

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

The Teton County Board of Commissioners met in regular session on **March 20, 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: Natalia Macker Vice-Chair, Smokey Rhea, Greg Epstein, and Paul Vogelheim were present. Mark Newcomb was absent.

**MINUTES**

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve the **3/2/18, 3/5/18, 3/6/18, 3/12/18, and 3/13/18** minutes. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**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 MOVE:** (Ahead of Item Matters from Staff): MFP&D #7 – ZCV 2018-0002 MOFFETT, DAVID M. 2008 REVOCABLE TRUST

**TO MOVE:** (Ahead of Item Matters from Staff): MFP&D #8 – MSCV 2018-0012 MOFFETT, DAVID M. 2008 REVOCABLE TRUST

**TO POSTPONE:** MFS #3 - Consideration of Notice of Award and Contract Approval to Jorgensen Associates for Civil Design Services for the Path 22 Wilson to Snake River Pathway Connection (Postpone April 10, 2018 BCC Hearing)

**TO POSTPONE:** MFPD #5 – MSC2018-0006 Grand Targhee Resort, LLC (Postpone to a date to be determined)

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

**CONSENT AGENDA**

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

7. Consideration of Golder Associates Contract Amendment #6 for the Completion of the Taming the Wild Waste Project and Landfill Closure at Horsethief Canyon
10. Consideration of Personal Property Tax Cancellations
12. Consideration of Approval of Agreement for Natural Resource Requirements Amendment Services Contract with EcoConnect Consulting for a Natural Resource Mapping Consultant
13. Consideration of Termination of Leases on Public Health Building and Septic Dump Station

Vice-Chair Macker 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 Epstein to approve the items on the Consent Agenda with the motion as stated in their respective staff report. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**MATTERS FROM COMMISSION AND STAFF:**

**7. Consideration of Golder Associates Contract Amendment #6 for the Completion of the Taming the Wild Waste Project and Landfill Closure at Horsethief Canyon**

To approve Amendment #6 to the County's Contract with Golder Associates for the design and procurement of the landfill closure, engineering support during the transfer facility construction and waste excavation project, engineering support for other site infrastructure needs (i.e. carcass disposal and/or composting), and construction quality assurance and management during the waste excavation, transfer facility and landfill closure construction projects at Horsethief Canyon, in the amount of \$709,517 (T&M, not-to-exceed), for a total contract amount of \$2,513,342.

**10. Consideration of Personal Property Tax Cancellations**

To approve the cancellation of personal property taxes totaling \$2,088.22 pursuant to WS §39-13-110, Statute of Limitations.

**12. Consideration of Approval of Agreement for Natural Resource Requirements Amendment Services Contract with EcoConnect Consulting for a Natural Resource Mapping Consultant**

To approve the Agreement between Teton County and EcoConnect Consulting for a not-to-exceed amount of \$5,975.00 for natural resources mapping services.

**13. Consideration of Termination of Leases on Public Health Building and Septic Dump Station**

To approve Termination of Leases as presented for the termination of both the 2011 Amended and Restated Site Lease and the 2011 Amended and Restated Public Facilities Lease that apply to Septic Dump Station and the Public Health Building.

