



Board of County Commissioners - Staff Report

Meeting Date: August 26, 2024

Submitting Dept: Public Works

Presenter: Christopher Peltz

Subject: Consideration of a Resolution to Establish a Water Quality Advisory Board and a Water Quality Technical Working Group

Statement / Purpose: To consider a resolution to establish a Water Quality Advisory Board and a Water Quality Technical Working Group.

Background / Description (Pros & Cons): The Water Quality Management Plan (WQMP) recommends the establishment of a Water Quality Advisory Board (WQAB). Public Works Staff supports this recommendation and recognizes the importance of this board in assisting with developing strategic priorities and informing and balancing financial trade-offs. The WQAB is a public venue where projects, initiatives, and policies can be discussed and evaluated before a recommendation is proposed to elected officials.

Following is the manner in which the WQAB will be involved in guiding projects and priorities: Staff generally expects projects, initiatives, and policy recommendations to originate internally or from a sponsor. Priority will be given to recommendations outlined in the WQMP or directly related to those recommendations. Feedback will be sought from the staff-led Water Quality Technical Working Group. As the idea is developed with input and feedback, staff will present the information to the WQAB for further deliberation and feedback. Following these steps, the item(s) will be presented by Public Works staff to the BCC for consideration, including the recommendation of the WQAB. The deliberations held by the WQAB will be important for developing and providing advice to the BCC regarding water quality projects.

The WQAB will advise the BCC. Additionally, staff anticipates that the WQAB will assist staff through deliberations that broaden the understanding of a project's impacts, helping identify funding sources, proposing coordination with other entities and, through coordination with Public Works Staff, directly assist the project sponsor where members of the WQAB have specific expertise.

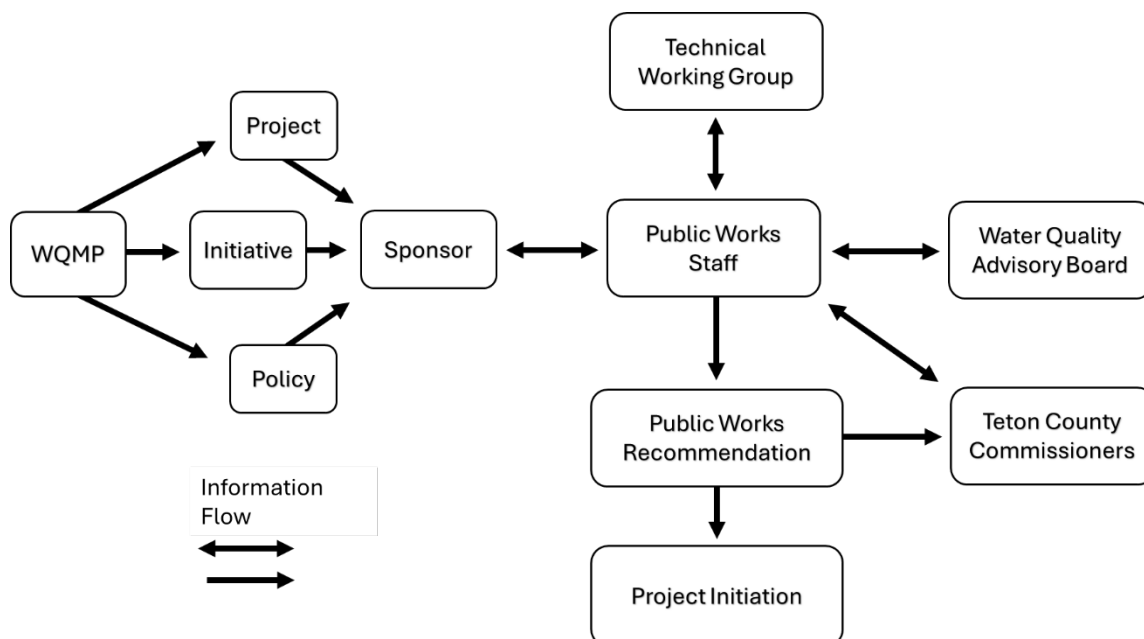


Figure 1. Information flows for water quality projects, policies, and initiatives identified in the WQMP.



