

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

The Teton County Board of Commissioners met in regular session on **April 10, 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 Vogelheim to approve the **3/19/18, 3/20/18, 3/26/18, and 3/30/18** 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 Rhea to adopt today's agenda as presented with the changes as noted.

**TO POSTPONE:** MFPD #4 – MSC2018-0011 MEAD, MARY LIMITED PART. ET AL (**Postpone to April 17, 2018 BCC Hearing**)

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

**CONSENT AGENDA**

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

1. Consideration for Public Health Floor Replacement
3. Consideration of 2018 Eco-Fair Zero Waste Event Sponsorship by Teton County Integrated Solid Waste and Recycling
6. Consideration of Contract for Teton County Road and Parking Lots Sweeping Project
7. Consideration of Contract for Teton County Cattle Guard Replacement Project
9. Consideration of Notice of Award of Contract with Energy 1 for the SAR Ventilation Project

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

A motion was made by Commissioner Rhea 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:**

**1. Consideration for Public Health Floor Replacement**

To approve the awarding of the contract for Public Health Flooring to Buehler Enterprises in the amount of \$57,000.00.

**3. Consideration of 2018 Eco-Fair Zero Waste Event Sponsorship by Teton County Integrated Solid Waste and Recycling**

To approve ISWR's \$2,500.00 sponsorship of the 2018 EcoFair.

**6. Consideration of Contract for Teton County Road and Parking Lots Sweeping Project**

To approve and award the 2018 Teton County Roads and Parking Lots Sweeping Project contract to Action Excavation, LLC in the amount of \$46,999.00.

**7. Consideration of Contract for Teton County Cattle Guard Replacement Project**

To approve and award the Teton County Cattle Guard Project contract to the low bidder, M.D. Landscaping, Inc. in the amount of \$308,666.00.

**9. Consideration of Notice of Award of Contract with Energy 1 for the SAR Ventilation Project**

To give Notice of Award and approval of a Contract to Energy One to install a ventilation system in the offices/training room of the Search and Rescue building in the amount of \$18,916.00.

**DIRECT CORRESPONDENCE**

1. Stacy Stoker, Housing Department 3/13/2018 email regarding Housing Rules and Regulations
2. Erin Weisman, County Attorneys Office 3/13/2018 email regarding Stilson Park Agreement
3. Marylee White 3/14/2018 email regarding South WY 22 Pathway
4. Anpeytu Raben, Court Supervised Treatment 3/16/2018 email regarding Court Treatment Graduation
5. Susan Temple 3/16/2018 email regarding Highway 22 Pathway
6. Carol Harkness 3/16/2018 email regarding Highway 22 Pathway
7. Nancy Leon 3/16/2018 email regarding Highway 22 Pathway
8. James Peck 3/17/2018 email regarding Tribal Trails Connector