## DIRECT CORRESPONDENCE

1. Carol Poole 2/27/2018 email regarding Teton Raptor Center
2. Nick Sundberg 2/27/2018 email regarding Dead & Co.
3. Don Carpenter 2/27/2018 email regarding Dead & Co.
4. Sean O'Malley, Director of Public Works 2/27/2018 email regarding Travel Demand Model Presentation
5. JJ Brown 2/27/2018 email regarding Dead & Co.
6. Greg Von Doersten 2/27/2018 email regarding Dead & Co.
7. Shawn Higgins 2/27/2018 email regarding Dead & Co.
8. Carl Lowder 2/28/2018 email regarding Dead & Co.
9. Nicole Simone 2/28/2018 email regarding Dead & Co.
10. Anne Cavanaugh 2/28/2018 email regarding Dead & Co.
11. John Wright 2/28/2018 email regarding Dead & Co.
12. Dukes Murray 2/28/2018 email regarding Teton Raptor Center
13. Melissa Turley, Teton Village Association 2/28/2018 email regarding START Bus Passholder Program
14. Morgan Jaouen, Jackson Hole Historical Society 2/28/2018 email regarding JHSM Mercill Lease Extension
15. Marylee White 2/28/2018 email regarding Teton Raptor Center
16. William Fay 2/28/2018 email regarding Dead & Co.
17. William Fay 2/28/2018 email regarding Dead & Co.
18. Casey Holladay 2/28/2018 email regarding Teton Village START Bus Passes
19. William Fay 2/28/2018 email regarding Dead & Co.
20. Glenn Taylor 2/28/2018 email regarding Teton Village START Bus Passes
21. Ellen Sanford 2/28/2018 email regarding Dead & Co.
22. Cathy Aronson 2/28/2018 email regarding Teton Village START Bus Passes
23. Darla Jackson 2/28/2018 email regarding Teton Village START Bus Passes
24. Darla Jackson 2/28/2018 email regarding Teton Village START Bus Passes
25. Philip Lajaunie 2/28/2018 email regarding Teton Village START Bus Passes
26. Peter Stalker 2/28/2018 email regarding Teton Village START Bus Passes
27. Matt Neimat 2/28/2018 email regarding Teton Village START Bus Passes
28. DeWitt Morris 2/28/2018 email regarding Teton Village START Bus Passes
29. Jon Hildebrand 2/28/2018 email regarding Teton Village START Bus Passes
30. Ross Hartley 2/28/2018 email regarding Teton Village START Bus Passes
31. phillyflyersfan90 2/28/2018 email regarding Dead & Co.
32. Richard Aurelio 2/28/2018 email regarding Teton Village START Bus Passes
33. Sasha Motivala 2/28/2018 email regarding Teton Village START Bus Passes
34. Kathy Rhyner 2/28/2018 email regarding Teton Village START Bus Passes
35. Francoise Roux 2/28/2018 email regarding Teton Village START Bus Passes
36. Megan Beck 2/28/2018 email regarding Teton Village START Bus Passes
37. Derek Petrey 2/28/2018 email regarding Teton Village START Bus Passes
38. Finn Scott-Neff 2/28/2018 email regarding Teton Village START Bus Passes
39. Carson Stuhr 2/28/2018 email regarding Teton Village START Bus Passes
40. Gabriel Nolan 2/28/2018 email regarding Teton Village START Bus Passes
41. Hannah Scofield 2/28/2018 email regarding Teton Village START Bus Passes
42. Destin Peters 2/28/2018 email regarding Teton Village START Bus Passes
43. Art 2/28/2018 email regarding Teton Village START Bus Passes
44. Jodi Peterson 2/28/2018 email regarding Teton Village START Bus Passes
45. Emma Franzeim 2/28/2018 email regarding Teton Village START Bus Passes
46. Russell Thompson 2/28/2018 email regarding Teton Village START Bus Passes
47. David Staley 2/28/2018 email regarding Teton Village START Bus Passes
48. Charlie Gulotta 2/28/2018 email regarding Teton Village START Bus Passes
49. Charles Mitchell 2/28/2018 email regarding Teton Village START Bus Passes
50. Dale Kaplan 2/28/2018 email regarding Teton Village START Bus Passes
51. Jason Malczyk 2/28/2018 email regarding Teton Village START Bus Passes
52. Meg Petersen 2/28/2018 email regarding Teton Village START Bus Passes
53. Elizabeth King 2/28/2018 email regarding Teton Village START Bus Passes
54. Sam McGee 2/28/2018 email regarding Teton Village START Bus Passes
55. Emily Lacoste 2/28/2018 email regarding Teton Village START Bus Passes
56. Emily Lacoste 2/28/2018 email regarding Teton Village START Bus Passes
57. Joni Madere 2/28/2018 email regarding Teton Village START Bus Passes
58. Michael Nolan 2/28/2018 email regarding Teton Village START Bus Passes
59. Dustin Varga 2/28/2018 email regarding Dead & Co.
60. James Strohecker 2/28/2018 email regarding Teton Village START Bus Passes
61. Greg Gottlieb 2/28/2018 email regarding Teton Village START Bus Passes
62. Grace Hartman 2/28/2018 email regarding Teton Village START Bus Passes
63. Linda McInally 2/28/2018 email regarding Teton Village START Bus Passes
64. Keith Benefiel 2/28/2018 email regarding Teton Raptor Center
65. Barbara Zelazo 3/12/2028 email regarding Teton Village START Bus Passes
66. Hans Kilgore 2/28/2018 email regarding Teton Village START Bus Passes
67. Richard Gillespie 2/28/2018 email regarding Teton Village START Bus Passes
68. James Schondelmeier 2/28/2018 email regarding Teton Village START Bus Passes
69. Bryan Jones 2/28/2018 email regarding Dead & Co.
70. Bryan Jones 2/28/2018 email regarding Teton Village START Bus Passes
71. Danny Haworth 2/28/2018 email regarding Teton Village START Bus Passes
72. Mark McGovern 2/28/2018 email regarding Dead & Co.
73. Arjun Krishnamachar 2/28/2018 email regarding Teton Village START Bus Passes
74. Ross Shook 2/28/2018 email regarding Dead & Co.
75. Dan Caudill 2/28/2018 email regarding Dead & Co.
76. Sybilla Balkanski 2/28/2018 email regarding Teton Village START Bus Passes
77. Jamie Mackintosh 3/12/2028 email regarding Teton Village START Bus Passes
78. Nick Braun 3/1/2018 email regarding Teton Village START Bus Passes
79. Djamal Zermani 3/1/2018 email regarding Teton Village START Bus Passes
80. Becky Cloetta 3/1/2018 email regarding Teton Village START Bus Passes

