

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

The Teton County Board of Commissioners met in regular session on **May 1, 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, Natalia Macker Vice-Chair, Smokey Rhea, Greg Epstein, and Paul Vogelheim were present.

MINUTES

A motion was made by Commissioner Rhea and seconded by Commissioner Macker to approve the **4/11/18 (Budget), 4/12/18 (Budget), 4/12/18 (Special), 4/16/18 (Voucher), 4/16/18 (Budget), 4/17/18, 4/18/18 (Budget), and 4/23/18** minutes. Chair Newcomb 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 Macker to adopt today's agenda as presented. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

TO ADD: Calendar Review – **POSTPONED FROM 4/30/18 BCC VOUCHER MEETING**

CONSENT AGENDA

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

5. Consideration of Piedmont Collections Agreement
7. Consideration of a Contract Extension with the Wyoming Health Council and Teton County to Provide Title X Family Planning Services
8. Consideration of Amendment to Zuercher Agreement (e-citations/Crime Reporting Interface)
9. Consideration of Bill of Sale of 1975 Trailer from County to School District
10. Consideration of Contract for 2018 Fair Construction
11. Consideration of Contract for 2018 Fair Cleaning
12. Consideration of Contract for 2018 Fair Security

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

A motion was made by Commissioner Macker and seconded by Commissioner Epstein 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:

5. Consideration of Piedmont Collections Agreement

To approve the Premium Collection Agreement from Piedmont Payment Services LLC.

7. Consideration of a Contract Extension with the Wyoming Health Council and Teton County to Provide Title X Family Planning Services

To approve the Contract with the Wyoming Health Council for the period April 1, 2018 through August 31, 2018.

8. Consideration of Amendment to Zuercher Agreement (e-citations/Crime Reporting Interface)

To approve Amendment No. 1 to Software License and Service Agreement Between Zuercher Technologies and Teton County Sheriff's Office and direct the Chair to sign on behalf of Teton County, Wyoming, to be attested to by the Teton County Clerk.

9. Consideration of Bill of Sale of 1975 Trailer from County to School District

To approve the Bill of Sale and convey the 1975 Trailer from Teton County to the Teton County School District #1.

10. Consideration of Contract for 2018 Fair Construction

To award Cirlce T's Construction the 2018 fair construction contract and enter into contract with Cirlce T's Construction in the amount of \$57,890.00.

11. Consideration of Contract for 2018 Fair Cleaning

To award TM Commerical Cleaning, LLC the 2018 Fair cleaning contract and enter into contract with TM Commercial Cleaning, LLC in the amount of \$23,205.40.

12. Consideration of Contract for 2018 Fair Security

To award Jackson Hole Security, LLC. the 2018 fair security contract and enter into contract with Jackson Hole Security, LLC. in the amount of \$22,747.50.