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Staff expects that deliberations conducted during the WQAB meetings will lead to better projects. Given the proposed qualifications of the board members, the WQAB could provide recommendations that might reduce costs, identify funding opportunities, and/or coordinate with other projects or initiatives.

Based on direction from the BCC at previous public meetings, Public Works staff recommends the following:

1. The WQAB will focus on big picture/long-term goals, prioritizing human and natural resource health.
2. The WQAB will assist Teton County Public Works staff with evaluating and providing recommendations to improve water quality initiatives and projects.
3. The WQAB will assist Teton County Public Works staff with developing strategic priorities, informing and balancing financial trade-offs, and contributing to a process through which future water quality improvement projects are evaluated openly and equitably.

Board Composition/Terms:

1. Residents of Teton County.
2. Appointed by the Teton County Board of County Commissioners, with seats reserved for individuals with a strong interest, knowledge, and significant experience in water quality, hydrology, land-use planning, engineering, public health, infrastructure planning, and regulatory understanding to ensure the board's expertise and capability.
3. The Board of County Commissioners will strive to include a Town of Jackson resident and current board member of a water, sewer, water and sewer, or improvement and service district, and a representative from a non-profit.
4. Comprised of not less than five (5) and no more than seven (7) members.
5. Appointed to terms of office, with term length being (3) three years. County Commissioners will appoint board members to staggered multiple-year terms.
6. Board members are limited to serving no more than two (2) consecutive terms.
7. Board officers to include one (1) chairperson, one (1) vice-chair, and one (1) secretary.
8. The term of board officers shall be one (1) year.

All the above will be incorporated into draft bylaws, which will be considered and adopted by the WQAB once appointed.

Water Quality Technical Working Group (WQTWG)

The establishment of an additional working group, comprised of members assigned by the Directors of Teton County Public Works, Town of Jackson Public Works, Teton County Public Health, and Teton Conservation District, is proposed.

This group differs from the WQAB in that it is limited to staff from Teton County (Public Works, Public Health, Conservation District) and the Town of Jackson, and has as its overall purpose inter-agency communication, coordination, technical assistance, and reporting for each entity's various governing bodies. Staff from the three governmental agencies have been authorized to officially participate in this working group.

The key difference between the staff working group and the BCC-appointed advisory board is that the working group focuses primarily on inter-agency communication and implementation planning. In contrast, the advisory board will provide a public venue where projects, policies, or initiatives can be deliberated and evaluated, with a focus on how individual projects might be improved and recommendations to the Board of County Commissioners.



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WQTWG

Composition: Staff from Public Works, Public Health, Teton County Conservation District, Town of Jackson

Role: Facilitate inter-agency communication, project coordination, progress reporting, and implementation planning. Provide advice to Teton County Public Works staff.

Appointed by: Directors of the participating entity.

Meets: bi-monthly or as needed.

WQAB

Composition: Teton County residents with a strong interest, knowledge, and experience in water quality, hydrology, land-use planning, engineering, public health, infrastructure planning, and regulatory understanding.

Role: Assist Public Works staff with evaluating various water quality projects, initiatives, and policies outlined in the Water Quality Management Plan. Provide recommendations to BCC.

Appointed by: Board of County Commissioners

Meets: Monthly or as needed.

Stakeholder Analysis & Involvement: During the initial scoping process and development of the WQMP, many interested parties were identified and contributed to the process and final WQMP. Staff considers this the next step in the process of interested party involvement.

Fiscal Impact: Staff expects minor fiscal impact during the WQAB's initial meetings related to the hiring of a facilitator to assist with the process, to be expended from the Fund 37 Water Quality line item.

Staff Impact: Establishing and facilitating a WQAB will involve staff resources. Staff will be closely involved with establishing, leading and supporting the board.