81. Ike Faust 3/1/2018 email regarding Teton Village START Bus Passes
82. Robert Morris 3/1/2018 email regarding Teton Village START Bus Passes
83. Barry Gaines 3/1/2018 email regarding Teton Village START Bus Passes
84. Thomas Jackson 3/1/2018 email regarding Teton Village START Bus Passes
85. Jim Williams 3/1/2018 email regarding Teton Village START Bus Passes
86. Caryn Flanagan 3/1/2018 email regarding Teton Village START Bus Passes
87. Morgan Jaouen, Jackson Hole Historical Society 3/1/2018 letter regarding JHSM Ground Lease
88. Laura Bonich 3/1/2018 email regarding Teton Village START Bus Passes
89. Mark LaJohn 3/1/2018 email regarding Teton Village START Bus Passes
90. Mark Lyon 3/1/2018 email regarding Teton Village START Bus Passes
91. Ed Sanden 3/1/2018 email regarding Teton Village START Bus Passes
92. Han Flinch 3/1/2018 email regarding Teton Village START Bus Passes
93. Andy Salter 3/1/2018 email regarding Teton Village START Bus Passes
94. Laura Quinlivan 3/1/2018 email regarding Teton Village START Bus Passes
95. Liz Jorgenson 3/1/2018 email regarding Dead & Co.
96. Chad Jackson 3/1/2018 email regarding Teton Village START Bus Passes
97. Maygan Gezzi 3/1/2018 email regarding Dead & Co.
98. Jacob Dailey 3/1/2018 email regarding Teton Village START Bus Passes
99. Kaitlin Perkins 3/1/2018 email regarding Dead & Co.
100. Christen Johnson 3/1/2018 email regarding Teton Village START Bus Passes
101. JC Prenner 3/1/2018 email regarding Teton Village START Bus Passes
102. Jim Miles 3/1/2018 email regarding Teton Village START Bus Passes
103. Will Copeland 3/1/2018 email regarding Teton Village START Bus Passes
104. Ross Clary 3/1/2018 email regarding Dead & Co.
105. John Wright 3/1/2018 email regarding Dead & Co.
106. Ross Clary 3/1/2018 email regarding Dead & Co.
107. Fernando Guerrero 3/1/2018 email regarding Dead & Co.
108. Adam Clary 3/1/2018 email regarding Dead & Co.
109. Linda Cherney 3/1/2018 email regarding Teton Village START Bus Passes
110. Angela Burton 3/1/2018 email regarding Teton Village START Bus Passes
111. Wes White 3/1/2018 email regarding Dead & Co.
112. Ruthie Bresnan 3/1/2018 email regarding Teton Village START Bus Passes
113. Dawson Smith 3/1/2018 email regarding Dead & Co.
114. Casey Holladay 3/1/2018 email regarding Teton Village START Bus Passes
115. Jazzmin Hoffer 3/1/2018 email regarding Teton Village START Bus Passes
116. Chris Davenport 3/1/2018 email regarding Dead & Co.
117. Kathleen Belk Doffermyre 3/1/2018 email regarding Teton Village START Bus Passes
118. Stephanie Thomas 3/1/2018 email regarding Teton Village START Bus Passes
119. Martin Horner 3/1/2018 email regarding Teton Village START Bus Passes
120. Mark Snell 3/1/2018 email regarding Teton Village START Bus Passes
121. Truitt Alday 3/1/2018 email regarding Dead & Co.
122. Brad Flynt 3/1/2018 email regarding Dead & Co.
123. Amberley Baker 3/1/2018 email regarding Dead & Co.
124. Zak Byrne 3/1/2018 email regarding Teton Village START Bus Passes
125. Katherine Dowson, Friends of Pathways 3/1/2018 email regarding Teton Village START Bus Passes
126. The Gill Family 3/1/2018 email regarding Dead & Co.
127. Jessica Long 3/1/2018 email regarding Dead & Co.
128. Nelson Nolen 3/1/2018 email regarding Dead & Co.
129. Michael Mobley 3/1/2018 email regarding Dead & Co.
130. Patrick Rice 3/1/2018 email regarding Dead & Co.
131. Jenny Wolfrom 3/1/2018 email regarding Teton Village START Bus Passes
132. Presley Taylor Jennings 3/1/2018 email regarding Dead & Co.
133. Amy Perkins 3/1/2018 email regarding Teton Village START Bus Passes
134. Kent Jewett 3/1/2018 email regarding Teton Village START Bus Passes
135. Jesse Swedlund 3/1/2018 email regarding Teton Village START Bus Passes
136. Aaron Adams 3/1/2018 email regarding Dead & Co.
137. James Musclow 3/1/2018 email regarding Dead & Co.
138. Paul Vogelheim, County Commissioners 3/1/2018 email regarding Teton Village START Bus Passes
139. Hans Flinch 3/1/2018 email regarding Teton Village START Bus Passes
140. John Jennings 3/1/2018 email regarding Dead & Co.
141. Pete Muldoon, Town of Jackson 3/1/2018 email regarding Teton Village START Bus Passes
142. Holly Pratt 3/1/2018 email regarding Dead & Co., Teton Raptor Center, Teton Village START Bus Passes
143. Sherry Musclow 3/1/2018 email regarding Dead & Co.
144. Bob Cheese 3/1/2018 email regarding Teton Village START Bus Passes
145. Rob Denton 3/1/2018 email regarding Teton Village START Bus Passes
146. Ron Cole 3/1/2018 email regarding Teton Village START Bus Passes
147. Luke Bruner 3/1/2018 email regarding Dead & Co.
148. Roxanne Riley 3/1/2018 email regarding Dead & Co.
149. Dom Gagliardi 3/1/2018 email regarding Dead & Co.
150. Brandon Smith 3/2/2018 email regarding Teton Village START Bus Passes
151. Christina Cartier 3/2/2018 email regarding Teton Village START Bus Passes
152. David Baker 3/2/2018 email regarding Dead & Co.
153. Zahan Billimoria 3/2/2018 email regarding Teton Village START Bus Passes
154. Dana Ahrensberg 3/2/2018 email regarding Teton Village START Bus Passes
155. Trey Hackney 3/2/2018 email regarding Teton Village START Bus Passes
156. Katie Metzler 3/2/2018 email regarding Dead & Co.
157. Dick Stout 3/2/2018 email regarding Dead & Co.
158. David DeFazio 3/2/2018 email regarding Dead & Co.
159. Mike Keegan 3/2/2018 email regarding Dead & Co.
160. Rose Wenck 3/2/2018 email regarding START Teton Village Bus Passes
161. Mira Lee 3/2/2018 email regarding START Teton Village Bus Passes
162. Jackson Hole Working 3/2/2018 email regarding START Teton Village Bus Passes

