acres.
Location: 245 and 855 E. Alta Ski Hill Road; one piece is generally located 0.8 miles east of the Teton Teepee and the other is directly north and east of the Lost Horizons dinner club. The properties are zoned Rural-1 and Rural-2 and are partially within the Natural Resources Overlays.

Susan Johnson, Planning Manager, presented to the Board for approval an Exempt Land Division, pursuant to Section 8.5.4 of the Teton County Land Development Regulations, to allow a noncontiguous 92.2-acre parcel to be divided into two (2) parcels greater than 35-acre: one being 53.4 acres and the other being 38.8 acres. The 38.8-acre parcel is made up of two pieces: one is 26.7 acres and one is 12.1 acres. The applicant is requesting approval of a division of a noncontiguous property into two parcels that are greater than 35 acres. The noncontiguous pieces of land were previously linked during the Planning Director's approval of a Parcel Boundary Adjustment in 2003, upon approval of which an Affidavit (attached) was filed by the applicant, 7-C Industries, Inc., requiring all future divisions of land on the property to be approved by the Board of County Commissioners.

Discussion between the Board and staff included driveway on 12.1 acres, notch in 12.1-acre parcel.

Public comment was given by Grant Durtschi, President of 7-C Industries, Inc. and Burke Christensen.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve EXD2017-0006, for an Exempt Land Division as set forth in the application materials dated November 2, 2017, with subsequent revisions, subject to the 1 condition recommended by the Planning Director.

1. None of the parcels resulting from this exempt land division may be further subdivided or divided, without the approval of the Teton County Board of County Commissioners in accordance with the Teton County Land Development Regulations.

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

CERTIFICATE OF ACKNOWLEDGMENT FOR EXEMPT LAND DIVISION

WHEREAS, pursuant to Wyoming Statute §34-11-101 an affidavit stating facts relating to matters which may affect title to real estate may be recorded in the Office of the County Clerk; and

WHEREAS, Grant Durtschi, President of 7-C Industries, Inc., a Wyoming Corporation intends to record an Affidavit in Support of Exempt Land Division Application upon approval by the Teton County Board of County Commissioners; and

WHEREAS, the Teton County Board of County Commissioners have reviewed said Affidavit which is attached hereto.

WHEREAS, supporting documentation has been provided by Applicant/Owner and reviewed by the Teton County Planning Director for Exempt Land Division, in accordance with and pursuant to Wyoming Statute §18-5-303 and the Teton County Land Development Regulations ("LDRs"), Sections 8.5.4, for which certain land divisions are exempt from the subdivision requirements of Section 8.5.3 of the LDRs; and

WHEREAS, in order to determine the eligibility for the application for Exempt Land Division, the applicant has provided all supporting and necessary documentation to the Teton County Planning and Development Department, for the sole purpose of review to determine if the application is eligible for a claimed exemption of land division under the Wyoming Statutes; and

WHEREAS, parcels or lots of record which are eligible and deemed exempt from the procedural requirements of Section 8.5.3 of the LDRs as exempt divisions of land are not and shall not be exempt from other standards of the LDRs, which may include requirement to mitigate affordable housing through an in-lieu fee, mitigate school and park demand through an exaction fee, and/or payment of other obligations or fees pursuant to the LDRs at the time of development.

NOW THEREFORE, having duly met at a regular meeting on February 6, 2018, it is hereby

RESOLVED, the exempt land division as described in Paragraph 14 of the attached Affidavit of Grant Durtschi is approved; and

IT IS FURTHER RESOLVED, as a condition of approval none of the parcels referenced in Paragraph 14 of the attached Affidavit of Grant Durtschi may be further subdivided or divided, without the approval of the Teton County Board of County Commissioners in accordance with the Teton County Land Development Regulations.

IT IS FURTHER RESOLVED, the Teton County Board of County Commissioners hereby declare and state that the Applicant/Owner of the Lot of Record of Parcel listed above, is hereby eligible for and meets the claimed exemption of land division for the purpose(s) of: the sale or other disposition of land where the parcels involved are 35 acres or larger subject to the requirement that ingress and egress and utility easements are provided to each parcel by binding and recordable easements of not less than 40 feet in width to a public road, pursuant to Wyoming Statute §18-5-303 and Section 8.5.4 of the LDRs.

This Certificate of Acknowledgment for Exempt Land Division shall be recorded in the Office of the Teton County Clerk.