DIRECT CORRESPONDENCE

- 1.Mary Erickson 4/10/2018 email regarding ShelterJH Housing Rules and Regulations
- 2.Skye Schell, Jackson Hole Alliance 4/10/2018 email regarding Budget - Wildlife Crossings Design and Engineering
- 3.Peter Staiger 4/10/2018 email regarding Alta North Road Paving
- 4.Mike Maples 4/10/2018 email regarding Tribal Trails Connector
- 5.Glen Esnard 4/10/2018 email regarding Wildlife Crossings
- 6.Elizabeth Wright-Clark 4/11/2018 email regarding Tribal Trails Connector
- 7.Billy Kirk, County Public Information Specialist 4/11/2018 email regarding Inaugural Brown Bag Lunch
- 8.Barbara Wogoman 4/11/2018 email regarding Tribal Trails Connector
- 9.Keith Benefiel 4/11/2018 email regarding Tribal Trails Connector
- 10.Robert and Judith Adams 4/11/2018 email regarding Tribal Trails Connector
- 11.Scott Harmon 4/11/2018 email regarding Teton Raptor Center
- 12.Jeremy Parker, Town of Jackson 4/12/2018 email regarding Smith-Simon Sewer Replacement - Construction Update and Road Closure Amendment
- 13.Kathy Tompkins 4/12/2018 email regarding Tribal Trails Connector
- 14.Geneva Chong 4/12/2018 email regarding Greater Sage-Grouse Conservation
- 15.Keith Benefiel 4/12/2018 email regarding Tribal Trails Connector
- 16.Craig Poulsen 4/12/2018 email regarding Alta North Road Paving
- 17.David Jennings 4/12/2018 email regarding Alta North Road Paving
- 18.Rene Melville 4/13/2018 email regarding Alta North Road Paving
- 19.Jeremy Parker, Town of Jackson 4/13/2018 email regarding TOJ Snow King Estates Water Project - Construction Information Update
- 20.Bill Shiebler 4/13/2018 email regarding Alta North Road Paving
- 21.Michael McGibben 4/14/2018 email regarding Alta North Road Paving
- 22.Derek Sroufe 4/14/2018 email regarding Alta North Road Paving
- 23.Suzanne Felton 4/14/2018 email regarding Alta North Road Paving
- 24.Mike Evans 4/14/2018 email regarding Alta North Road Paving
- 25.Mike Evans 4/14/2018 email regarding Alta North Road Paving
- 26.Kim Jennings 4/14/2018 email regarding Alta North Road Paving
- 27.David Jennings 4/14/2018 email regarding Alta North Road Paving
- 28.Chi Melville 4/15/2018 email regarding Alta North Road Paving
- 29.Chi Melville 4/15/2018 email regarding Alta North Road Paving
- 30.David Treinis 4/15/2018 email regarding Alta North Road Paving
- 31.Cindy Lucey 4/15/2018 email regarding Alta North Road Paving
- 32.Janine Shepherd 4/15/2018 email regarding Alta North Road Paving
- 33.Paul and Rose Raube 4/15/2018 email regarding Alta North Road Paving
- 34.Age Friendly Jackson Hole 4/16/2018 email regarding Pathways Safety
- 35.Melissa Shinkle, County Assessor 4/16/2018 email regarding 2018 Property Tax Notices
- 36.Sherry Daigle, County Clerk 4/16/2018 email regarding Balkanski - Taxpayers' Motion for New Evidentiary Hearing
- 37.Rachelle Rhodes, Town of Jackson 4/16/2018 email regarding TOJ Smith-Simon Sewer Replacement Project Construction Information Update and Road Closure Information
- 38.Morgan Graham, Teton Conservation District 4/16/2018 email regarding Budget - Wildlife Crossing Planning Funds
- 39.Susan Temple 4/17/2018 email regarding Highway 22 Pathways
- 40.Tim Young, Wyoming Pathways 4/18/2018 email regarding Budget - Build Wilson Pathway in FY18/19
- 41.Marylee White 4/18/2018 email regarding Budget - Wilson to Snake River Pathway
- 42.David Gustafson, Road & Levee 4/19/2018 email regarding Alta Road North
- 43.Chi Melville 4/20/2018 email regarding Alta Road North
- 44.Joan Anzelmo 4/20/2018 email regarding Spring Gulch Road - Heavy Loads
- 45.Matt Faupel 4/21/2018 email regarding Housing Mitigation Comments
- 46.Danny Cantwell 4/23/2018 email regarding Property Taxes
- 47.Renee Knutson and Matthew Grabowski 4/23/2018 email regarding Housing Rules and Regulations
- 48.William Fausone 4/23/2018 email regarding Truck Traffic on Spring Gulch Road
- 49.Anne Cresswell, Jackson Hole Community Housing Trust 4/23/2018 email regarding Zoning, Parking, and Workforce

PUBLIC COMMENT

Public comment was given by

MATTERS FROM COMMISSION AND STAFF:

1. Consideration of Approval of Resolution Proclaiming May 7 - May 12, 2018 as Spring Clean-Up Week, and Saturday, May 12, 2018 as Spring Clean-Up Day