- 163.Sarah Pilzer 3/2/2018 email regarding Dead & Co.
- 164.Jane Elam 3/2/2018 email regarding Teton Raptor Center
- 165.John Petrich 3/2/2018 email regarding Dead & Co.
- 166.Keegan Rice 3/2/2018 email regarding Dead & Co.
- 167.Kathryn Turner 3/2/2018 email regarding START Teton Village Bus Passes
- 168.Geoff Whitaker 3/2/2018 email regarding Dead & Co.
- 169.Karin Larson, Hess Carlman & D Amours, LLC 3/2/2018 email regarding Teton Village Park Exaction Parcel
- 170.Ryan Kitchen 3/2/2018 email regarding Dead & Co.
- 171.Adria Stines 3/2/2018 email regarding Teton Village START Bus Passes
172. Lisa Finkelstein 3/3/2018 email regarding Teton Village START Bus Passes
- 173.Karen Terra 3/3/2018 email regarding Teton Raptor Center
- 174.Gary Shaw 3/4/2018 email regarding Teton Raptor Center
- 175.Lori Zalbowitz Roux 3/4/2018 email regarding Teton Village START Bus Passes
- 176.Michele Halle 3/4/2018 email regarding Teton Village START Bus Passes
- 177.Alice Fischer-Colbrie 3/4/2018 email regarding Teton Village START Bus Passes
- 178.Samantha Glaes 3/4/2018 email regarding Teton Village START Bus Passes
- 179.Maryt Fredrickson 3/4/2018 email regarding Teton Village START Bus Passes
- 180.Mark Barron 3/5/2018 email regarding Teton Village START Bus Passes
- 181.Dawn and Brian Reid 3/5/2018 email regarding Teton Village START Bus Passes
- 182.Matt Hansen 3/5/2018 email regarding Teton Village START Bus Passes
- 183.Peter Jorgensen 3/5/2018 email regarding Spring Gulch Road
- 184.Sandy Shuptrine 3/5/2018 email regarding Teton Raptor Center
- 185.Greg Epstein, County Commissioners 3/5/2018 email regarding Teton Village START Bus Passes
- 186.Brenna Cannon 3/5/2018 email regarding Wildlife Crossings
- 187.David & Leslye Hardie 3/5/2018 email regarding Teton Raptor Center
- 188.Tim Rainey 3/5/2018 email regarding Teton Village START Bus Passes
- 189.Francine Tryka 3/5/2018 email regarding Teton Raptor Center
- 190.Tom Factor 3/5/2018 email regarding Teton Village START Bus Passes
- 191.Michael Dawes 3/5/2018 email regarding Teton Raptor Center
- 192.Michel Glouchevitch 3/5/2018 email regarding Teton Village START Bus Passes
- 193.Margaret Creel 3/5/2018 email regarding Teton Raptor Center
- 194.David Hardie 3/5/2018 email regarding Teton Raptor Center
- 195.Amberley Baker 3/6/2018 email regarding Teton Village Park Exaction Parcel
- 196.Kristi Malone, Planning & Development 3/6/2018 email regarding Teton Raptor Center
- 197.Ricky MacPherson 3/6/2018 email regarding Affordable Housing
- 198.Paul D'Amours 3/6/2018 email regarding Teton Village Park Exaction Parcel
- 199.State Board of Equalization 3/6/2018 email regarding Lockhart Cattle Company, LLC Notice of Appeal
- 200.Lauren Long, Director of General Services 3/7/2018 email regarding Fair Board Resignation
- 201.Marla Fox, WildEarth Guardians 3/7/2018 email regarding Winter Wildlands Alliance response
- 202.K.O. Strohbehn 3/7/2018 email regarding Teton Raptor Center
- 203.Kevin Kenny 3/7/2018 email regarding Teton Village START Bus Passes
- 204.Brian Schilling, Pathways 3/8/2018 email regarding Bike Rack Outside BCC Chambers
- 205.Darren Brugmann, START 3/9/2018 email regarding TIGER 9 Grant
- 206.Herb Brooks 3/9/2018 email regarding TIGER 9 Grant
- 207.Skye Schell, Jackson Hole Alliance 3/9/2018 email regarding Safe Wildlife Crossings SPET
- 208.Christopher Finlay, Grand Teton National Park 3/10/2018 email regarding Commercial Traffic on Sagebrush Drive
- 209.Dorothy Bastian 3/11/2018 email regarding Targhee Town Road Improvements
- 210.Stacy Stoker, Housing Department 3/9/2018 email regarding Housing Rules and Regulations Release
- 211.Office of Homeland Security 3/7/2018 letter regarding 2018 Spring Run-Off Season
- 212.Deborah Frauson, Grand Teton National Park 3/12/2018 email regarding March 13, 2018 Elected Officials Meeting Agenda on Park Updates
- 213.Ann Harvey 3/13/2018 email regarding WPLI Process
- 214.Dave Dunlap 3/13/2018 email regarding START Bus Questions
- 215.Keith Compton, Wyoming Department of Transportation 3/7/2018 letter regarding Project No. BROS 1.11 OC22031 Hoback River Bridge
- 216.Stefan Fodor 3/13/2018 email regarding WSJ Article on Inclusionary Zoning

#### **PUBLIC COMMENT**

Public comment was given by Marylee White in support of the pathway south of Hwy 22 to Wilson. Brian Schilling responded with comment that they are waiting on scope of work to bring before the Board.

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

7. **Applicant:** MOFFETT, DAVID M. 2008 REVOCABLE TRUST  
**Presenter:** Susan Johnson  
**Permit No.:** ZCV2018-0002  
**Request:** Zoning Compliance Verification in advance of a Boundary Adjustment, pursuant to Section 8.6.2, of the Teton County Land Development Regulations to review a request for an amendment to a development area associated with an approved Planned Residential Development.
8. **Permit No.:** MSC2018-0012  
**Request:** Amend a Jackson Hole Land Trust conservation easement to adjust the development area and open space associated with a previously approved Planned Residential Development.  
**Location:** 5900 N. East Zenith Road; Lot 2, Doshay Subdivision. Located directly west of the golf course at Jackson Hole Golf and Tennis, and directly south of Panorama Estates. The property is zoned Rural-3 with no overlay.

