

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

The Teton County Board of Commissioners met in regular session on **March 3, 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: Greg Epstein Vice-Chair, Mark Barron, and Luther Propst were present. Natalia Macker and Mark Newcomb were absent.

**ADOPTION OF AGENDA**

A motion was made by Commissioner Barron and seconded by Commissioner Propst to adopt the agenda as presented. Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

**MINUTES**

A motion was made by Commissioner Propst and seconded by Commissioner Barron to approve the **2/18/2020, 2/24/2020, and 2/25/2020** minutes. Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

**CONSENT AGENDA**

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

1. Consideration of Approval of Contract for 2020 Fair Paintball
2. Consideration of Approval of Contract for 2020 Fair Reptile Exhibit
3. Consideration of Approval of Xerox Leases
4. Consideration of Approval of a Bid Award for Construction of Phase 3 Infrastructure of Grove Phase III
5. Consideration of Approval of Final Project Report for Benchmarking Historic Preservation in Jackson Hole Project
7. Consideration of Approval of the 2019 SPET Distribution Schedule

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

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

**MATTERS FROM COMMISSION AND STAFF:**

**1.Consideration of Approval of Contract for 2020 Fair Paintball**

To approve the contract with Illusions Plus LLC in the amount of \$6,600, plus 5 nights of lodging for the 2020 Teton County Fair.

**2. Consideration of Approval of Contract for 2020 Fair Reptile Exhibit**

To approve the contract with Scales & Tails Utah in the amount of \$6,000, plus 5 nights of lodging for the 2020 Teton County Fair.

**3. Consideration of Approval of Xerox Leases**

To approve the lease agreements with Rocky Mountain Competitive Solutions for two copiers and service in the amount of \$193.55/month and \$245.35/month for 56 months.

**4. Consideration of Approval of a Bid Award for Construction of Phase 3 Infrastructure of Grove Phase III**

to award the bid and enter into the proposed contract for the Grove Phase III – Teton Habitat Phase 3 Site Improvements including the paving, sidewalks, and curb/gutter in the amount of \$99,965.00 to FC Excavation.

**5. Consideration of Approval of Final Project Report for Benchmarking Historic Preservation in Jackson Hole Project**

To certify that the work contracted for through the grant funds received has been completed and all grant funds spent appropriately. I further move to direct the Chair to sign the certification of the Final Project Report for the Benchmarking Historic Preservation for Jackson Hole.

**7. Consideration of Approval of the 2019 SPET Distribution Schedule**

To approve the Resolution Approving Distribution of Revenues for Teton County, State of Wyoming 2019 Specific Purpose Excise Tax.

**DIRECT CORRESPONDENCE**

- 1.Teneile Harris 2/12/2020 email regarding Infrastructure
- 2.Federal Aviation Administration 2/12/2020 email regarding Wind River Air LLC Letter of Authorization
- 3.Brooke Sausser, Jackson Hole Conservation Alliance 2/12/2020 email regarding Wind River Air's Letter of Authorization
- 4.Roxanne DeVries Robinson, Town of Jackson 2/13/2020 email regarding Requested Information Regarding START Validated Bus Passes, Bus Passes for Ski Pass Holders, and Budget Timing
- 5.Susan Johnson, SJ Planning Solutions 2/13/2020 email regarding Northern South Park
- 6.Russell Scott 2/15/2020 email regarding Housing Crisis
- 7.Bitsy Smith 2/16/2020 email regarding Tribal Trail Connector
- 8.Margot Weber 2/17/2020 email regarding Jackson Hole Tea Party - Resolution to Establish Teton County and Town of Jackson as Second Amendment Sanctuary Locations
- 9.Destin Peters 2/17/2020 email regarding Jackson Hole Tea Party - Resolution to Establish Teton County and Town

