

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

The Teton County Board of Commissioners met in regular session on **May 19, 2020** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:01am and the Pledge of Allegiance was recited.

ROLL CALL

County Commission: Natalia Macker Chair, Greg Epstein Vice-Chair Mark Barron, Mark Newcomb, and Luther Propst were present.

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt today's agenda as presented. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

MINUTES

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the **05/04/2020, 05/05/2020, 05/07/2020 Special, 05/11/2020 Voucher, 05/11/2020 Budget, and 05/12/2020 Budget** minutes. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

CONSENT AGENDA

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

2. Consideration of Approval of the Wildland Fire Management Annual Operating Plan for 2020
4. Consideration of Approval of the Cost Share Agreement for the Museum Fire
5. Consideration of Approval of the Cost Share Agreement for the Saddle Butte Fire
6. Consideration of Approval of Amendment 2 to the Contract with Nelson Engineering for the Water System Improvement at the Trash Transfer Station
7. Consideration of Approval of Notice of Award to Fire Services of Idaho, Inc. for Recycling Center Fire System Upgrade Design

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

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

MATTERS FROM COMMISSION AND STAFF:'

2. Consideration of Approval of the Wildland Fire Management Annual Operating Plan for 2020

To approve the 2020 Wildland Fire Management Annual Operating Plan.

4. Consideration of Approval of the Cost Share Agreement for the Museum Fire

To approve the Cost Share Agreement between Teton County and US Fish and Wildlife National - Elk Refuge.

5. Consideration of Approval of the Cost Share Agreement for the Saddle Butte Fire

To approve the Cost Share Agreement between Teton County and the Wyoming State Forestry Division.

6. Consideration of Approval of Amendment 2 to the Contract with Nelson Engineering for the Water System Improvement at the Trash Transfer Station

To approve Amendment #2 to the County's Contract with Nelson Engineering for engineering support, construction inspection and administration in time and materials costs not to exceed \$23,700, for a total contract amount of \$119,700.

7. Consideration of Approval of Notice of Award to Fire Services of Idaho, Inc. for Recycling Center Fire System Upgrade Design

To approve the Recycling Center Fire Suppression System Inventory and Engineering Notice of Award and Contract with Fire Services of Idaho, Inc. for a total project cost of \$9,000.00.

DIRECT CORRESPONDENCE

1. Kathy Harrington 4/28/2020 email regarding COVID-19
2. Holly McKinney 4/28/2020 email regarding COVID-19
3. Robbi Farrow 4/28/2020 email regarding COVID-19
4. Maurine Karabatsos 4/29/2020 email regarding Feminine Hygiene Products
5. Jean Barash 4/29/2020 email regarding Feminine Hygiene Products
6. Peter Stiegler 4/29/2020 email regarding Property Taxes
7. Foster Friess 4/29/2020 email regarding COVID-19
8. Deborah Herron 4/29/2020 email regarding COVID-19
9. Maury Jones 4/30/2020 email regarding COVID-19
10. Jeremy Walker 4/30/2020 email regarding Fire in the Mountains Update
11. Steve Robertson 4/30/2020 email regarding Comprehensive Plan
12. Mark Schweizer 4/30/2020 email regarding Teton County's Economy
13. Lori Fields 4/30/2020 email regarding Feminine Hygiene Products
14. Diane Winder 4/30/2020 email regarding Feminine Hygiene Products
15. Jim Lewis 4/30/2020 email regarding M.Newcomb Guest Shot - Property Taxes
16. Maggie Land 4/30/2020 email regarding Feminine Hygiene Products
17. Shannon Gutwein 4/30/2020 email regarding COVID-19
18. Andrea Rosenthal 5/1/2020 email regarding Feminine Hygiene Products
19. Maggie Hunt 5/1/2020 email regarding Feminine Hygiene Products