Susan Johnson, Planning Manager, presented to the Board for consideration a Zoning Compliance Verification in advance of a Boundary Adjustment, pursuant to Section 8.6.2, of the Teton County Land Development Regulations to review a request for an amendment to a development area associated with an approved Planned Residential Development and a Miscellaneous application to request County Commissioner's approval of an amendment to the Jackson Hole Land Trust conservation easement to adjust the open space due to a reconfiguration of the development

area of Lot 2, Doshay Subdivision. Board of County Commissioner approval is required to amend the open space easement. The owner of Lot 2, Doshay Subdivision is requesting to amend their approved development area, which will also require an amendment to the associated open space. The applicant's primary objective of this amendment is to move the development area farther to the west to address a perceived risk of overflow and flooding associated with the White Ditch located on the eastern property boundary of the Doshay Subdivision.

Discussion between the Board and staff included reasons to change the building envelope, elk migration corridor, intent of PRD and public benefit, G&F concern about the migration corridor, and minimum 600-foot width of migration corridor.

Nicole Krieger (via phone), representing the applicant, addressed the Board regarding concerns of side-by-side ditches, architects recognized modifications made to plan to ensure there would be no flooding, concern why build house where possible flooding could occur, have tried to make sure new proposal complies with LDRs, additional one-acre of open space, in compliance with wildlife friendly fencing, Biota did evaluation of elk migration, and response to neighbor comments.

There was no public comment.

Discussion among the Board included PRD granted with public benefit in regard to migration corridor, Commissioner Vogelheim cannot make finding #2, Commissioner Epstein can make the finding of #2, benefit for elk migration, Commissioner Rhea can make the finding for #2, Commissioner Macker can make the finding for #2, and driveway configuration.

A motion was made by Commissioner Rhea and seconded by Commissioner Epstein to find ZCV2018-0002, to reconfigure the development area and open space on Lot 2, Doshay Subdivision, as requested in the application dated January 12, 2018, to be in substantial conformance with Section 8.6.2 of the Teton County Land Development Regulations, with one condition, being able to make the findings as recommended by the Planning Director.

1. The distance between the development areas for Lots 2 and 3 shall be no less than 618.5 feet, which shall be demonstrated on the final plat.

Vice-Chair Macker called for the vote. The vote showed 3-1 with Commissioner Vogelheim opposed and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to approve MSC2018-0012 to reconfigure the development area and open space as depicted in the revised Exhibit C-1 of the Jackson Hole Land Trust conservation easement, submitted on February 12, 2018, with no conditions, and request the Chair to sign the First Amendment to Conservation Easement. Vice-Chair Macker called for the vote. The vote showed 3-1 with Commissioner Vogelheim opposed and the motion carried.

#### **MATTERS FROM COMMISSION AND STAFF:**

- 1. Consideration of Approval of Final Infrastructure Report for the Children's Learning Center Mercill Facility and Transfer of Ownership (postponed from February 20, 2018)**

Sherry Daigle, County Clerk, presented to the Board for consideration to accept the Final Infrastructure Report on the Business Ready Communities grant from the Wyoming Business Council to support the re-construction of the Mercill Childcare facility. In 2012 Teton County conducted a Childcare Needs Assessment to better understand the trends and needs related to community childcare. The assessment identified the following areas as community childcare needs: increased capacity, affordable care, flexible service house, infant care, and provide safe, supervised childcare to local families. CLC indicated that this project met the needs identified in the assessment and was awarded \$750,000 to aide in the completion of the project.

Discussion between the Board and staff included final "punch" list complete, support from CLC for next three years.

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to accept the final Infrastructure Report for the close out of the Wyoming Business Council grant for the reconstruction of the Children's Learning Center Mercill Childcare Facility. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

- 2. Consideration of Bill of Sale of Building Located at 105 Mercill from Children's Learning Center to Teton County (postponed from February 20, 2018)**

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration the transfer of ownership of the Mercill Daycare Building from the Children's Learning Center (CLC) to Teton County, WY through a bill of sale. The County presently owns the land located at 105 Mercill Avenue. CLC had a lease to have their old daycare facility to be located on our land. In May 2015, Teton County agreed to a new agreement with CLC for the construction of a new daycare facility building on the land owned by Teton County and upon completion of the construction of the building CLC would transfer the building to Teton County.

Discussion between the Board and staff included maintenance of building is the county's responsibility.

Patti Boyd, Children's Learning Center, addressed the Board in gratitude for the private/public partnership, great need of childcare in the community.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to accept the Bill of Sale for the Mercill Daycare Building located at 105 Mercill Avenue from Children's Learning Center, Inc. to Teton County, Wyoming. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

#### **4. Consideration of a Contract Award for Phase 1 Infrastructure Work at The Grove Phase 3**

Stacy Stoker, Housing Manager, presented to the Board for consideration a bid award and contract for Phase 1 paving, sidewalks, and curb and gutter at Phase 3 of The Grove. The Housing Department advertised a Request for Bids in February and received three bids from CM Owen Construction, LLC, Fish Creek Excavation, and Evans Construction.

Discussion between the Board and staff included process of the bid and how it was awarded and worked with legal because they did not go with low bid.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Vogelheim to award the bid and enter into the proposed contract for Phase 1 of paving, sidewalks, and curb and gutter for The Grove Phase 3 in the amount of \$109,970.00 to Fish Creek Excavation. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:02am and reconvened at 10:09am.