Billy Kirk, Public Information Specialist, presented to the Board for consideration of approval a resolution proclaiming May 7 – May 12, 2018 as Spring Clean-Up Week, and Saturday, May 12, 2018 as Spring Clean-Up Day.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Epstein to proclaim May 7th to May 12th, 2018, as Spring Clean-Up Week and May 12th, 2018, as Spring Clean-Up Day in Teton County, and the conditions described in Resolution # 18-009. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

Resolution # 18-009
RESOLUTION PROCLAIMING MAY 7th to May 12th, 2018,
AS SPRING CLEAN-UP WEEK,
AND SATURDAY, MAY 12, 2018, AS SPRING CLEAN-UP DAY

WHEREAS, the Rotary Club of Jackson Hole is coordinating a community-wide Spring clean-up event;

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WHEREAS, Teton County, Wyoming, has declared Spring Clean-Up Week and Spring Clean-Up Day annually since 1969; and

WHEREAS, community service clubs, organizations, businesses, individuals, the Town of Jackson, and Teton County Integrated Solid Waste and Recycling are collaborating to reduce landfill-bound waste, encourage ecological stewardship, and improve the appearance of the valley for both residents and visitors.

NOW THEREFORE, having duly met at a regular meeting on May 1, 2018, and having fully considered the matter, it is hereby,

RESOLVED, that the Teton County Board of Commissioners proclaims May 7 to May 12, 2018, as Spring Clean-Up Week and Saturday, May 12, 2018, as Spring Clean-Up Day in Teton County, Wyoming, and:

1. Spring Clean-Up Day volunteers who dispose of refuse collected along highways and roads will be admitted free of charge at the Transfer Station facility on Saturday, May 12, 2018;
2. During this week, the tip fee of \$80 per ton for compostable yard waste will be waived for residential customers;
3. The Transfer Station will offer extended hours during this week as follows: Monday – Friday, 8am-5pm; and, Saturday, 9am-5pm.

PASSED, APPROVED, and ADOPTED by the Board of County Commissioners of Teton County, Wyoming, on this 1st day of May 2018.

BOARD OF COUNTY COMMISSIONERS
TETON COUNTY, WYOMING

Mark Newcomb, Chair

Attest: _____ (Seal)

Sherry L. Daigle, Teton County Clerk

2. Consideration of Approval of Resolution Proclaiming May as Mental Health Awareness Month

Billy Kirk, Public Information Specialist, presented to the Board for consideration of approval a resolution proclaiming May as Mental Health Awareness Month.

Public comment was given by Deidre Ashley - Director of Jackson Hole Community Council Center, Erin Weisman, John Gettler – St John's Hospital Foundation, Kate Mead – Court Commissioner.

A motion was made by Commissioner Rhea and seconded by Commissioner Macker to proclaim May 2018 as Mental Health Awareness Month in Teton County per Resolution # 18-010. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

Resolution #18-010
RESOLUTION PROCLAIMING MAY AS
MENTAL HEALTH AWARENESS MONTH

WHEREAS, mental illness is a leading cause of disability in the United States affecting nearly one in five adults and one in thirteen children, and access to early treatment can significantly improve outcomes and lead to a better quality of life;

WHEREAS, prevention and stigma reduction are effective methods for reducing the burden of mental health conditions, and can lead to effective treatment for individuals with mental health conditions;

WHEREAS, mental health conditions affect all members of the community, either directly or indirectly;

WHEREAS, access to effective treatment can assist those with mental health conditions to lead full and productive lives; and

WHEREAS, each business, educational institution, healthcare provider, governmental agency, organization, and citizen shares the burden of mental health conditions in the community and has a responsibility to promote mental wellness, support prevention efforts, and work to educate themselves on local mental health needs and services that exist.

NOW THEREFORE, having duly met at a regular meeting on May 1, 2018, and having fully considered the matter, it is hereby,

RESOLVED, that the Teton County Board of Commissioners proclaims May 2018 as Mental Health Awareness Month in Teton County, Wyoming, and encourages all citizens, governmental agencies, public, private, and educational institutions to recommit our community to increase the understanding and awareness of mental health conditions and the need to reduce stigma related to mental illness, as well as highlight the need for appropriate and accessible mental health services.