20. Corey Milligan 5/1/2020 email regarding Teton Pass Parking Closure
21. Jimbo Wood 5/1/2020 email regarding COVID-19
22. Klair Van Slyke 5/1/2020 email regarding COVID-19
23. Andrea Riniker 5/1/2020 email regarding Special Event LDRs
24. TJ McCann 5/2/2020 email regarding Spring Gulch Road Paving
25. Susan Marsh 5/2/2020 email regarding 7th Penny Tax
26. Matt Faupel 5/3/2020 email regarding Tribal Trail Connector
27. Bob and Debby Malheiro 5/3/2020 email regarding BUILD Grant
28. Amber Hoover 5/3/2020 email regarding COVID-19
29. Skye Schell, Jackson Hole Conservation Alliance 5/3/2020 email regarding 7th Penny Tax
30. Leah Shlachter 5/3/2020 email regarding 7th Penny Tax
31. Mickey Babcock 5/4/2020 email regarding AMD2020-0001
32. Chris Greene 5/4/2020 email regarding CenturyLink Outage
33. Shane Rothman 5/4/2020 email regarding 7th Penny Tax
34. Katie Matthies 5/4/2020 email regarding AMD2020-0001
35. Geneva Chong 5/4/2020 email regarding Snow King Master Plan and CUP
36. Matt Faupel 5/4/2020 email regarding Growth Management Plan / Comp Plan / Northern South Park
37. Liz Brimmer 5/4/2020 email regarding Northern South Park
38. Julie Dery 5/4/2020 email regarding 7th Penny Tax
39. Shelby Read 5/4/2020 email regarding 7th Penny Tax
40. Karen Daubert 5/4/2020 email regarding 7th Penny Tax
41. Tessa Johnson 5/4/2020 email regarding COVID-19
42. Paul Perry 5/5/2020 email regarding AMD2020-0001
43. Judge Jim Radda, Circuit Court of the Ninth Judicial District 5/5/2020 email regarding Updated Circuit Court COVID-19 Order
44. Rosie Read, Climb Wyoming 5/5/2020 email regarding Climb Wyoming COVID-19 Update
45. Chris Greene 5/7/2020 email regarding CenturyLink Outage
46. Cara Rank 5/7/2020 email regarding COVID-19
47. Jared Baecker, Snake River Fund 5/7/2020 email regarding COVID-19
48. Tracy Glazner 5/8/2020 email regarding Special Event LDRs
49. Morgan Jaouen, Jackson Hole Historical Society 5/8/2020 email regarding Update from JH Historical Society and the COVID19 Archive
50. Dan Verbeten 5/9/2020 email regarding FW: BUILD Grant and Teton Pass Trail
51. Dick Aurelio 5/11/2020 email regarding Tribal Trail Connector
52. Tim Young, Wyoming Pathways 5/10/2020 email regarding BUILD Grant
53. Mary Kate Buckley, Jackson Hole Mountain Resort 5/11/2020 email regarding BUILD Grant
54. Melissa Turley, Teton Village Association 5/11/2020 email regarding BUILD Grant
55. Barbara Allen 5/11/2020 email regarding COVID-19
56. Susan Durfee, Central Wyoming College 5/11/2020 email regarding Budget Request
57. Patrick Starich 5/12/2020 email regarding Property Taxes
58. Sherry L. Daigle, County Clerk 5/14/2020 email regarding Letter of Resignation

PUBLIC COMMENT

Public comment was given by Johnny Ziem, Town of Jackson Public Works Department, regarding a proposed capital project – South Park Wetlands Project - at the Wastewater Treatment Plant.

Public comment was given by Brooke Sausser, Jackson Hole Conservation Alliance, regarding Northern South Park and the Tribal Trail Connector Road.

Public comment was given by Martin Grenier, Ducks Unlimited, regarding the South Park Wetlands Project.

MATTERS FROM COMMISSION AND STAFF:

1. Consideration of Approval of Public Restrooms Custodial Services Contract

Steve Ashworth, Director of Parks and Recreation, presented to the Board for consideration of approval a one-year contract extension to White Glove Cleaning Service for restroom cleaning services for fiscal year 2021. This contract covers the cleaning services for the restroom facilities managed by the Parks and Recreation Department. These include the year-round downtown restrooms, seasonal athletic fields, parks and boat ramp facilities. This service was solicited through a formal bid process in fiscal year 2019. The Department split the bid request into Base Bid A: Year-Round Town Restrooms and Base Bid B: Seasonal Restrooms. The Department received only one completed bid, from White Glove Cleaning Services. The unique challenges we currently face related to distancing, cleaning standards and timing of contract renewal (July 1) leads staff to believe that changing contractors at this time is not in the best interest of public safety. For this reason, and White Glove's successful execution of prior contracts, staff is requesting an extension of the current contract with some changes. White Glove Cleaning Services has proposed no increase in cleaning rates on any Town or Seasonal restrooms for the coming year. Due to the Covid-19 outbreak and associated loss of visitation, Parks & Recreation staff has evaluated service levels with White Glove is proposing a decrease in service levels for the coming year based on the expectation of reduced visitation and user groups. All restrooms will continue to be cleaned on a regular basis; however, number of visits will decrease per day or per week to reflect decreased usage. Town owned restrooms will go from 4 visits a day during peak season to 3 visits per day. Seasonal restrooms were evaluated individually based on location and usage. Seasonal restrooms will maintain current levels of service on the weekend as in years past and reduce the cleaning frequencies during the week by an average of 2 visits per week. Staff is confident that we can maintain clean, safe, functional, and accessible restrooms under this contract. White Glove has committed to working with Parks & Recreation if there is a need to adjust service levels during the term of the contract.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve extending the Public Restroom Custodial Contract with White Glove Cleaning Services for fiscal year 2021, in the amount of \$125,780.44. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