#### **5. Consideration of Sale of JHHSM Building on North Cache**

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration the approval of sale of the Cache Street Historic Museum by the Jackson Hole Historical Society and Museum. The JH Historical Society and Museum provided a letter on December 5, 2017 to the Teton County Board of County Commissioners stating that their intent to sell the Cache Street building. The museum is having trouble making the annual rent on the property. Pursuant to the 2007 Agreement between Teton County and the Historical Society, Paragraph 4 states: *The Museum shall provide Teton County with 90 days written notice before assigning, selling, transferring or otherwise encumbering the ground lease, or the building situated on the subject property, in order for Teton County to satisfy itself that any such proposed assignment, sale, transfer, or encumbrance does not unreasonably interfere with the stated purpose of providing an historical museum to the residents and visitors of Teton County, Wyoming.* The museum is looking to have more of an online presence.

Discussion between the Board and staff included Deloney property is leased for \$1 per year but can only be used in the summer.

Morgan Jaouen, Executive Director of the JHHSM, addressed the Board regarding current operations are out of three properties and all are encumbered by some type of lease, strategy of looking for a permanent home for the museum, no cash reserves to make a move, majority of collection is in the Mercill building, will not be moving admin offices to Mercill, and 100 year lease on Deloney museum and working to assess the building to use year round.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to approve the sale of the Cache Street building and that the sale would not unreasonably interfere with the stated purpose of providing a historical museum to the residents and visitors of Teton County, Wyoming. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

#### **6. Consideration of Extension of Lease on Mercill Avenue History Museum**

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration a request from the Jackson Hole Historical Society and Museum for a one-year extension on the lease for 105 Mercill Avenue. The current lease was entered into in March 2017 with the understanding that the Jackson Hole Historical Society and Museum was going to start looking for locations to move to within the 2 years of the lease. There was a provision to allow for a one-year extension that the Museum board is now requesting. The Historical Society is giving their request for extension a full year prior to the termination, as directed in the lease. The BCC has 60 days from February 28, 2018 to respond with their answer, which is April 27, 2018. No decision is required to be made today, but a decision needs to be made prior to April 27, 2018.

Discussion between the Board and staff included if current lease is extended they would then need a new lease for another extension as there are no options for renewal.

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to extend the lease for the Historical Society Museum at 105 Mercill to March 31, 2020. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

#### **8. Consideration of a Cooperative Agreement with the Wyoming Department of Transportation for Tribal Trails Road**

Sean O'Malley, Director of Public Works, presented to the Board for consideration of entering into a Cooperative Agreement between the Wyoming Department of Transportation (WYDOT) and Teton County for WYDOT to perform, in coordination with Teton County, the Project Charter for Tribal Trails Road, as outlined in the Integrated Transportation Plan (ITP), as well as the planning, design, and potential construction of Tribal Trails Road. A transportation corridor connecting South Park Loop Road and Highway 22, now known as Tribal Trails Road, was originally identified as an important community transportation link at least as early as the 1982 Rural and Urban Design Assistance Team (R/UDAT) study. This corridor has been highlighted in all subsequent County transportation studies, including the 2015 Integrated Transportation Plan (ITP). Tribal Trails Road was identified in the ITP as both a Group 1

and Group 4 major capital project. Group 1 capital projects are intended to address lack of connectivity, redundancy, and capacity in the WY-22 corridor from West Jackson to WY-390 while Group 4 projects are intended to provide local connectivity. On June 12, 2017 the BCC voted to send a letter to WYDOT requesting that WYDOT conduct the Project Charter process and undertake preliminary planning and design for Tribal Trails Road.

Discussion between the Board and staff included order of events referring back to the traffic study or Travel Demand Model (TDM), TDM will be available from the start of this project, agreement provides multiple steps, calls out the charter process giving the public the opportunity to weigh in, termination clause includes 30 days written notice, Board will vote during the Concept Design Phase, county approves the estimates, county will approve the award to the qualified lowest bidder, cooperative agreement is actually a contract for services, breakdown of costs of first part of charter process, WYDOT will participate in the public process – costs for their employee's time, describe the functional classification of the road, WYDOT experience with non-highway roads, separate contracts for design and construction, platted in 1992 – has there been talk of not doing this road and why wasn't this done at the beginning.

Public comment was given by Michele Gammer, William Smith, Mark Barron, Alexander Muromcew, Phil Stevenson, Margaret Mary Ackerly, Todd Seaton - WYDOT Commissioner, and Ted Van Holland.

Discussion among the Board included the functional classification of the roads at April JIM, process and cost breakdown, continue item to April 10<sup>th</sup> meeting, historical discussion, look at concept drawings, fear of unknown is great and now is the time to move forward, detail around the estimated planning pieces vs the construction costs, phasing and cost implications over next few years, dates looking at Highway 22, signing the agreement is starting the process and begin spending money, and language referencing to Appendix L.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to continue this item to the April 10, 2018 BCC meeting. Vice-Chair Macker called for the vote. The vote showed 3-0 with Commissioner Vogelheim not voting and the motion carried.

#### **9. Consideration of Notice of Award to Buehler Enterprises to Provide and Install Flooring at the Public Health Building**

Paul Cote, Facilities Manager, presented to the Board for consideration a Notice of Award to Buehler Enterprises to provide and install flooring at the Public Health Building. Flooring throughout the building is aged and worn. Some, in the basement, has been soaked in a sewage overflow and has been removed. Jodie Pond, Director of Environmental and Public Health Department, has been involved in this project at all stages, and has approved all flooring choices. Jodie and staff will be included in task scheduling to minimize disturbance of operations.