- 9.Thomas and Patrica Schrey 3/17/2018 email regarding Tribal Trails Connector
- 10.Richard Aurelio 3/17/2018 email regarding Tribal Trails Connector
- 11.Phil Stevenson 3/17/2018 email regarding Tribal Trails Connector
- 12.Lee Fitzpatrick 3/17/2018 email regarding Tribal Trails Connector
- 13.Brent Eastman 3/18/2018 email regarding Highway 22 Pathway
- 14.Claire Andrews 3/18/2018 email regarding Teton County Fair and Rodeo Royalty
- 15.Lorie Lupp 3/18/2018 email regarding Hoback Cabins - Aggressive Dog Complaint
- 16.Kit DesLauriers 3/19/2018 email regarding Highway 22 Pathway
- 17.Bill and Glenda Ransay 3/19/2018 email regarding Tribal Trails Connector
- 18.Rob Watsabaugh 3/19/2018 email regarding Tribal Trails Connector
- 19.Nicole Madison Garrett 3/19/2018 email regarding Highway 22 Pathway
- 20.Sharon Wiley 3/19/2018 email regarding Tribal Trails Connector
- 21.Mickey Babcock 3/19/2018 email regarding Tribal Trails Connector
- 22.Dave Coon 3/19/2018 email regarding Tribal Trails Connector
- 23.Richard Aurelio 3/19/2018 email regarding Tribal Trails Connector
- 24.Len Carlman 3/19/2018 email regarding Highway 22 Pathway
- 25.Kathy Tompkins 3/19/2018 email regarding Tribal Trails Connector
- 26.Kathy Tompkins 3/19/2018 email regarding Tribal Trails Connector
- 27.Emily Smith 3/19/2018 email regarding Tribal Trails Connector
- 28.Michele Gammer 3/19/2018 email regarding Tribal Trails Connector
- 29.Donna Clark 3/19/2018 email regarding Tribal Trails Connector
- 30.Jamie Reilly, Teton Raptor Center 3/19/2018 email regarding Feedback on the Findings of Facts and Conclusions of Law
- 31.Courtney Leavell 3/19/2018 email regarding Tribal Trails Connector
- 32.Geoff Gottlieb 3/19/2018 email regarding Tribal Trails Connector
- 33.Sean Brennan 3/19/2018 email regarding Tribal Trails Connector
- 34.Jackson Hole Working Board Members 3/19/2018 email regarding Tribal Trails Connector
- 35.Kim and Frank Trotter 3/19/2018 email regarding Alta Voting Opportunities
- 36.Diane Halpin 3/19/2018 email regarding Tribal Trails Connector
- 37.Rick Wieloh 3/19/2018 email regarding Tribal Trails Connector
- 38.JuliAnne Forrest and John Thomas 3/19/2018 email regarding Tribal Trails Connector
- 39.Jonathan Schechter 3/19/2018 email regarding Tribal Trails Connector
- 40.Ryan and Linda Rumsey 3/19/2018 email regarding Tribal Trails Connector
- 41.Jack Krouskup 3/19/2018 email regarding Tribal Trails Connector
- 42.Henry McKinnell 3/19/2018 email regarding Tribal Trails Connector
- 43.Matt Faupel 3/19/2018 email regarding Tribal Trails Connector
- 44.Jessie Lang 3/19/2018 email regarding Tribal Trails Connector
- 45.Sherry Daigle, County Clerk 3/19/2018 email regarding Alta Voting Opportunities
- 46.Geoff Gottlieb 3/19/2018 email regarding Tribal Trails Connector
- 47.Liz Spradling 3/19/2018 email regarding Tribal Trails Connector
- 48.Tara Ellerstein 3/19/2018 email regarding Tribal Trails Connector
- 49.Liz Spradling 3/19/2018 email regarding Tribal Trails Connector
- 50.Louise Wade 3/19/2018 email regarding Tribal Trails Connector
- 51.Alexander Muromcew 3/19/2018 email regarding Tribal Trails Connector
- 52.Elizabeth Johnson 3/19/2018 email regarding Tribal Trails Connector
- 53.Elizabeth Witworth 3/19/2018 email regarding Tribal Trails Connector
- 54.Pete Jorgensen 3/20/2018 email regarding Tribal Trails Connector
- 55.Kim, Chancy, and Coby Wheeldon 3/19/2018 email regarding Variance VAR2017-0006 Elk Feed Grounds House, LLC
- 56.Jennifer Kohlhardt 3/20/2018 email regarding Tribal Trails Connector
- 57.Karen Youngblood 3/19/2018 email regarding Tribal Trails Connector
- 58.Ashley Minton 3/20/2018 email regarding Tribal Trails Connector
- 59.Ronna Simon 3/20/2018 email regarding Tribal Trails Connector
- 60.Pat Cavicchioni 3/20/2018 email regarding Tribal Trails Connector
- 61.Pete Jorgensen 3/20/2018 email regarding Tribal Trails Connector
- 62.Stacy Stoker, Housing Department 3/21/2018 email regarding Housing Authority memo to Joint Board regarding Housing Rules and Regulations
- 63.Roby Hurley, Planning & Development 3/21/2018 email regarding Natural Resources Stakeholder Group Meeting
- 64.Craig and Amanda-Jane Leslie 3/21/2018 email regarding Tribal Trails Connector
- 65.Gale Crozier 3/21/2018 email regarding Critical Service Providers Application for Emerg+A+Care and Grand Teton Medical Clinic
- 66.Smokey Rhea, County Commissioners 3/21/2018 email regarding JHMR Teton Village Bus Passes
- 67.Sean Brennan 3/22/2018 email regarding Tribal Trails Connector
- 68.Jan Momchilovich 3/23/2018 email regarding Tribal Trails Connector
- 69.Kelly Poborsky 3/25/2018 email regarding Tribal Trails Connector
- 70.Mia, Senior Guidance 3/26/2018 email regarding Teton County Senior Resources
- 71.John Buckley 3/26/2018 email regarding Highway 22 Pathway
- 72.Amanda Moyer 3/26/2018 email regarding Highway 22 Pathway
- 73.Rich Ochs, Emergency Management 3/26/2018 email regarding Moulton Flooding Incident SitRep FINAL
- 74.Melissa Turley, Teton Village Association 3/26/2018 email regarding Stilson Management
- 75.J. Carlo Cannell 3/26/2018 email regarding Targhee Towne Road
- 76.Dan McDonald 3/26/2018 email regarding Targhee Towne Road
- 77.Christine Coleman 3/26/2018 email regarding Highway 22 Pathway
- 78.Darren Brugmann, START 3/27/2018 email regarding START Hole Bowl Employee Party End of the Winter Season!
- 79.Don Carpenter 3/27/2018 email regarding WPLI
- 80.Sherry Daigle, County Clerk 3/27/2018 email regarding Remand of Appeal
- 81.Wyoming T2 Center 3/27/2018 letter regarding Gravel Road Workshop Registration
- 82.Sherry Daigle, County Clerk 3/28/2018 email regarding Amended Orders for Lockhart and Hereford
- 83.Judy Bernstein Bunzl 3/29/2018 email regarding Highway 22 Pathway
- 84.Loren Lindquist 3/29/2018 email regarding Targhee Towne Road
- 85.Fred Bowditch 3/30/2018 email regarding Cell Phone Service in Hoback Area