3. Consideration of Approval to Adopt the Wyoming Region 8 Hazard Mitigation Plan

Rich Ochs, Emergency Management Coordinator, presented to the Board for consideration of approval a resolution to adopt the Wyoming Region 8 Hazard Mitigation Plan. To best protect our community and qualify for funds to assist with hazard mitigation projects, we must have an approved and current Hazard Mitigation Plan (HMP) on file with FEMA and the Wyoming Office of Homeland Security. The Wyoming Office of Homeland Security provided funds to have us create a whole-community mitigation plan with the help of a planning contractor. In cooperation with Michael Baker International, we have created an HMP with whole-community input that has been preliminarily approved by FEMA.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to adopt the Wyoming Region 8 Hazard Mitigation Plan and approve the Wyoming Region 8 Hazard Mitigation Plan Adoption Resolution. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

8. Consideration of Approval of Revocation of Delegation of Authority to Unified Command for COVID-19 Response

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval a Revocation of Delegation of Authority for COVID-19 Response. Teton County and the Town of Jackson follow the Incident Command System of the National Incident Management System. In an emergency, an incident commander is named, or in this response for COVID-19, a unified command was created. The Unified Command is made up of:

Fire Chief Brady Hansen
Jodie Pond, Director, Teton County Health Department
Sheriff Matt Carr
Police Chief Todd Smith

The Unified Command has been directing the county and town response to COVID-19 since March 16, 2020. The Teton District Health Officer has been advising and collaborating with the Unified Command throughout the delegation of authority but retains his own statutory authorities.

The Unified Command has determined after consultation with the Teton District Health Officer, that the Unified Command can stand down as of May 20, 2020. The Unified Command can be re-instated by the Jackson Town Council and Teton County Board of County Commissioners at a later date if needed.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Resolution for Revocation of Delegation of Authority for COVID-19 Response. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

9. Consideration of Declaration of Vacancy in the Office of the Teton County Clerk and Approval of a Letter to the Teton County Republican Party

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval a Declaration by the Board of County Commissioners of a vacancy in the Office of County Clerk and approval of letter to the Chairman of the Teton County Republican Party. Sherry L. Daigle has held the position of Teton County Clerk since December 1, 1998. On May 14, 2020, Sherry L. Daigle, the Teton County Clerk notified the Teton County Board of County Commissioners by letter that she would be resigning as the Teton County Clerk, with her office becoming vacant as of June 1, 2020.

Pursuant to Wyoming Statute §22-18-101 a vacancy is deemed to occur when the incumbent resigns. When a vacancy occurs in the Office of the County Clerk the process to fill the position is as follows:

1. The Board of County Commissioners must officially declare the position of the Teton County Clerk to be vacant as of June 1, 2020. (W.S. §22-18-102).
2. The Board of County Commissioners shall immediately notify in writing the chairman of the county central committee of the political party which the last incumbent represented at the time of her election, of the vacancy. (W.S. §22-19-111(a)(ii)). The current incumbent in the Office of County Clerk was elected during the General Election of 2018 as a Republican. Thus, the Chairman of the Teton County Republican Party should be notified.
3. The Chairman of the Teton County Republican Party shall call a meeting of the Teton County Republican Central Committee to be held no later than fifteen (15) days after he receives notice of the vacancy. (W.S. §22-19-111(a)(ii)).
4. At the meeting, the County Republican Central Committee shall select and transmit to the Teton County Board of County Commissioners the names of three (3) persons qualified to hold the office. (W.S. §22-19-111(a)(ii)).
5. Within five (5) days after receiving these three (3) names, the Teton County Board of County Commissioners shall fill the vacancy by appointment of one (1) of the three (3) to hold office. (W.S. §22-19-111(a)(ii)).
6. The person appointed shall serve the remainder of the term which ends on the first Monday of January 2023. The position of Teton County Clerk shall be on the 2022 General Election ballot. (W.S. §22-18-111(a)).

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to declare the elected office of the Teton County Clerk to be vacant as of June 1, 2020 and I further move for the Board of County Commissioners to send the notification letter attached to the Teton County Republican Party Chairman. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING & DEVELOPMENT:

1. Applicant: AJL DUERSCH, LLC **POSTPONED TO THE JULY 7, 2020 BCC HEARING**
Presenter: Chandler Windom
Permit No.: DEV2016-0002
Request: Request for a 7-Unit Subdivision Planned Residential Development pursuant to Section 2320 of the 4th Printing of the 1994 LDRs.