Discussion between the Board and staff included other bids received.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Epstein to give Notice of Award to Buehler Enterprises to install flooring at the Public Health Building. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

#### **11. Consideration of Agreement for Stop Loss Carrier**

Julianne Fries, Director of Human Resources, presented to the Board for consideration the Reliance Standard Insurance Company Contract for Employee Medical Benefit Plan. Teton County contracts with a stop loss carrier to limit financial losses to both specific (or individual) and aggregate (total group) claims. It is a specific type of insurance designed to protect self-funded plans from catastrophic losses. The contract outlines the indemnity coverage provided relative to covered medical and prescription drug benefits of the Employee and Retiree Health Plans. In October, Hays Companies of Utah, conducted a bid process to evaluate stop loss carriers, these results were presented to the commissioners in November. Our previous carrier, Voya, had been our provider for several years and renewed annually with minimal increases incurred to our monthly premium costs. However, proposed for plan year 2018, Voya had requested a 15.9% cost increase in monthly premiums and were no longer competitive in their renewal rates. Hays conducted a bid process on our behalf; bid results were received from five different carriers and ranged between 4.2% to 27.2% and presented to the Board. Reliance Standard was the lowest bid (3% for individual and 4.2% for Aggregate) and the recommended vendor.

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve the Reliance Standard Insurance Company contract for employee medical benefit plan effective January 1, 2018. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

#### **14. Consideration of Resolution Recognizing National Service Day on April 3, 2018**

Alyssa Watkins, County Commissioner's Administrator, presented to the Board for consideration a resolution to recognize the importance of national service and to thank those who have served in Wyoming and Teton County. At least 56-plus Mayors and Boards of County Commissioners across Wyoming, and more than 4,500 elected officials nationwide are recognizing April 3, 2018, as National Service Recognition Day. The initiative is being led by the Corporation for National and Community Service, the National League of Cities, the National Association of Counties, and Cities of Service.

There was no public comment.

#### **Resolution No. 18-006**

#### **RESOLUTION RECOGNIZING NATIONAL SERVICE DAY ON APRIL 3, 2018**

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and



WHEREAS, the nation's counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with county officials nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, National Association of Counties, Cities of Service, and mayors and county officials across the country for the Mayor and County Recognition Day for National Service on April 3, 2018.

THEREFORE, BE IT RESOLVED that the Teton County Board of County Commissioners do hereby proclaim April 3, 2018, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our county; to thank those who serve; and to find ways to give back to their communities.

Adopted on the 20th day of March 2018.

#### **TETON COUNTY BOARD OF COUNTY COMMISSIONERS**

Attest:

\_\_\_\_\_  
Natalia D. Macker, Vice-Chair

\_\_\_\_\_  
Sherry L. Daigle, County Clerk

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to adopt the resolution recognizing April 3, 2018, as National Service Recognition Day. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

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

##### **1. Finding of Fact and Conclusion of Law: CUP2017-0007 Teton Raptor Center**

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, CUP2017-0007, to the Teton Raptor Center to amend an existing institutional use. Ms. Weisman went through changes proposed by the Teton Raptor Center and what the County Attorney's Office and Planning Department agreed/disagreed with regarding those proposed changes.

There was no public comment. Discussion between the Board and staff included involvement of other attorneys involved.

The meeting was recessed at 12:00pm and reconvened at 1:30pm.

Amy McCarthy, Executive Director of the Teton Raptor Center, addressed the Board regarding the changes to the Findings of Fact, Conclusions of Law.

Public comment was given by Rich Bloom.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to approve the amended Findings of Fact, Conclusions of Law and Order granting approval of Conditional Use Permit, CUP2017-0007. Vice-Chair Macker called for the vote. The vote showed 3-0 and the motion carried with Vice-Chair Macker having recused herself from the vote.

##### **2. Finding of Fact and Conclusion of Law: VAR2017-0002 Teton Raptor Center**

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 Variance Permit (VAR2017-0002), to the Teton Raptor Center to allow improvements to be made to an existing 36' tall structure that would result in a total structural height of 38' where 30' is the maximum structure height allowance for the zone.

There was no public comment.



A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to approve the recommended amended version of the Findings of Fact, Conclusions of Law and Order granting approval of a Variance Permit (VAR2017-0002). Chair Macker called for the vote. The vote showed 3-0 and the motion carried with Vice-Chair Macker having recused herself from the vote.

- 3. Applicant:** ELK FEED GROUNDS HOUSE, LLC  
**Presenter:** Jennifer Kocher-Anderson  
**Permit No.:** VAR2017-0006  
**Request:** Variance, pursuant to Section 8.8.2, Variances, of the Teton County Land Development Regulations, to vary Section 5.1.1.D.2.b to allow a fence within the Horse Creek stream buffer.  
**Location:** 3355 E Horse Creek Road. Generally known as Tract 2 of the Wheeldon Family Subdivision at Mill Iron Ranch located 1.5 miles east of S. Highway 89 at Horse Creek. The property is zoned Rural-2 and is partially within the Natural Resources Overlay.

Jennifer Anderson, Code Compliance Officer, presented to the Board for consideration a Variance, pursuant to Section 8.8.2., Variances, of the Teton County Land Development Regulations, to vary Section 5.1.1.D.2.b. to allow a fence within the Horse Creek stream buffer. The owner wishes to keep the neighboring horses off of his property and to protect the riparian corridor in order to stabilize the streambank and to improve the health of the riparian area. The proposal is to move the existing movable 52" buck and rail fence closer to Horse Creek, within the stream setback. A 0-foot setback is requested where a 50' to 150' setback is required dependent on the riparian plant community. While the fence location is proposed within wetlands associated with Horse Creek, the applicant has provided information that these are degraded wetlands due to the heavy historic horse use; therefore, a variance to the wetland standards is not required, as degraded wetlands are permitted to be developed pursuant to Section 5.1.1.D.3.b.