PASSED, APPROVED, and ADOPTED by the Board of County Commissioners of Teton County, Wyoming, on this 1st day of May 2018.

BOARD OF COUNTY COMMISSIONERS
TETON COUNTY, WYOMING

Mark Newcomb, Chair

Attest: _____ (Seal)

Sherry L. Daigle, Teton County Clerk

3. Consideration of Election District Resolution

Kellie Dickerson, Senior Deputy Clerk, presented to the Board for consideration of approval a resolution designating county election districts pursuant to Wyoming Statute § 22-7-101.

Discussion between the Board and staff included an explanation of how precinct boundaries are set.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the resolution designating county election districts, pursuant to WS § 22-7-101 as presented. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

RESOLUTION #18-011 Designation of Election Districts

WHEREAS, the Board of County Commissioners is required pursuant to Wyo. Stat. §22-7-101 to divide the county into not more than thirty (30) election districts, no later than its first meeting in May of every general election year; and

WHEREAS, the Board of County Commissioners shall set the election districts with the advice or recommendation of the County Clerk; and

WHEREAS, the County Clerk has recommended and advised the Board of County Commissioners to set the five (5) election districts of Teton County as detailed below; and

NOW THEREFORE, having duly met at a regular meeting and considered the matter, it is

RESOLVED, that the election districts for Teton County are as follows with the following precincts included within each of the five (5) election districts, along with a designation of the Senate District (SD), House District (HD), general description of the area included within the precinct (The first number is the election district and the second number is the precinct number, thus 1-1 means Election District 1, Precinct 1):

DIST. & PREC. AREA

1-1 South of Jackson

SD #17 All persons outside of the Town of Jackson,
HD #23 So. of Boyle's Hill Co. Rd., West of Ely Springs
 Rd., So. of Cache Creek, East and North of the
 Snake River, North of Game Creek.

1-2 Mid-East Jackson

SD #17 All persons living South of Broadway and East of
HD #16 Glenwood St., North of Snow King Ave.,
 West of Redmond St. and North of
 Cache Creek Dr. in the city limits.

1-3 Skyline/Hi Country/Gros Ventre Butte/Elk Refuge

SD #17 All persons living outside of the Town of Jackson,
HD #23 North of Boyle's Hill Co. Rd., North of Cache Creek, East of
 the Snake River and South of that portion of the Gros Ventre River
 lying West of US Hwy 26, 89 & 191 and South of Township 42
 North lying East of Hwy 89.

1-4 North Jackson

SD #17 All persons living North of Broadway, East of
HD #23 Glenwood St., South of Perry St., East of N Cache St.,
 in the city limits.

1-5 Mid-West Jackson

SD #17 All persons living within the Town of Jackson, West of that
HD#16 portion of S Cache St., South of Snow King Ave. and West of that

portion of Glenwood St. between Snow King Ave. and Perry St.
living West of that portion of N. Cache St., North of Perry St.,
South of Broadway west of the Deer Ridge Townhomes, East of
Virginia Lane, in the city limits.