Legal Review: Gingery

Staff Input / Recommendation: Staff recommends the BCC adopt the resolution establishing the Water Quality Advisory Board and the Water Quality Technical Working Group.

Attachment:

- Resolution establishing the Water Quality Advisory Board and the Water Quality Technical Working Group
- Resolution redline based on changes discussed at August 6, 2024 BCC meeting

Suggested Motion: I move to approve the Resolution to establish a Water Quality Technical Working Group and a Water Quality Advisory Board.

**RESOLUTION ESTABLISHING THE
TETON COUNTY
WATER QUALITY ADVISORY BOARD**

WHEREAS, the Teton County Board of County Commissioners adopted the Teton County Water Quality Management Plan on June 4, 2024; and

WHEREAS, in order to implement the Teton County Water Quality Management Plan, the Teton County Board of County Commissioners approved the Water Quality Summary Action Plan on June 4, 2024; and

WHEREAS, as part of the Water Quality Summary Action Plan, one of the plan's first recommended action items is to create a Water Quality Advisory Board (WQAB). The action is identified as an essential early step for implementing the Water Quality Management Plan. Specifically, the WQAB would assist Public Works staff in developing strategic priorities, informing and balancing financial trade-offs, and contributing to a process in which future projects can be evaluated openly and equitably; and

WHEREAS, the Teton County Board of County Commissioners desires to form an advisory board to advise the Teton County Board of County Commissioners as to (1) defining a vision for the protection of water resources, (2) recommending projects for a county water quality cost-share program, including multi-year projects, (3) recommending potential revenue sources, (4) recommending long term goals prioritizing human and natural resource health, and (5) providing other recommendations as requested by the Board of County Commissioners; and

WHEREAS, the Teton County Board of County Commissioners also desires to form the Teton County Water Quality Technical Working Group to assist and advise the Teton County Public Works Department. The Teton County Water Quality Working Group will facilitate inter-agency coordination, provide technical assistance, facilitate project development, and facilitate progress reporting. The selection of members to the Teton County Water Quality Working Group will be informal, with the Director of the Teton County Public Works Department selecting members as he/she determines best assists the Teton County Public Works Department to complement and best inform specific projects. Membership will include, at a minimum, staff from the Teton County Public Works Department, the Teton County Public Health Department, and the Teton Conservation District. The Working Group's central focus will be to advise and assist the Director of the Teton County Public Works Department in how best to complete projects and initiatives. The Working Group will contribute to the technical aspects of project implementation and review reporting for project management. The Working Group will assist in identifying who should be invited to participate in various Water Quality Management Plan initiatives and also assist in reviewing the 5-year technical update to the Water Quality Management Plan; and

WHEREAS, it is contemplated that the Teton County Water Quality Technical Working Group will assist and advise the Director of the Teton County Public Works Department. The Teton County Public Works Department shall provide staffing assistance to the Teton County Water Quality Advisory Board. And the Teton County Water Quality Advisory Board will provide advice and recommendations to the Teton County Board of County Commissioners, as requested.

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

RESOLVED, to create an advisory board called the "Teton County Water Quality Advisory Board" (hereinafter referred to as the "advisory board"); and

IT IS FURTHER RESOLVED, that the advisory board shall have no powers and shall serve solely in an advisory capacity to the Board of County Commissioners of Teton County; and

IT IS FURTHER RESOLVED, the advisory board shall receive staffing assistance from the Teton County Public Works Department; and

IT IS FURTHER RESOLVED, the advisory board shall comply with all provisions of the State of Wyoming open meeting laws and meet at least quarterly throughout the year; and

IT IS FURTHER RESOLVED, the advisory board shall be comprised of 5 or 7 members as determined by the Teton County Board of County Commissioners and the members shall be appointed by the Teton County Board of County Commissioners. The members of the advisory board shall serve 3-year terms and the initial members' terms shall be staggered. Members can only serve two (2) consecutive terms. The initial board shall be comprised of 7 members, with 2 members serving a one-year term, 2 members serving a two-year term, and 3 members serving a three-year term; and

IT IS FURTHER RESOLVED, that members of the advisory board are required to be residents of Teton County, Wyoming; and

IT IS FURTHER RESOLVED, that members of the advisory board shall be chosen based on their strong interest, knowledge, and significant experience in water quality, hydrology, land-use planning, engineering, public health, infrastructure planning, or water regulatory knowledge. Though not required, the Teton County Board of County Commissioners will strive to include on the advisory board a resident of the Town of Jackson, a current board member or representative of a water, sewer, water and sewer, improvement and service district, and a board member or representative of a water quality issue-oriented public interest group.