86. Richard Aurelio 3/30/2018 email regarding Transportation Coordinator Resigns  
87. Rob Woodson 4/1/2018 email regarding Highway 22 Pathway  
88. Shelley Rubrecht 4/2/2018 email regarding Kiwanis Meeting  
89. Russell Ross 4/2/2018 email regarding Tribal Trails Connector  
90. Anna White, START 4/3/2018 email regarding START Bus Fire  
91. Susan Mick 4/3/2018 email regarding START Bus Fire  
92. Darren Brugmann, START 4/3/2018 email regarding START Bus Fire  
93. Keith Benefiel 4/3/2018 email regarding Highway 22 Pathway

## **PUBLIC COMMENT**

Public comment was given by Lyle McReynolds regarding pending damage to county infrastructure. Sean O'Malley, Director of Public Works, addressed the concerns and what is currently being worked on to help or alleviate the upcoming flooding problem.

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

### **2. Consideration of Contract for Sidewalk Repairs**

Paul Cote, Facilities Manager, presented to the Board for consideration a contract for various sidewalk repair projects at the Administration Building, Detention Center, Public Health, and Teton County Courthouse to Excel Concrete & Excavation. Sidewalks at the entrances to all buildings have subsided and heaved creating trip hazards and inhibiting ADA access. The project was advertised locally in the Jackson Hole News & Guide on 2/21/2018 and 2/28/2018 and on-line through the Public Purchase website from 2/26/2018 through 3/15/2018. 23 firms viewed the RFP online and 3 attended the required walk-through on 3/1/2018. The following bids were submitted: Excel Concrete & Excavation, DePatco, and Four Corners Concrete.

Discussion between the Board and staff included concern of quality with winning bid being half of the other bidders.

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to approve the Notice of Award and Contract to Excel Concrete & Excavation in the amount of \$46,125.00. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

### **4. Consideration of Notice of Award and Contract Approval to Jorgensen Associates for Civil Design Services for the Path 22 Wilson to Snake River Pathway Connection (continued from March 20, 2018)**

Brian Schilling, Pathways and Trail Programs Coordinator, presented to the Board for consideration a notice of award and contract for Civil Design Services to Jorgensen Associates for the Path 22 Wilson to Snake River pathway project. The original scope of work specified conceptual (30%) design and engineering for the entire project area from downtown Wilson to the east terminus at the Snake River and/or the existing pathway near Stilson Ranch, including engineering of a pathway and underpass east of Green Lane. Because Commissioners expressed concern that this area overlaps the WYDOT project area for the 22/390 intersection reconstruction and Snake River Bridge replacement, staff modified the initial scope of work to remove design and engineering for any pathway east of Green Lane. There are several benefits to this approach: 1. It eliminates the risk of having to remove any pathway that might be in the way of WYDOT's new intersection/road section. 2. It provides the opportunity for WYDOT to handle the design and construction of the pathway east of Green Lane, which could potentially reduce overall project costs to Teton County. The revised scope includes Task 1 (Team Kickoff and Field Review), Task 2 (Concept Design and Alignment Analysis), as well as limited coordination with WYDOT for the east of Green Lane segment. Staff proposes to include this segment in the initial field visit task and alignment analysis to address conceptual alignment questions. The revised scope removes all of Task 3 (Preliminary Design – 30%). The proposal from Jorgensen Associates for this revised scope of work is a not-to-exceed amount of \$53,110.