Adopted on the ____ day of _____, 2018.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Mark Newcomb, Chairman
(Seal)

Sherry L. Daigle, Teton County Clerk

The meeting was recessed at 2:53pm and reconvened at 3:00pm.

EXECUTIVE SESSION

An executive session was not held.

MATTERS FROM COMMISSION

1. Discussion of Future Elections and the Alta and Moran Polling Site Operations

Sherry Daigle, County Clerk, presented to the Board for discussion the future of elections in Wyoming and the Alta and Moran Polling Site Operations. The Wyoming County Clerk's Mission Statement for elections is to provide the best election service to constituents in the most efficient and equal manner. In 2002, the Help America Vote Act was the catalyst for change in the way elections were conducted across the U.S. Since HB 0080 failed in 2005, there has been no effort to work on the replacement of systems that would likely need replaced within a 10-year period. Ms. Daigle covered current voting issues, trends across the nation, voting early, vote-by-mail, types of voting machines, regionalized precinct voting, and vote centers. Wyoming has established the Plan for Aging Voting Equipment (PAVE) Taskforce to help find funding for election method/equipment.

Discussion between the Board and staff included how to get word out to the community, election judges, Alta and Moran polling sites, early voting election judges, PAVE Taskforce.

There was no public comment.

Calendar Review. The Board reviewed their weekly calendars.

County Commissioner Administrator Updates. Alyssa Watkins, County Commissioner Administrator gave the Board updates on Health and Human Services, Housing, Transportation, LDRs, Town/County Relations, and Other: GTNP Meeting, Board Member Handbook for BCC/County-appointed boards, TVSFD and ISWR workshops, and an update on the special event permit for the concert on private land.

Commission updates

- A. Paul Vogelheim updated on the WPLI processes and wilderness study area with other County Commissioners and Representative Cheney (HR4697 bill is scheduled for March); \$105M for local government funding passed, proposal to look at sales tax split, sales tax food exemption, and lodging tax; ISWR bid process for transfer station.
- B. Greg Epstein had no updates.
- C. Smokey Rhea had no updates.
- D. Mark Newcomb had no updates.

Discussion among the Board on writing a letter to Representative Cheney regarding the proposed HR 4697.

ADJOURN

Commissioner Rhea moved to adjourn, Commissioner Epstein seconded, and the motion passed unanimously. The meeting adjourned at 4:00pm.

Respectfully submitted,

Shelley Fairbanks
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Mark Newcomb, Chair

Natalia D Macker, Vice-Chair

Greg Epstein

Paul Vogelheim

ATTEST: _____
Kathleen "Smokey" Rhea

Sherry L. Daigle, County Clerk

**TETON COUNTY CLERK'S OFFICE
02-05-2018 WARRANTS**

Warrant Number	Name	Amount
354340	ACE HARDWARE	194.80
354341	ALLEGIANCE BENEFIT PLAN MANAGEMENT	628.25
354342	ALAN'S WELDING	622.47
354343	AMAZON CAPITAL SERVICES, INC.	1,461.08
354344	APCO INTERNATIONAL, INC.	439.00
354345	ARCHITECTURAL BUILDING SUPPLY	1,670.94
354346	ACI	1,320.00
354347	ARLEEN WERMUTH	52.50
354348	AT&T	105.34
354349	AUSTIN SESSIONS	606.14
354350	BILLY NUNN	52.50
354351	BIOTA RESEARCH & CONSULTING, INC.	288.20
354352	BOUNDTREE MEDICAL	574.50
354353	CARDINAL HEALTH 411, INC.	230.64
354354	C&A PROFESSIONAL CLEANING LLC	2,830.00
354355	CENTURYLINK QCC	5.37
354356	CENTURYLINK	319.78
354357	CHANCE & ERIN ABEL	3,704.00