- of Jackson as Second Amendment Sanctuary Locations
10. Ed Krajsky 2/17/2020 email regarding Jackson Hole Tea Party - Resolution to Establish Teton County and Town of Jackson as Second Amendment Sanctuary Locations
  11. Mary Moore, Bridger Teton National Forest 2/18/2020 email regarding Game Creek Road Easement
  12. Marylee White 2/18/2020 email regarding Wilson to Snake River Pathway
  13. Maggie Hunt, Habitat for Humanity 2/18/2020 email regarding Northern South Park
  14. Katie Wilson 2/18/2020 email regarding Wilson to Snake River Pathway
  15. Chris Neubecker, Planning & Development 2/18/2020 email regarding UPDATE: Snow King Mountain Resort On-Mountain Improvements Draft EIS - 1/27/2020
  16. Maggie Gabruk 2/19/2020 letter regarding Northern South Park
  17. County Clerk's Office 2/19/2020 email regarding Contested Case - Cody Creek LLC
  18. Kathy Tompkins 2/19/2020 email regarding Tribal Trail Connector
  19. Richard Aurelio 2/19/2020 email regarding Tribal Trail Connector
  20. County Clerk's Office 2/19/2020 email regarding Contested Case - Cody Creek LLC
  21. Jake Vosika 2/19/2020 email regarding Tribal Trail Connector
  22. Allison Liljestrom 2/19/2020 email regarding Tribal Trail Connector
  23. Rick Wieloh 2/20/2020 email regarding Tribal Trail Connector
  24. Ted Van Holland, Engineering 2/21/2020 email regarding Draft Revision of Teton County Small Wastewater Facility Regulations, Request for Review and Comment
  25. Rich Ochs, Emergency Management Coordinator 2/21/2020 email regarding Mountain West VOAD Conference
  26. Sandy Shuptrine 2/21/2020 email regarding public information re: carbon management next week
  27. Patty Lummis 2/22/2020 email regarding Northern South Park
  28. Paul Hansen 2/24/2020 email regarding TOJ Sewage Plant
  29. Sally Humpherys, Facilities Management 2/24/2020 email regarding Ski Pass
  30. Tim Young, Wyoming Pathways 2/25/2020 email regarding Fwd: 1500 Complete Streets policies nationwide, and counting

#### **PUBLIC COMMENT**

Public comment was given by Bob Culver regarding Second Amendment Sanctuary.  
 Public comment was given by Maury Jones regarding Second Amendment Sanctuary.  
 Public comment was given by Cathy Culver regarding Second Amendment Sanctuary.  
 Public comment was given by Lindsay Love regarding NetZero 2030.

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

##### **6. Consideration of Approval to Begin 45-Day Public Comment Period on Proposed Public Works Fees**

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval to proceed with public noticing for possible adoption of new 2020 schedule of fees for Septic Permits, Grading and Erosion Control Permits, Bridge Permits, Right of Way Permits, Driveway Access, and Floodplain Fees.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve proceeding with the 45-day public comment period for the 2020 schedule of fees for Septic Permits, Grading and Erosion Control Permits, Bridge Permits, Right of Way Permits, Driveway Access, and Floodplain Fees. Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

##### **8. Consideration of Approval to Begin 45-Day Public Comment Period on Proposed ISWR Tip Fees**

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval to proceed with public noticing for possible adoption of new 2020 tip fees for the Teton County Trash Transfer Facility.

Heather Overholser, Director of Public Works, addressed the Board regarding the proposed fees.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve proceeding with the 45-day public comment period for the 2020 Tip Fees for the Trash Transfer Facility. Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

##### **9. Consideration of Approval of Correspondence to the Army Corps of Engineers Regarding Operations and Maintenance on the Gros Ventre Levee System**

John Graham, Deputy County Attorney, presented to the Board for consideration of approval correspondence to the Army Corps of Engineers regarding Operations and Maintenance responsibilities on the Gros Ventre levee system.

George Putnam, on behalf of the landowners, addressed the Board regarding the Lucas-Hansen Levee Project.

Brian Remlinger addressed the Board on behalf of the landowners.

Nicole Krieger, attorney for two landowners, addressed the Board.

Mike Overlock addressed the Board as one of the landowners.

Jon Wylie, attorney for one landowner, addressed the Board.

Mike Brennan, attorney for two landowners, addressed the Board.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the correspondence to the Army Corps of Engineers, as drafted by the landowner with the attachments. Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:41am and reconvened at 10:49am.