IT IS FURTHER RESOLVED, that the initial advisory board shall adopt by-laws that include the election of board officers (Chair, Vice-Chair, and Secretary) with an annual election of board officers; and

IT IS FURTHER RESOLVED, that the Director of the Teton County Public Works Department is authorized to create and form the Teton County Water Quality Technical Working Group with staff from the Teton County Public Works Department, Teton County Public Health Department, City of Jackson Public Works Department, representatives from the Teton Conservation District, and others selected by the Director of the Teton County Public Works Department as is determined by need. The Working Group will be an advisory group for the Director of the Teton County Public Works Department to assist with prioritizing and implementing the Water Quality Management Plan. The Working Group will assist with the review of the Water Quality Management Plan recommended 5-year technical update; provide technical assistance and strategic advice regarding implementing identified Water Quality Actions; assist with project coordination; meet annually to develop a work plan to prioritize projects for the next fiscal year; identify potential partnerships and joint projects; provide input on the annual progress report; and provide short term and long-term goals. The Working Group shall meet upon the call of the Director of the Teton County Public Works Department and shall be non-public staff meetings.

Dated this ____ day of _____, 2024

TETON COUNTY, WYOMING

Luther Propst, Chair
Teton County Board of County Commissioners

Attest:

Maureen E. Murphy, Teton County Clerk

**RESOLUTION ESTABLISHING THE TETON COUNTY WATER QUALITY
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WHEREAS, the Teton County Board of County Commissioners adopted the Teton County Water Quality Management Plan on June 4, 2024; and

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WHEREAS, as part of the Water Quality Summary Action Plan, one of the plan's first recommended action items ~~was~~ is to create a Water Quality Advisory ~~Committee~~ Board (WQAB). The action ~~was~~ is identified as an essential early step in the implementation of the Water Quality Management Plan. Specifically, ~~that the Water Quality Advisory Board~~ WQAB would assist Public Works staff in developing strategic priorities, informing and balancing financial trade-offs, and contributing to a process in which future projects can be evaluated openly and equitably. ~~To achieve this, the Water Quality Advisory Board will utilize an evaluation process guided by parameters identified in the Water Quality Management Plan, such as the location's vulnerability, relation to surface and aquifer protection overlays, and potential human health impacts;~~ and

WHEREAS, the Teton County Board of County Commissioners desires to form an advisory board to ~~give advice to~~ advise the Teton County Board of County Commissioners as to (1) defining a vision for protecting water resources, (2) recommending ing projects for a county water quality cost-share program, including multi-year projects, ~~(3) to develop a scoring criteria and evaluate various water quality initiatives and projects,~~ ~~(34)~~ recommending ing and ~~assist with~~ potential revenue sources, (5) recommending ing long term goals prioritizing human and natural resource health, and (6) providing other recommendations as requested by the Board of County Commissioners; and

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WHEREAS, it is contemplated that the Teton County Water Quality Technical Working Group will assist and advise the Director of the Teton County Public Works Department. The Teton County Public Works Department shall provide staffing assistance to the Teton County Water Quality Advisory Board. And the Teton County Water Quality Advisory Board will provide advice and recommendations to the Teton County Board of County Commissioners, as requested.

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Dated this ____ day of _____, 2024

TETON COUNTY, WYOMING

Luther Propst, Chair
Teton County Board of County Commissioners

Attest:

Maureen E. Murphy, Teton County Clerk