354358	CHRISTOPHER S. LEIGH	12.95
354359	CURTIS ELECTRIC INC.	7,106.82
354360	DEPARTMENT OF WORKFORCE SERVICES	61,813.22
354361	DUBBE-MOULDER ARCHITECTS, P.C.	75,508.68
354362	ECS REFINING LLC	4,307.10
354363	BRENT BLUE DBA EMERG-A-CARE	295.00
354364	ENERGY 1 LLC	795.54
354365	E.R. OFFICE EXPRESS INC.	239.60
354366	FEDERAL EXPRESS CORP.	55.85
354367	FORTE PAYMENT SYSTEMS INC.	1,361.70
354368	GOLDER ASSOCIATES INC	11,652.48
354369	GRAINGER	389.36
354370	GREENWOOD MAPPING,INC	6,300.00
354371	HD SUPPLY	210.94
354372	HILLSBORO AVIATION INC.	19,079.50
354373	IAED	50.00
354374	IAFC MEMBERSHIP, CL500039	209.00
354375	INCITE CONSULTING GROUP	1,250.00
354376	I.S.C. INC	586.25
354377	JACKSON PEDIATRICS,P.C.	800.00
354378	JANET VEILLEUX	52.50
354379	JB MECHANICAL, INC.	1,555.72
354380	JH AIRPORT BOARD	20,515.00
354381	JACKSON HOLE CHILDREN'S MUSEUM INC.	3,528.00
354382	JACKSON HOLE SECURITY LLC	168.35
354383	JTR INC.	75.06
354384	JOHN TOBEY	170.00
354385	JULIANA NEMETH	450.00
354386	LILY MOHLER	60.26
354387	LIGHTHOUSE UNIFORM CO.	99.65
354388	LONG BUILDING TECHNOLOGIES, INC.	651.71
354389	LODGES @ FISH CREEK	6,152.00
354390	LOWER VALLEY ENERGY	209.44
354391	LUCKY'S MARKET	876.50
354392	MARY FAULKNER	52.50
354393	MAURENE GUSTAFSON	52.50
354394	MATTHEW KIRBY	110.49
354395	MASTERCRAFT POOL & SPA	903.08
354396	MD NURSERY & LANDSCAPING INC.	371.88
354397	MICHAEL GUYETT	52.50
354398	MICHELLE ROBINSON	329.41
354399	MEYRING & ASSOCIATES INC.	4,438.23
354400	NAVITUS HEALTH SOLUTIONS, LLC	7,002.30
354401	NELSON ENGINEERING COMPANY	630.00
354402	OLD WEST PRESS LLC	270.00
354403	ON SIGHT LAND SURVEYORS, INC.	2,660.00
354404	HAL JOHNSON JR-PROFESSIONAL EXPRESS	501.15
354405	RE INVESTMENT COMPANY LLC	5,294.69
354406	RAY R THURSTON	3,428.00
354407	SAMS CLUB	1,022.52
354408	SELECT BUILDERS INC.	9,500.00
354409	SENIOR CENTER OF JH	27,977.00
354410	SHANE FLUD	100.00
354411	SKILL PATH SEMINARS	149.00
354412	SOCIETY FOR HUMAN RESOURCE MNGT	209.00
354413	ST. JOHN'S HOSPITAL PHARMACY	419.84
354414	STEPHEN WEICHMAN	585.33
354415	SUBLETTE COUNTY WYOMING	8,670.00
354416	TETON COUNTY SEARCH & RESCUE VOL	1,791.96
354417	TETON CO. SHERIFF DEPT.	1,444.30
354418	TETON COUNTY TREASURER	68,519.56
354419	TERRA FIRMA ORGANICS, INC.	18,633.05
354420	TETON MEDIA WORKS INC.	5,206.96

354421	TETON SIGNS LLC	1,360.00
354422	TETON TRASH REMOVAL INC.	1,408.25
354423	THYSSEN-KRUPP ELEVATOR CORP.	873.80
354424	TORMACK CUSTOM SCREEN PRINTING, INC	120.00
354425	TOWN OF JACKSON	1,630.73
354426	TOWN OF JACKSON	55,476.20
354427	TRANAMERICA LIFE INSURANCE COMPANY	1,558.58
354428	UNIFORMS 2 GEAR	525.75
354429	VALLEY OFFICE SYSTEMS	338.41
354430	VARIDESK LLC	395.00
354431	VERIZON WIRELESS	40.01
354434	WARREN PENNICK	52.50
354435	WESTWOOD CURTIS CONSTRUCTION INC	18,323.03
354436	WELCH TENNIS COURTS, INC.	1,078.20
354437	WESTERN TRANSPORT INC.	5,590.90
354438	WHITE GLOVE PROFESSIONAL CLEANING	13,798.25
354439	WY DEPT OF HLTH, COMMUNITY & RURAL	33,458.14
354440	WYOMING DEPT OF WORKFORCE SVCS	2,219.15
354441	WYOMING MECHANICAL, INC.	150.00
354442	WYOMING WATER ASSOCIATION	50.00
354443	XEROX CORPORATION	174.21
354444	YELLOW IRON EXCAVATING, LLC	99,956.68
354445	VISA	4,232.06
354446	WESTERN TRANSPORT INC.	586.50