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

1. Findings of Fact and Conclusions of Law and Order  
VAR2019-0004 Cody Lane Development Corp.

John Graham, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact, Conclusions of Law and Order for a Deviation (VAR2019-0004) for Cody Lane Development Corporation to deviate from the Dimensional Limitations of the Teton Village Master Plan, and Section 8.8.2 of the Teton County Land Development Regulations to allow .43% of the roof structure over the garage entrance of the complex to be 71.845' in height.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the Findings of Fact, Conclusions of Law and Order in a request for Deviation of Variance (VAR2019-0004). Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

2. Findings of Fact and Conclusions of Law and Order  
VAR2019-0005 Cody Lane Development Corp.

John Graham, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact, Conclusions of Law and Order for a Deviation (VAR2019-0005) for Cody Lane Development Corporation to deviate from the Dimensional Limitations of the Teton Village Master Plan, and Section 8.8.2 of the Teton County Land Development Regulations to allow 4.83 % of the roof structure on the northwestern portion of the complex to be 72.1' in height.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the Findings of Fact, Conclusions of Law and Order in a request for Deviation of Variance (VAR2019-0005). Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

3. Findings of Fact and Conclusions of Law and Order  
VAR2019-0006 Cody Lane Development Corp.

John Graham, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact, Conclusions of Law and Order for a Variance (VAR2019-0006) for Cody Lane Development Corporation to vary Division 9.5 (Basement) to increase floor height of basement to 12'.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the Findings of Fact, Conclusions of Law and Order for a request for Variance (VAR2019-0006). Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

4. Findings of Fact and Conclusions of Law and Order  
VAR2019-0007 Cody Lane Development Corp.

John Graham, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact, Conclusions of Law and Order for a Variance (VAR2019-0007) for Cody Lane Development Corporation to vary Division 9.5 (Basement) to allow a basement without a finished floor above.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the Findings of Fact, Conclusions of Law and Order for a request for Variance (VAR2019-0007). Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

5. Findings of Fact and Conclusions of Law and Order  
SKC2019-0001 Cody Lane Development Corp.

John Graham, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact, Conclusions of Law and Order for a Sketch Plan (SKC2019-0001) for Cody Lane Development Corporation to construct a condominium complex on parcel H1 within Teton Village.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve the Findings of Fact, Conclusions of Law and Order for a Sketch Plan (SKC2019-0001). Vice-Chair Epstein called for the vote. The vote showed all in favor and the motion carried.

6. Applicant: WONSON, KATHERINE  
Presenter: Andrew Bowen **POSTPONED TO THE MARCH 17, 2020 BCC HEARING**  
Permit No.: S/D2019-0008  
Request: A Subdivision Plan pursuant to Teton County Land Development Regulations (LDRs) Section 8.5.3 for approval of a partial plat vacation of setbacks, building heights and land use district designation for the Adair Subdivision Lots 1-4 that will be reviewed and decided upon by the Board of County Commissioners.  
Location: 4220-4232 Riada Lane, Wilson, WY 83014. The property is zoned Rural-3 and is not within any zoning overlays.

Per the applicant's request, the application has been postponed until the March 17, 2020 BCC Meeting.

7. Applicant: MEAD, MARY LIMITED PART. ET AL  
Presenter: Taylor Cook **POSTPONED TO THE APRIL 7, 2020 BCC HEARING**  
Permit No.: MSC2019-0046  
Request: Annual Monitoring Report Review as required by 6.1.11.K of the Teton County Land Development Regulations in effect on January 1, 2015, of the Mead Ranch Event Site-CUP2015-0004. The applicant is proposing amendments to two conditions associated with the Use Management Plan, that was approved as part of 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 in the Natural and Scenic Resources Overlay.

Per Staff's request, the application has been postponed until the April 7, 2020 BCC Meeting.

**MATTERS FROM COMMISSION**

**EXECUTIVE SESSION**

A motion was made by Commissioner Barron and seconded by Commissioner Propst to enter executive session pursuant to W.S. §16-4-405(a)(vii) to consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price. Chair Macker called for the vote. The vote showed all in favor and the motion carried. They entered executive session at 10:55am.

Commission present: Greg Epstein Vice-Chair, Mark Barron, Luther Propst, and Natalia Macker (via phone)  
Staff: Keith Gingery, Alyssa Watkins, Sherry Daigle  
Other: Brett McPeak – Realtor

At 11:15am, a motion was made by Commissioner Propst and seconded by Commissioner Barron to adjourn from executive session. Vice-Chair Epstein called for a vote. The vote showed all in favor and the motion carried.

No action was taken.

A motion was made by Commissioner Propst and seconded by Commissioner Barron to direct staff as discussed during executive session. Vice-Chair Epstein called for a vote. The vote showed all in favor and the motion carried.

**ADJOURN**

A motion was made by Commissioner Barron and seconded by Commissioner Propst to adjourn. Vice-Chair Epstein called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:16am.

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