Location: The subject property is located east of N State Line Road in Alta. The land is zoned Rural and is not within any overlays.

2. Applicant: AJL DUERSCH, LLC & PWD DUERSCH, LLC **POSTPONED TO THE JULY 7, 2020 BCC HEARING**

Presenter: Chandler Windom

Permit No.: EAS2019-0002

Request: Request to accept a new easement to the Teton County Scenic Preserve Trust to allow approval of a Planned Residential Development.

Location: The subject property is located east of N State Line Road in Alta. The land is zoned Rural and is not within any overlays.

The above-referenced applications, DEV2016-0002 and EAS2019-0002, were scheduled to be heard before the Board of County Commissioners at their May 19, 2020 meeting. However, the applicant requested to postpone the public hearings until such time that meetings are to be held in person. The Planning Commission has postponed DEV2016-0002 to be heard at their June 8, 2020 meeting.

Staff respectfully requests that the Board postpone these items to their **July 7, 2020** hearing, so the applicant and public can attend in person.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to postpone DEV2016-0002 to the July 7, 2020 BCC Hearing. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to postpone EAS2019-0002 to the July 7, 2020 BCC Hearing. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

EXECUTIVE SESSION

There was no executive session today.

MATTERS FROM COMMISSION

1. Commissioner Epstein brought up discussion regarding large events within Teton County. Keith Gingery, Deputy County Attorney, addressed the Board regarding current procedures for these events based on state issued health orders.
2. Commissioner Epstein brought up discussion regarding the Fire in the Mountains 2021 and the future of this event.
3. Commissioner Epstein brought up discussion regarding the contractor's choice for the climbing gym consultant.

The meeting was recessed at 10:10am and reconvened at 10:22am.

4. Other Budget Discussion as Needed

a. Capital Requests

- i. Public Works - Tribal Trail
- ii. Facilities - Courthouse Security Measures
- iii. Fair - Heritage Arena Restrooms Addition
- iv. Planning - CityView Online Submission
- v. Road & Levee - Hoback Junction South Road Slope Repair
- vi. Information Technology - Datacenter Expansion
- vii. Sheriff's Office – Cisco VOIP Update
- viii. Sheriff's Office – Dispatch #1 Radio System Consultants
- ix. Facilities – Jail Critical Operations Power System
- x. Information Technology – County Fiber Infrastructure
- xi. Fire/EMS – Auto Chest Compression Device
- xii. Parks & Recreation – Holder Tractor Replacement
- xiii. Housing – Workforce Housing Supply

b. Community Development

- i. Water Quality
- ii. Children's Museum

c. Operations

- i. Health Department – Temp Help for Flu Season, Crisis Messaging, Immunizations, EH Expenses
- ii. Parks & Recreation – Public/Park Restroom Hand Sanitizer, Park Shop/Housing Landscape and Yard Fence
- iii. Human Resources – Recruiting/Retention/Compensation – Market Survey, Training & Development – Workforce Development
- iv. Facilities – EOC Fan Coil, Jail Roof, CLC Rafter J, Maintenance Contracts

The meeting was recessed at 12:03pm and reconvened at 1:32pm.

- v. Road & Levee – Guard Rail Repair, Survey Data Collector, Chip Sealing
- vi. ISWR – Operations - PBRO Education and Outreach, Advertising, Community Partnerships, Baler Upgrade, Small Sort System
- vii. Public Works – 3 Tablets and Service for 3 Tablets (Inspectors), TDM Software, South Park Transportation, Teton County Logowear for Staff, Water Dispenser
- viii. Housing – Operations for Data Tracking, Project Development and Program Development Expertise; Capital – Housing Supply Plan to take advantage of opportunities as they arise
- ix. Pathways – Operations – Professional Services, Printing and Publishing, Transportation Choice; Capital – signage and Pavement Marking, South Park Root Repair, Melody Internal Repair
- x. TOJ Underages for Jointly Funded Departments – Fire/EMS, Parks & Recreation, Dispatch, Emergency Management, Planning

- xi. Planning – Northern South Park, LDR Revisions, Transportation, Aspens East, Aspens PUD, Hog Island, Transportation Demand Management, Transportation Consulting Services, Online Plans Submission
- xii. Emergency Management – Travel & Training, Emergency Operations Plan Re-write
- xiii. Facilities Maintenance Contracts

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 3:16pm.

Respectfully submitted,

Shelley Fairbanks
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chair

Greg Epstein, Vice-Chair

Mark Barron

Mark Newcomb

ATTEST:

Luther Propst

Sherry L. Daigle, County Clerk