Discussion between the Board and staff included changes back to 50-foot setback, clarification of ditch or waterbody, and bank stabilization project.

Brian Remlinger with Alder Environmental, representative for the applicant, addressed the Board regarding application. He talked about the watershed, neighbor's livestock (horses), bank erosion in 2017, working with G&F, will use natural materials for bank stabilization, and there is no recorded access easement. Discussion between the Board and Mr. Remlinger included responsibility of cost of fence, intent of bank stabilization and if the fence be necessary to be in the setback after stabilization.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to recommend approval of VAR2017-0006, to vary Section 5.1.1.D.2.b. of the Teton County Land Development Regulations where a 50 foot to 150 foot stream setback is required to a 0-foot stream setback from Horse Creek for a 52-inch buck and rail fence, as submitted in the application materials dated November 1, 2017 subject to the two (2) conditions, based on being able to make all six (6) the findings of Section 8.8.2. as recommended by the Planning Commission and Planning Director.

1. A minimum 8-foot panel gate shall be retained where the 52-inch buck and rail fence ties into the 8-foot Game & Fish fence along the eastern boundary.
2. No livestock shall be allowed in the 50-foot stream setback.

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

- 4. Applicant:** ROBINSON, JAMES TREVOR & CHELSEA IRENA  
**Presenter:** Jennifer Kocher-Anderson  
**Permit No.:** VAR2017-0007  
**Request:** Variance, pursuant to Section 8.8.2, Variances, of the Teton County Land Development Regulations, to vary Section 3.3.3.1 to allow an existing structure within the side setback.  
**Location:** 10870 S. Old Yellowstone Road (Plt 4, Rogers Point). Generally located in Hoback on the northeast side of the Junction above Hoback Market. The property is zoned Neighborhood Conservation and is within the Natural Resources Overlay.

Jennifer Anderson, Code Compliance Officer, presented to the Board for consideration a Variance, pursuant to Section 8.8.2., Variances, of the Teton County Land Development Regulations, to vary Section 3.3.3.1. to allow an existing structure within the side (south) setback. The current owners are requesting a reduction in the side setback to 7'4" where a 10-foot setback is required per Teton County Land Development Regulations Section 3.3.1.1. for a Neighborhood Conservation- zoned property. This is for an existing carport that was built by the previous owner without the proper permits. It is attached to a barn built by the previous owner with proper permits. The current owners would like to retain the carport.

Discussion between the Board and staff included structural integrity, if the unpermitted carport addition is within the bounds of the Teton County Building Code, if this variance will set a precedent, and if Variances are always looked at individually.

James Trevor Robinson, applicant, addressed the Board about the application.

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve a VAR2017-0007, to reduce and vary Section 3.3.3.1. of the Teton County Land Development Regulations for a side setback of 7 feet 4 inches where a 10-foot setback is required, as submitted in the application materials dated December 7, 2017 with no conditions, being able to make all of the six (6) findings of Section 8.8.2. of the LDRs as recommended by the Planning Commission and Planning Director. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

- 6. Applicant:** BIRD & TURNER LLC SUNTRUST BANK, ATTN: P.G. FLEMING  
**Presenter:** Emily Cohen  
**Permit No.:** BDJ2017-0005

**Request:** Boundary Line Adjustment pursuant to Section 8.5.5 of the Teton County Land Development Regulations, to adjust the boundary between two platted lots.  
**Location:** 250 E Buck Mountain Rd (Lot 74) and 325 E Avalanche Canyon Drive (Lot 120) in the Solitude Subdivision. Generally located Northwest of Jackson Hole Airport, off Spring Gulch Road. The properties are zoned Rural-3 and are entirely within the Natural Resources Overlay.

Emily Cohen, Associate Planner, presented to the Board for consideration a Boundary Line Adjustment pursuant to Section 8.5.5 of the Teton County Land Development Regulations, to adjust the boundary between two residential properties, Lots 74 and 120, in Solitude Subdivision. The proposed boundary adjustment reduces the size of Lot 120 (to become Lot 125) from 7.94 acres to 5.09 acres and increases the size of Lot 74 (to become Lot 124) from 5.06 acres to 7.91 acres. While both lots are considered nonconforming with regards to minimum lot size, as the minimum lot size in the R3 zone is 35 acres, both are currently platted lots with differing lot sizes resulting from the elimination of a lot when Plat #393 was recorded. This prior elimination of a platted lot increased compliance to minimum lot size and transferring this acreage from one platted lot to another is not a detriment. Both resulting lots have adequate land area for physical development, including water supply and wastewater systems.

Sue Karichner, Nelson Engineering, representing the applicant addressed the Board regarding the application.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to approve BDJ2017-0005, submitted December 20, 2017, for the partial vacation and replat to adjust the boundary between two residential properties, Lots 74 and 120, in Solitude Subdivision, based on the Teton County Land Development Regulations, findings of Section 8.5.5. and the standards of Section 8.2.13.C, being able to make the finding pursuant to Wyoming Statute §34-12-108, that such partial vacation does not abridge or destroy any of the rights and privileges of other proprietors in Plat No. 500 and Plat No. 932, with no conditions as recommended herein by the Planning Director, and request the Teton County Clerk to write vacate on Lot 74 on Plat No. 500 and Lot 120 on Plat No. 932. Vice-Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**ADJOURN**

A motion was made by Commissioner Epstein and seconded by Commissioner Vogelheim to adjourn. Vice-Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 2:25pm.

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