

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

The Teton County Board of Commissioners met in regular session on **February 4, 2020** 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 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 Newcomb to adopt the agenda for Tuesday, February 4, 2020 with the change to the Consent 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 **1/21/2020** and **1/27/2020** 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 Newcomb and seconded by Commissioner Epstein to place the following Matters from Staff on a Consent Agenda:

1. Consideration of Approval of WCCA Workers' Compensation County Employer Group Proposal  
**CONTINUED FROM JANUARY 21, 2020**
2. Consideration of Approval of Jail Food Service Contract
3. Consideration of Approval of Law Enforcement Agreement with Bridger-Teton National Forest
4. Consideration of Approval of Application for 2022 Community Juvenile Service Board Grant
5. Consideration of Approval of for Use of Contingency Funds for Door Locks

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 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:**

1. Consideration of Approval of WCCA Workers' Compensation County Employer Group Proposal  
**CONTINUED FROM JANUARY 21, 2020**

To approve the WCCA County Employer's Group Resolution and Certification and enter a collective employer group with participating Counties.

**2. Consideration of Approval of Jail Food Service Contract**

To approve Amendment No. 4 to the Food Service Contract between Teton County and CBM Managed Services for the food service operation at the Teton County Detention Center for a term beginning on February 4, 2020 effective through June 30, 2020.

**3. Consideration of Approval of Law Enforcement Agreement with Bridger-Teton National Forest**

To approve the Annual Financial and Operating Plan between the Teton County Sheriff's Office and the USDA, Forest Service, Bridger-Teton National Forest.

**4. Consideration of Approval of Application for 2022 Community Juvenile Service Board Grant**

To approve the Resolution Authorizing Submittal of the Community Juvenile Services Board Grant Application to the State of Wyoming.

**5. Consideration of Approval of for Use of Contingency Funds for Door Locks**

To approve the use of \$50,000 of contingency funds to pay for the replacement of door lock hardware throughout various County buildings. I further move to sole source the locks purchase and installation to ABS because they are the only regional distributor of Schlage Primus products.

**DIRECT CORRESPONDENCE**

1. Mark Newcomb, County Commissioners 1/14/2020 email regarding Honoring Frank Johnson - TCHPB
2. Thomas Markovits 1/15/2020 email regarding JHGT / Vail Resorts
3. Linda Markovits 1/15/2020 email regarding JHGT / Vail Resorts
4. Amberley Baker 1/15/2020 email regarding Four Shadows Construction Staging Area
5. Andrew Bowen, Planning & Development 1/15/2020 email regarding Four Shadows Construction Staging Area
6. Dorie Schwertz 1/16/2020 email regarding JHGT / Vail Resorts
7. Charles S. O'Mara 1/16/2020 email regarding Cody Lane
8. Don Frank 1/16/2020 email regarding Four Shadows Construction Staging Area
9. Leslie Steen 1/16/2020 email regarding Workshop - Streambank Stabilization / Bioengineering Methods
10. Tim and Judy Heffernan 1/16/2020 email regarding JHGT / Vail Resorts
11. Department of Revenue 1/17/2020 letter regarding 2020 Property Tax Appraiser Certifications
12. Eric McClees 1/17/2020 email regarding JHGT / Vail Resorts
13. David Kelemen Jr 1/17/2020 email regarding Cody Lane