Discussion between the Board and staff included availability of project estimates.

Public comment was given by Susie Temple, Amy McCarthy, Tim Young, Amanda Moyer, Ellen Pokorny, Katherine Dowson, David Hardie, and Marylee White.

Discussion between the Board and staff included does budget include any underpass crossing, discussions with WYDOT regarding costs for design and construction, letter to Keith Compton, funding of project, accessing the Wilson School, process in activating the next step, and timeline of project.

A motion was made by Commissioner Epstein and seconded by Commissioner Vogelheim to issue Notice of Award to Jorgensen Associates to provide concept design services for the Path 22 Wilson to Snake River Connector Project, excluding design work east of Green Lane, and to approve the contract for Conceptual Design Phase in an amount not-to-exceed \$53,110. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

### **5. Consideration of Contract for Targhee Towne Road Paving Project**

David Gustafson, Road & Levee Manager, presented to the Board for consideration of approval the Targhee Towne Road Paving Project contract to CM Owen Construction, Inc. of Driggs, Idaho. County road 22-24S, Targhee Towne Road, is a gravel road that serves four Teton County, WY subdivisions and the Teton County Alta Community Park. The Targhee Towne Road Paving Project consists of the construction of approximately 7,000 lineal feet of paved roadway and associated approaches, including minor asphalt removal, grading, crushed base preparation, asphalt paving, and miscellaneous incidentals. Three contractors submitted bids: CM Owen Construction, Inc., HK Contractors, Inc., and DePatco, Inc.

Discussion between the Board and staff included concerns of Alta residents over two paving projects – Targhee Towne Road and Alta North Road.

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Macker to approve and award the Targhee Towne Road Paving Project contract to the low bidder, CM Owen Construction, Inc. in the amount of \$439,455.00. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

## **8. Consideration of Contract with US Army Corps of Engineers for Levee Operations and Maintenance**

Keith Gingery, Deputy County Attorney, presented to the Board the structure of the contract and what the codes mean, the history of the levees paid for by the Federal Government, our contributions, and for the Board to consider to approve and sign the US Army Cor of Engineers (USACE)/Teton County, Wyoming Solicitation Contract Order for Commercial Items document for the Jackson Hole Local Flood Protection Project. An initial cooperative agreement between USACE and Teton County on September 7, 1990. The agreement was generated for establishing the responsibilities and procedures for operation and maintenance of the Jackson Hole Levee System. Annual task orders were developed between each agency to supplement the original cooperative agreement.

Discussion between the Board and staff included coordination with Weed & Pest for vegetation management,

There was no public comment.

A motion was made by Commissioner Rhea and seconded by Commissioner Epstein to approve the Teton County/USACE Solicitation Contract Order for Commercial Items.

The meeting was recessed at 10:07am and reconvened at 10:17am.

## **10. Consideration of a Cooperative Agreement with the Wyoming Department of Transportation for Tribal Trails Road (continued from March 20, 2018)**

Sean O'Malley, Director of Public Works, presented to the Board for consideration of entering into a Cooperative Agreement between the Wyoming Department of Transportation (WYDOT) and Teton County for WYDOT to perform, in coordination with Teton County, the Project Charter for Tribal Trails Road, as outlined in the Integrated Transportation Plan (ITP), as well as the planning, design, and potential construction of Tribal Trails Road. Mr. O'Malley noted the staff report has not changed from the last meeting. Additional information given to the Board today is a Gant Chart of a possible schedule.

Keith Gingery, Chief Deputy County Attorney, noted the discussion of adding Appendix L to the contract. He also noted there were not changes to the staff report or the contract.

Chair Newcomb stated there will be no public comment taken today.

Discussion between the Board and staff included the determining functional classification of road.

Mr. O'Malley stated that parts of the Integrated Transportation Plan are pre-scripted, and parts are visionary. The preliminary charter schedule goes through project development then into concept design. the current schedule goes through Fiscal Year 2019. He talked of an advisory committee consisting of TC staff, WYDOT staff, and the public appointed by the BCC.

Discussion between the Board and staff included TDM training, public workshops, cost of last half mile, contract from beginning to end vs phased scope of work, timeline of concept design phase, final design, and construction, letting of the project – review and approve estimates and award of contract, Appendix L language, cost reference in Exhibit B, internal evaluation at WYDOT to determine if they need a consultant or in-house, right-of-way acquisition, definition of “this project” in contract, supplemental contracts awarded by WYDOT, County’s obligation to pay, should this be done in smaller parts vs entire project, costs through designing phase, replacement of bike path that is currently there, county pays all design costs, collaboration with WYDOT, pitfalls of two MOU’s, public transparency of schedule, public outreach is county responsibility, Appendix L language, prohibiting commercial traffic, no commercial traffic vs no-through commercial traffic, and the NEPA Charter Process.