- 1-6
SD #17
HD#16
Cottonwood Park
All persons living West of Highway 89, South of North South Park
Loop Road, East of the South Park Loop Road to the High
School Road, North of High School Road, including Cottonwood
Park and Gregory Lane areas, in the city limits.
- 1-11
SD #17
HD #23
Indian Trails
All persons living in the Indian Trails subdivision
in the city limits.
- 1-7
SD # 17
HD #23
Rafter J
All persons living inside the Rafter J Subdivision.
- 1-8
SD #17
HD #16
East Jackson
All persons living East of Redmond St. and South
of Broadway, including Snow King Estates, in the city limits.
- 1-9
SD #17
HD #16
West Jackson
All persons living West of Virginian Lane and
South and East of Broadway, North of Broadway between
Highway 22 and the Deer Creek Townhomes, in the
city limits.
- 1-10
SD #16
HD #22
South Hoback
All persons living South of Game Creek and
south of the South Park Bridge to the county lines.
- 2-1
SD #17
HD #23
Kelly/Teton Valley Highlands/Moose/Airport
All persons living East of the Snake River,
North of the Gros Ventre River, South of Ditch
Creek, and all persons living West of the Snake River, and
South of Leigh Canyon and North of Open Canyon. All persons
living outside the city limits East of Highway 26, 89, & 191,
South of the Gros Ventre River and North of Flat Creek.
- 3-1
SD #17
HD #23
Moran
All persons living North of Ditch Creek and North
of Leigh Canyon / Leigh Lake.
- 4-1
SD #16
HD #22
Wilson South
All persons living East of the Wyoming State Line, South of
Wyoming State Hwy 22, West of the Snake River. Person living
on both sides of the Fall Creek Road, south to the
Prichard Creek cattle guard, including all properties East and
West of Fall Creek Road accessed by Fall Creek Road from
W. North Fall Creek Road to Rock Creek.
- 4-2
SD #17
HD #23
Moose/Wilson Road West
All persons living North of Hwy 22, East of Wyoming State
Hwy 390, West of the Snake River, North to the Township 41 Wilson
North line, West to Fish Creek, East of Fish Creek south to
3230 N Fish Creek Road, then directly south and east to the
West end of Nethercott Lane, North side of Nethercott Lane, East
to Wyoming State Hwy 390. Including the Lucky L Subdivision,
accessed from the Fish Creek Road.
- 4-3
SD #16
HD #22
Wilson North
All persons living North of Wyoming Hwy 22,
West of Wyoming State Hwy 390, North to Nethercott
Lane, South side of Nethercott Lane to the west end, then
directly North and West to 3230 N Fish Creek Road, West of Fish Creek,
North to Rock Springs Canyon, South and West of Rock Springs
Canyon to the North Fork Granite Creek, East of the Teton
Range, South to Wyoming State Hwy 22. Including all
properties accessed from Fish Creek Road, except the Lucky
L Subdivision.
- 4-4
SD #17
HD# 23
Teton Village/Moose-Wilson Rd.
All persons living North of the Township 41 North line, East
of Fish Creek, West of the Snake River, north to Open Canyon,
South of Open Canyon, West to Wyoming State Highway 390,
South and East of Wyoming State Hwy 390 to the southern
Boundary of Grand Teton National Park, West to Granite Creek,
South of Granite Creek to the Teton Range, East of the Teton
Range, South to Rock Springs Canyon, North of Rock Springs

Canyon, East to Fish Creek.

5-1 Alta
SD #17 All persons living West of the Teton Range,
HD #23 in Teton County, Wyoming, bounded on the
 West by the Wyoming State Line.

Adopted on the 1st day of May 2018.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Mark Newcomb, Chair

Attest: _____ (Seal)

Sherry L. Daigle, Teton County Clerk

4. Consideration of FY2018 9-Month Budget Amendment

Sherry Daigle, County Clerk, presented to the Board for consideration to adopt the proposed 9-month budget amendment for fiscal year 2018.

Discussion between the Board and staff included an explanation of Grant Fund 12.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to adopt the proposed 9- month budget amendment for FY18 as noticed on the Teton County Website and Jackson Hole News and Guide as presented today. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

6. Consideration of Bid - Design/Build Construction Contract – Recreation Center

Steve Ashworth, Director of Parks and Recreation, submitted to the Board for consideration the award of proposal and General Contractor for the Teton County/Jackson Recreation Center Design-Build, Parks and Recreation Department, to Aufderheide Construction Management (ACM). The recreation center expansion and renovation will occur in several phases. As dictated by the facility expansion and renovation plan, along with the Specific Purpose Excise Tax funding, the phases will include renovation and expansion of administrative offices and vestibule; renovation of front desk and lobby; renovation of locker room and expansion of family locker room; renovation of exterior stucco and roof interface; and replacement of aquatic slide and stairs. The not to exceed budget of design, management, general conditions and construction cost for the project is \$2,200,000.00, inclusive of alternates and contingencies.