14. Walker Harman 1/17/2020 email regarding Cody Lane
15. Arthur Miller 1/17/2020 email regarding JHGT / Vail Resorts
16. Skye Schell, Jackson Hole Alliance 1/17/2020 email regarding Joint letter requesting conservation staff position
17. Tim O'Donoghue 1/17/2020 email regarding Joint letter requesting conservation staff position in your next budget
18. Bob Halper 1/17/2020 email regarding JGHT / Vail
19. Mark Sullivan 1/17/2020 email regarding Four Shadows Construction Staging Area
20. Mary Bergeron 1/18/2020 email regarding Tribal Trail Pathway
21. Charles Hutson 1/18/2020 email regarding JHGT / Vail Resorts
22. Robert Macginnis 1/18/2020 email regarding Cody Lane
23. Kim Stertzer 1/19/2020 email regarding Lucas-Hansen Levee Project
24. Patrick Hattaway 1/20/2020 email regarding Rains Property
25. Stan Zaist 1/20/2020 email regarding Four Shadows Construction Staging Area
26. Amy McCarthy, Teton Raptor Center 1/20/2020 email regarding Historic Building Text Amendment AMD2019-0007
27. Robert Barone 1/20/2020 email regarding Cody Lane
28. Melissa Turley, Teton Village Association 1/21/2020 email regarding Four Shadows Construction Staging Area
29. Russell Scott 1/21/2020 email regarding Fire in the Mountains
30. Marcy Deeds, Shield 616 1/21/2020 email regarding Donation of rifle-rated gear for your Teton County Sheriff's Officers
31. Tom Segerstrom, Teton Conservation District 1/21/2020 email regarding request for a conservation staff position
32. Bill McPeak 1/23/2020 email regarding Transfer of Funds (Capital Projects)
33. Marylee White 1/27/2020 email regarding Hwy 22 Pathway
34. Keith Benefiel 1/27/2020 email regarding Hwy 22 Pathway
35. Frances Clark 1/27/2020 email regarding Hwy 22 Pathway
36. Christine Karns May 1/27/2020 email regarding 440 W Kelly Avenue
37. Jared Baecker, Snake River Fund 1/28/2020 email regarding RFQ for Consultant to Assist Public Lands (BLM) Transfer
38. Frances Clark 1/28/2020 email regarding Rains Property

#### **PUBLIC COMMENT**

Public comment was given by Chris Neubecker, Director of Planning and Building, to introduce Josh Butteris, the new Code Compliance Officer.

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

- 6. Consideration of Approval of Contract for Fairgrounds Heritage Arena Emergency Lighting**
- 7. Consideration of Approval of Contract for Fairgrounds Heritage Arena Fire Alarm System**

Sarah Mann, Director of General Services, presented to the Board for consideration of approval a contract to install an emergency lighting system at the Heritage Arena and consideration of approval a contract to install a fire alarm system at the Heritage Arena.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the contract with Mountain West in the amount of \$54,700 for the installation of a fire alarm system at the Fairgrounds Arena and to approve the contract with Delcon in the amount of \$22,860.00 for the installation of emergency lighting at the Fairgrounds Heritage Arena. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

- 8. Consideration of Approval of 2<sup>nd</sup> Amendment and Supplement to Employee Housing Transfer Fee Agreement and Restrictive Covenant Relating to Sub-Area III of the Amended Snake River Canyon Ranch Resort, Planned Unit Development Planned Resort**

Hamilton Smith, Planning Staff, presented to the Board for consideration of approval and acknowledge the Second Amendment and Supplement to Employee Housing Transfer Fee Agreement and Restrictive Covenant Relating to Sub Area III of the Amended Snake River Canyon Ranch Resort, Planned Unit Development Planned Resort.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the Second Amendment and Supplement to Employee Housing Transfer Fee Agreement and Restrictive Covenant Relating to Sub Area III of the Amended Snake River Canyon Ranch Resort, Planned Unit Development Planned Resort which will be timely recorded in the land records of the Teton County Clerk's Office on all 52 lots in Sub Area III. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

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

1. Findings of Fact and Conclusions of Law  
**BUP2019-0044** Four Shadows LLC

John Graham, Deputy County Attorney, presented to the Board for consideration of the Findings of Fact, Conclusions of Law and Order granting approval of a Basic Use Permit (BUP2019-0044) for Four Shadows, LLC and the Teton Village Association.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the Findings of Fact, Conclusions of Law and Order granting approval of a Basic Use Permit (BUP2019-0044). Chair Macker called for the vote. The vote showed all in favor and the motion carried.

2. Applicant: GATEWAY CHURCH  
Presenter: Chandler Windom  
Permit No.: **VAR2019-0010**  
Request: Request pursuant to Section 8.8.2 of the Teton County Land Development Regulations, to vary to maximum size of a rustic freestanding sign in the R3 zone from 4 square feet to 15 square feet and the maximum height from 4 feet to 6 feet.