Discussion among the Board included WYDOT relationship with Teton County, reaching out the community, wildlife crossings, not including language from Appendix L vs including language from Appendix L as a guide, and public awareness through all steps.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve the Cooperative Agreement ARS3905 between the Wyoming Department of Transportation and the Teton County Board of County Commissioners for Tribal Trails Road as presented. Chair Newcomb called for the vote. The vote showed 3-2 and the motion carried with Commissioners Newcomb and Epstein opposed.

## **MATTERS FROM PLANNING & DEVELOPMENT**

### **1. Finding of Fact and Conclusion of Law: VAR2017-0006 - Elk Feed Grounds House, LLC**

Erin Weisman, Deputy County Attorney, presented to the Board for consideration of approval the findings of fact and conclusions of law and order granting approval of a Variance to allow a fence within the Horse Creek stream buffer.

A motion was made by Commissioner Macker and seconded by Commissioner Vogelheim to approve the findings of fact and conclusions of law and order granting approval of a Variance (VAR2017-0006). Chair Newcomb called for the vote. The vote showed 4-0 and the motion carried with Commissioner Newcomb recused.

### **2. Finding of Fact and Conclusion of Law: VAR2017-0007 - Robinson, James Trevor & Chelsea Irena**

Erin Weisman, Deputy County Attorney, presented to the Board for consideration of approval the findings of fact and conclusions of law and order granting approval of a Variance to allow an existing structure within the side (south) setback.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to approve the findings of fact and conclusions of law and order granting approval of a Variance (VAR2017-0007). Chair Newcomb called for the vote. The vote showed 4-0 and the motion carried with Commissioner Newcomb recused.

3. Finding of Fact and Conclusion of Law: ZCV2018-0002 - Moffett, David M. 2008 Revocable Trust

Erin Weisman, Deputy County Attorney, presented to the Board for consideration of approval of the findings of fact, conclusions of law and order finding conformance for a Zoning Compliance Verification.

Discussion between the Board and staff included including the reason why Commissioner Vogelheim was opposed being that he was unable to make the findings.

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to continue this item Matters of Finding of Fact and Conclusion of Law and Order finding conformance of the Zoning Compliance Verification on the Doshay Lot 2. Chair Newcomb called for the vote. The vote showed 4-0 and the motion carried with Commissioner Newcomb recused.

4. Applicant: MEAD, MARY LIMITED PART. ET AL  
Presenter: Jennifer Kocher-Anderson  
Permit No.: MSC2018-0011 – **POSTPONED TO APRIL 17, 2018 BCC HEARING**  
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.
5. Applicant: HECHINGER, JOHN W. JR & DEBORAH S. TRUSTEES  
Presenter: Jennifer Kocher-Anderson  
Permit No.: MSC2018-0014  
Request: Consideration of a request for an exception to the Pond/Berm Freeze Resolution 18-002, adopted by the Board of County Commissioners on January 2, 2018, to allow the applicant to revise an existing Grading & Erosion Control Permit for the purposes of permitting berms installed prior to the Freeze Resolution, but not properly permitted.  
Location: 6605 N. Lower Cascade Drive (Lot 3, Teton Cascades). Generally located north of Sagebrush Drive, north of Jackson approximately 8 miles. The property is zoned Rural-3 with no overlays.

Jennifer Anderson, Code Compliance Officer, presented to the Board for consideration a request for an exception to the Pond/Berm Freeze Resolution 18-002, adopted by the Board of County Commissioners on January 2, 2018, to allow the applicant to revise an existing Grading & Erosion Control Permit for the purposes of permitting a berm installed prior to the Freeze Resolution, but not properly permitted. In 2016, Building Permits and Grading & Erosion Control Permit (GEC) applications were submitted and approved for a new single-family house and Accessory Residential Unit. Work included general grading for the house and ARU, associated utilities, access, and one berm approximately 150 feet long, 40 feet wide, and 6 feet tall with 3:1 slopes. The berm was proposed to be built from the excess fill material from the foundation excavation. While under construction, the permitted berm was reduced in size and a second berm added; however the Grading & Erosion Control permit was not revised.