Discussion between the Board and staff included proposed fees and lowest bid, and ability for changes to be made during construction.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Rhea to approve Award of Proposal/General Contractor, Teton County/Jackson Recreation Center Design-Build, Parks and Recreation Department, to Aufderheide Construction Management (ACM), and direct staff to return with a contract agreement between owner and design builder (AIA form A141 -2014) for consideration of approval at the next regular Board of County Commission meeting on May 15, 2018. Chair Newcomb 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: MSC2018-0014 – Hechinger, John W. Jr. & Deborah S. Trustees

Erin Weisman, Deputy County Attorney, presented to the Board for consideration of approval the findings of fact, conclusions of law and order granting exception to Pond/Berm Freeze Resolution 18-002 of a Miscellaneous Planning Request for John and Deborah Hechinger.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to approve the Findings of Fact, Conclusions of Law and Order granting exception to Pond/Berm Freeze Resolution 18-002 (MSC2018-0014) as presented. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

2. Applicant: JACKSON HOLE AIRPORT
Presenter: Kristi Malone
Permit No.: MSC2018-0021
Request: Waive all Building Permit Fees for the construction of a new rental car Quick Turn-Around Facility (BDC2018-0006), pursuant to finding 2.a and 2.b of the Teton County Fee Waiver Policy (Resolution 2014-054).
Location: Jackson Hole Airport

Kristi Malone, Associate Planner, presented to the Board for consideration to waive all building permit (BDC2018-0006) fees for the construction of a new rental car Quick Turn-Around Facility, pursuant to finding 2.a. and 2.b of the Teton County Fee Waiver Policy (Resolution 2014-054). The Jackson Hole Airport has submitted a Building Permit (BDC2018-0006) for construction of a new maintenance facility for onsite rental car services. The Building Permit was issued by the Building Official on March 11, 2018 after payment of \$39,445.39 in fees from the applicant. Jackson Hole

Airport is requesting that this fee be waived and reimbursed based on applicability of the Teton County Fee Waiver Policy. The fee waiver request applies to:

Building Permit Fee	\$22,997.81
Building Permit Plan Check Fee	\$14,948.58
Plumbing Permit Fees	\$ 586.00
Mechanical Permit Fees	\$ 913.00
Total	\$39,445.39

Discussion between the Board and staff included public parking at the airport, findings of facts, fees that have been waived in the past, and option of a partial fee waiver.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve Jackson Hole Airport's Fee Waiver Request MSC2018-0021 received March 13, 2018 for the \$39,445.39 of County fees associated with Building Permit BDC2018-0006, being able to make findings 2.a and 2.b of the Teton County Fee Waiver Policy (Resolution 2014-054). Chair Newcomb called for the vote. The vote showed 1-4 and the motion failed with Commissioner Rhea, Commissioner Macker, Commissioner Epstein, and Chair Newcomb opposed.

3. Applicant: MEAD, MARY LIMITED PART. ET AL
Presenter: Jennifer Kocher-Anderson
Permit No.: MSC2018-0011
Request: Annual review, as required by Section 6.1.11.K of the Teton County Land Development Regulations in effect on January 1, 2015, of the Mead Ranch reception/event site approved by Conditional Use Permit CUP2015-0004.
Location: 1200 Spring Gulch Road. Generally located on the west side of Spring Gulch Road, approximately 1 mile north of Highway 22. The property is zoned Rural-1 and is partially in the Natural and Scenic Resources Overlay.