Location: 3205 Big Trail Drive is in Lot 330 of Rafter J. It is 0.60 miles from the intersection with State Highway 89. The property is zoned Rural-3 within a Planned Unit Development (PUD-R3) and is not within any overlays.

Chandler Windom, Planning Staff, presented to the Board for consideration of approval a request for a Variance pursuant to Section 8.8.2 of the Teton County Land Development Regulations (LDRs) to vary Section 3.2.4.B.6 for the maximum area of a rustic freestanding sign in the Rural-3 zone for an Institutional Use from 4 square-feet (sf) to 15 square-feet and the maximum height from 4 feet (ft) to 6 feet.

The applicant is requesting a variance to the maximum area and maximum height of a rustic freestanding sign for the Gateway Church located at 3205 W Big Trail Drive. The request is to replace an existing sign which is non-conforming under the current sign regulations with a new freestanding rustic entry sign. The dimensions of this new sign will be reduced from the existing 18 sf, to a proposed sign area of 15 sf and an overall sign height of 6 ft, however, even with this decrease, the sign still does not meet the current standards for the Rural-3 zone.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve VAR2019-0010, dated Nov 4, 2019, to vary the dimensions of a rustic freestanding sign for an assembly use to allow a sign area of 15 square feet and a height of 6 feet, at the Gateway Church, located at 3205 W Big Trail Drive, with no conditions, being able to make the six (6) findings of Section 8.8.2 as recommended by the Planning Commission and the Planning Director. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 9:24am and reconvened at 9:31am.

3. Applicant: CODY LANE DEVELOPMENT CORP.  
Presenter: Andrew Bowen  
Permit No.: **VAR2019-0004**  
Request: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations to vary the Teton Village Master Plan dimensional standard to allow .43% of the roof structure over the garage entrance of the complex to be 63.73'.
4. Permit No.: **VAR2019-0005**  
Request: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations to vary the Teton Village Master Plan dimensional standard to allow 4.83% of the roof structure on the northwestern portion of the complex to be 72.1'.
5. Permit No.: **VAR2019-0006**  
Request: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations to vary Division 9.5 (Basement) to increase floor height of basement to 12'.
6. Permit No.: **VAR2019-0007**  
Request: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations to vary Division 9.5 (Basement) to allow a basement without a finished floor above.
7. Permit No.: **SKC2019-0001**  
Request: Sketch Plan pursuant to Section 8.3.1 of the Teton County Land Development Regulations to construct a condominium complex on parcel H1 within Teton Village.  
Location: 3355 W. Cody Lane. Generally located on the northern side of Cody Lane across from The Cody House and The Teton Club.

Andrew Bowen, Senior Planner, presented to the Board for consideration of approval five applications be considered in this order:

1. VAR2019-0004: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations, to vary the Teton Village Master Plan dimensional standard to allow .43% of the roof structure over the garage entrance of the complex to be 71.845' in height.
2. VAR2019-0005: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations, to vary the Teton Village Master Plan dimensional standard to allow 4.83% of the roof structure on the northwestern portion of the complex to be 72.1' in height.
3. VAR2019-0006: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations, to vary Division 9.5 (Basement) to increase floor height of basement to 12'.
4. VAR2019-0007: Variance, pursuant to Section 8.8.2 of the Teton County Land Development Regulations, to vary Division 9.5 (Basement) to allow a basement without a finished floor above.
5. SKC2019-0001: Sketch Plan, pursuant to Section 8.3.1 of the Teton County Land Development Regulations, to construct a condominium complex on parcel H1 within Teton Village.