Discussion between the Board and staff included fees for permit fees.

Public comment was given by Mark Hershberger Designs on behalf of the applicant.

A motion was made by Commissioner Epstein and seconded by Commissioner Vogelheim to approve an exception to the Pond/Berm Freeze Resolution 18-002 adopted on January 2, 2018, and find that the application for an exception is reasonable and does not compromise the justification and basis for the freeze on berms, to allow the owners of Lot 3, Teton Cascades to submit a revised application to the Grading & Erosion Control Permit, GEC2016-0030, and request the addition of one new berm as shown on the Nelson Engineering, Inc. as-built drawing titled "Final Site Plan, Lot 3," page C2.0, dated 1-30-18, to be processed by the Planning and Engineering Departments. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

Commissioners Macker and Rhea left the meeting at 11:56am.

6. Applicant: LODGES AT FISH CREEK, LLC  
FOUR SHADOWS, LLC  
Presenter: Susan Johnson  
Permit No.: MSC2018-0017  
Request: Approval of an amendment to a conditional recreational access easement, located within the Bowman Road easement, to relocate the recreational access easement with the new location of Bowman Road approved as part of the Sketch Plan for Shooting Star West (SKC2017-0006).  
Location: Lots 1 and 2, Shooting Star West. Generally located directly south of McCollister Drive and east of the condominiums along the east boundary of Teton Village Area 1. The property is zoned Planned Unit Development-Planned Resort and is within the Scenic Resources Overlay.

Susan Johnson, Planning Manager, presented to the Board for consideration of consent and approval of an amendment to change the location of a Conditional Recreational Access Easement in the Bowman Road right-of-way. During the approval process for the Teton Village Expansion Resort Master Plan (Teton Village Area 2), a conditional easement for recreational access within the Bowman Road right-of-way was granted per the request of Teton County.

It allows for the possibility of a future pathway connection between Fish Creek Road and Teton Village if additional easements are acquired to allow a complete pathway connection between Bowman Road and Fish Creek Road.

The request to relocate the easement, which burdens the Bowman Road right-of-way, is in response to the Board's August 1, 2017 approval of the Sketch Plan for Shooting Star West (SKC2017-0006), which permits the relocation of Bowman Road, and as conditioned in the Development Plan (DEV2017-0012) approval by the Planning Director:

*Prior to recordation of the plats for this development, the Board of County Commissioners shall approve the First Amendment to Conditional Recreation Access Easement and Agreement, due to the realignment of Bowman Road.*

There was no discussion between the Board and staff.

There was no public comment.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to approve MSC2018-0017, dated March 1, 2018, and do hereby consent to the relocation of the Conditional Recreation Access Easement in the Bowman Road right-of-way, which amends the Conditional Recreation Access Easement and Agreement, with no conditions, and request the Chair to sign the First Amendment to the Conditional Recreation Access Easement and Agreement. Chair Newcomb called for the vote. The vote showed 3-0 and the motion carried.

The meeting was recessed at 11:59pm and reconvened at 1:04pm.

3. Finding of Fact and Conclusion of Law: ZCV2018-0002 - Moffett, David M. 2008 Revocable Trust

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to approve the findings of fact and conclusions of law and order finding conformance for a Zoning Compliance Verification (ZCV2018-0002) with the discussed adjustments. Chair Newcomb called for the vote. The vote showed 4-0 and the motion carried with Commissioner Newcomb recused.

**MATTERS FROM COMMISSIONERS**

Commissioner Macker gave an update on the Greater Sage Grouse discussion from Monday, April 9, 2018. She spoke with Bailey Schreiber, attorney for the WCCA and Tom Segerstrom with the Teton Conservation District. Ms. Schreiber noted that Lincoln, Sublette, and Sweetwater Counties are also cooperating agencies and Fremont County may also be. The Forest Service is not moving as quickly as initially thought and they expect to identify preliminary needs for their plan by mid-April. Mr. Segerstrom stated the TCD is part of a sage grouse working group. Commissioner Macker forwarded the details of the cooperating agency and Mr. Segerstrom may reach out to coordinate something with the county. Chair Newcomb spoke with Hank Phibbs and Geneva Chong who is part of the stakeholder group.

**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 1:09pm.

Respectfully submitted,

Shelley Fairbanks  
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

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Mark Newcomb, Chair

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Natalia D Macker, Vice-Chair

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Greg Epstein

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Paul Vogelheim

ATTEST:

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Kathleen "Smokey" Rhea

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Sherry L. Daigle, County Clerk