Jennifer Anderson, Code Compliance Officer, presented to the Board for consideration the 2017 annual review of the Mead Ranch Event Site Conditional Use Permit, CUP2015-0004, pursuant to the Teton County Land Development Regulations Subsection 6.1.11.K.3.n, in effect when this permit was issued, which requires annual review of the approved event site by Teton County by the Board of County Commissioners to ensure compliance with the conditions of the permit. On October 16, 2015, Conditional Use Permit (CUP2015-0004) was approved by the Board of County Commissioners to allow for receptions/events at the Mead Ranch. The CUP allowed for 15 summer events and no winter events as was proposed by the Applicant. Additionally, a Use Management Plan, proposed by the applicant and approved by the Board, outlined the following:

- For events with over 100 guests, a shuttle program would be implemented.
- Amplified music to end at 9pm unless approved by the Ranch to not later than 10pm.

There were no conditions of approval.

Subsection 6.1.11.K.3.n of the LDRs under which the permit was issued, required that the applicant submit an annual report by January 31st of each year for three (3) years that includes the number of events that took place and noise decibel readings at the property boundary closest to the nearest residential development. Effective April 1, 2016, the LDRs were amended, specifically the Reception/Event section. Under the LDRs in effect at the time of permit issuance, October 15, 2016, Reception/Events were categorized under their own use category with very specific requirements, including this annual review. Under the current LDRs, an Outdoor Reception is classified under Open Spaces Uses, specifically Outdoor Recreation, which still requires a Conditional User permit in the new R1 zoning district.

Staff did review the Use Management Plan which outlined the following:

- For events with over 100 guests, a shuttle program would be implemented.
- Amplified music to end at 9pm unless approved by the Ranch to not later than 10pm.

Based on the report, two events had over 100 guests. The Jackson Hole Food & Wine Festival had 250 guests, however no shuttle program was used. The operator's affidavit indicated that there was an abundance of on-site parking so no roads or driveways were used for parking. The purpose of shuttling was to reduce the amount of traffic on Spring Gulch Road and Highway 22, which met the CUP findings specifically to minimize adverse impacts from nuisances. The second event, Outstanding in the Field, had the Four Seasons Hotel shuttle all guests. The one event with amplified music ended music at 9pm.

The outstanding matter is that one event was held with over 100 guests but did not implement a shuttle program as outlined in the applicant's Use Management Plan. This plan was proposed by the applicant and approved by the Board; therefore, it was not made a condition of approval of the Conditional Use Permit. In order to change the Use Management Plan, the applicant could do so by amending the CUP per Section 8.1.13. Amendment of Permits or Approvals.

The purpose of this annual review is to ensure compliance with conditions of approval and to address any potential negative impacts that may arise once the use is implemented. The Board may add conditions to the CUP to address potential impacts or issues. The following options are available to the Board of County Commissioners:

1. The Board can acknowledge that the Use Management Plan was not adhered to by the applicant this past event season but add no additional conditions or requirements. The Board of County Commissioners will review next year's annual report as it is the third year of reviews and ensure compliance with the approved Use Management Plan.
2. The Board can add a condition of approval to address the shuttling requirement such as *"For events with over 100 guests, a shuttle program shall be implemented to reduce traffic on Highway 22 and Spring Gulch Road."* This would formalize the requirement in a condition form. The Board of County Commissioners will review

next year's annual report as it is the third year of reviews and ensure compliance with the approved Use Management Plan and new condition.

3. The Board could proceed with revocation of the CUP per Section 8.9.3 Revocation or Suspension of Permit. A permit can be revoked or suspended if use violates the terms or conditions of the permit approval. A separate hearing is required for this option.

Discussion between the Board and staff included clarification of the proposal, and ramification of non-compliance.

Katherine Mead discussed with the Board the shuttle service use for events and weddings.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to acknowledge that the 2017 Mead Ranch annual review, approved under CUP2015-0004 with no conditions, is not compliant for the year 2017 with the requirements of the approved Conditional Use Permit, with no further conditions or requirements. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:08am and reconvened at 10:21am.

MATTERS FROM COMMISSIONERS

- A. The Board discussed their need for a meeting with START and Town of Jackson regarding services.
- B. **Calendar Review.** The Board reviewed their weekly calendars.

ADJOURN

A motion was made by Commissioner Vogelheim and seconded by Commissioner Macker to adjourn. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 9:18am.

Respectfully submitted,

Kellie Dickerson
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