Cody Lane Development Corporation, hereafter referred to as (CLDC), has submitted a Sketch Plan application (SKC2019-0001) to develop and construct a luxury condominium complex with both private and public services and amenities on Tract H1 in Teton Village. Tract H1 is located immediately adjacent to the skier bridge and aerial tram. In order to approve the Sketch Plan as requested per the application submittal, CLDC is also requesting two deviations from the dimensional standards in the Teton Village Master Plan (TVMP) and two variances from the Land Development Regulations (LDRs) definition of a basement. While the approval of the sketch plan may stand alone, the requested variances/deviations have also been included within this staff report and need to be considered prior to Sketch Plan consideration, as in their absence the overall design will need alteration.

Both VAR2019-0004 and VAR2019-0005 are deviations from dimensional standard in the TVMP (III Architectural Standards Letter C; Pg. 95). These standards state that building heights shall not exceed 62.5'. Both areas shown in red below exceed this height limitation, one by 9.5 feet and the other by 9.345 feet. While the staff analysis and findings will go into further detail, in summary, the applicant states that both deviations are necessary because of: 1) the topography of the parcel and 2) the fixed elevations and point of access created by the Gros Ventre Ski run and Cody Lane.

The applicant is proposing to construct a 28-unit condominium complex with a step-down design in order to complement the existing grade on the property. The building will have units ranging in size from single-bedroom dwellings to six-bedroom dwellings. Nineteen of these units will have lock-off areas in order to allow and encourage short-term rental units, as required by the Teton Village Covenants. Residents and guests will access the property from Cody Lane, while service and delivery vehicles will access the site via a proposed sub-terranean loading area. The proposed complex will have the following site functions and amenities:

- ✚ Private Residential Use:
  - 106,510 square feet of residential space consisting of 28 units ranging in size from one bedroom to six bedrooms.
- ✚ Private Residential Amenities:
  - Lobby
  - Dining Area
  - Fitness Center
  - Indoor/Outdoor Pool Areas
  - Spa/Yoga Facilities
  - Ski Storage
- ✚ Public Amenities Provided On-site:
  - Public Restaurant
  - Food Truck/Vending Area
  - Terrace and Bistro with Outdoor Dining Opportunities

Key Issues:

1. Are the deviations to height merited due to both the topography of the site and the design of the building?
2. Does the proposed parking plan align with the goals of Teton Village?
3. Is the sub-terranean loading area merited by a reduction of service traffic on Cody Lane?

Peter Pillman, on behalf of the applicant Cody Lane Development Corp., addressed the Board regarding the application.

Rob DesLauriers, Owners Representative, addressed the Board regarding the application.

Public comment was given by Steve Michel, Megan Rumsey, Bill Schreiber, John Carney, Nicole Krieger.

The meeting was recessed at 11:21am and reconvened at 11:27am.

Rob DesLauriers, Owners Representative, addressed the Board regarding public comment.

Commissioner Barron gave information received from Bill Schreiber, Teton Village Architectural Committee, about the ongoing traffic problem that was brought up during public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve VAR2019-0004, dated August 31, 2019, being able to make all findings provided within Section 3.6.d of the Teton Village Master Plan as described within this staff report. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve VAR 2019-0005, dated August 31, 2019, being able to make all findings provided within Section 3.6.d of the Teton Village Master Plan as described within this staff report. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve VAR2019-0006, dated August 31, 2019, being able to make the findings of Section 8.8.2 of the Land Development Regulations as described within this staff report. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve VAR2019-0007, dated August 31, 2019, being able to make the findings of Section 8.8.2 of the Land Development Regulations as described within this staff report. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve SKC2019-0001, dated August 31, 2019, contingent upon the following condition being met and further being able to make the findings of Section IV of the Teton Village Master Plan as described within this staff report. Condition of Approval for SKC2019-0001:

1. Prior to Certificate of Occupancy, all housing mitigation requirements shall be fulfilled at 1120 South Park Loop and all required deed restrictions filed and recorded by Teton County.

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

**MATTERS FROM COMMISSION**

- A. Commissioner Epstein brought up discussion regarding an update to the Walton Ranch on the BLM parcels.
- B. Commissioner Propst brought up discussion on bus passes for Teton Village Association/Jackson Hole Mountain Resort.

**EXECUTIVE SESSION**

There was no executive session held today.

**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 11:58am.

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