

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

The Teton County Board of Commissioners met in regular meeting on **April 18, 2023** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:02 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

County Commission: Natalia Macker, Vice-Chair, Mark Newcomb, Greg Epstein, and Wes Gardner were present. Luther Propst, Chair, joined via Zoom, and Vice-Chair Macker chaired the meeting.

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Gardner to adopt today's agenda as presented. Vice-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 Newcomb to approve the April 10, 2023 and April 11, 2023 minutes. Vice-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 Contract for Flooring
2. Consideration of Contract for Admin Building Elevator Modernization
3. Consideration of Contract for General Service Building Elevator Modernization
4. Consideration of Phishing Training Program Renewal
5. Consideration of Sole Source Contract for Geo-Tech/Topographic Survey
6. Consideration of Approval of Contract for Recycling Services at General Services Building
7. Consideration of Approval of Contract for Administration Building HVAC Design
8. Consideration of Approval of Contract for Old Library HVAC
9. Consideration of Approval of New 2023 Fees for Public Health Nursing, Family Planning, and Environmental Health
10. Consideration of a Memorandum of Understanding with the Bureau of Land Management for a Cooperating Agency Relationship for Greater Sage-Grouse Management Plan Amendments
12. Consideration of BearWise JH Outreach Funding
13. Consideration of DEQ Permit Application for Water & Wastewater Infrastructure at Parkside Development
14. Consideration of License Agreement for Chairlift Seating at Center for the Arts
15. Consideration of Recreation Center Fees- 45 Day Comment Period

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

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Contract for Flooring

To approve the contract for flooring projects with Grand Teton Floor and Window Coverings in the amount of \$44,059.65.

2. Consideration of Contract for Admin Building Elevator Modernization

To approve the modernization and cab interior remodel contracts at the Admin Building with TK Elevator for the amounts \$104,865.00 and \$22,000.00 respectively, \$126,865.00 in total.

3. Consideration of Contract for General Service Building Elevator modernization

To approve the modernization and cab interior remodel contracts for the General Services Building with TK Elevator for the amounts \$109,166.00 and \$22,000.00 respectively, \$131,166.00 in total.

4. Consideration of Phishing Training Program Renewal

To approve the agreement with KnowBe4 for security awareness training and phishing email protection in the amount of \$8,700.00.

5. Consideration of Sole Source Contract for Geo-Tech/Topographic Survey

To approve the contract with Jorgensen Engineering for a topographic survey of the County property bounded by King St, Simpson Ave, and, and Willow Street in the amount of \$36,300.00

6. Consideration of Approval of Contract for Recycling Services at GSB Building

To approve the recycling contract with Jackson Curbside, Inc, for the monthly amount of \$110.00.

7. Consideration of Approval of Contract for Administration Building HVAC Design

To approve Contract Amendment 2 for HVAC Upgrades with Cator Ruma and Associates in the amount of \$70,800.00.

8. Consideration of Approval of Contract for Old Library HVAC

To approve the contract for HVAC upgrades and repairs at the Old Library with Brookhurst Construction in the amount of \$53,220.00.

9. Consideration of Approval of New 2023 Fees for Public Health Nursing, Family Planning, and Environmental Health

To approve the 2023 Fee Schedule for Teton County Environmental Health and Public Health and further affirm the Teton District Health Board's approval.

10. Consideration of a Memorandum of Understanding with the Bureau of Land Management for a Cooperating Agency Relationship for Greater Sage-Grouse Management Plan Amendments

To approve the Memorandum of Understanding Between the Teton County Commissioners and the Bureau of Land Management Regarding Plan Amendments for the Management of Greater Sage-Grouse.

12. Consideration of BearWise JH Outreach Funding

To approve the \$23,000 contract for services with the Jackson Hole Wildlife Foundation to support Bear Wise Jackson Hole outreach and education efforts.

13. Consideration of DEQ Permit Application for Water & Wastewater Infrastructure at Parkside Development

To approve the DEQ Water and Wastewater Permit to Construct Application for the 18 Affordable Townhomes under construction at the Parkside at Benson-Brown Station development located at 445 E Kelly Avenue and owned by Teton County.

14. Consideration of License Agreement for Chairlift Seating at Center for the Arts

To approve the revocable license for chairlift seating located at the Center for the Arts.

15. Consideration of Recreation Center Fees- 45 Day Comment Period

To withdraw from consideration the February 6, 2023 draft FY24/25 Recreation Center fee schedule and authorize staff to re-issue a new 45-day public comment period utilizing the revised draft FY24/25 Recreation Center fee schedule attached hereto.

DIRECT CORRESPONDENCE

1. Melissa Turley 4/5/2023 email regarding TVA Temporary Use Permit
2. Dave Sollitt 4/5/2023 email regarding Highway 390 TUP
3. Kathryn Nyrop 4/5/2023 email regarding Highway 390 TUP
4. Robert Kass 4/6/2023 email regarding Housing Programs
5. David Hardie 4/7/2023 email regarding Integrated Housing Community Comments
6. Emmet Pruss 4/7/2023 email regarding Sage Grouse Planning Meeting
7. Ryan Scarola 4/7/2023 email regarding Hoback Road South
8. Jean Day 4/7/2023 email regarding Housing Plan for Adults with Disabilities
9. Susanna Brown 4/7/2023 email regarding Housing Plan for Adults with Disabilities
10. Caroline Haines 4/7/2023 email regarding Housing Plan for Adults with Disabilities
11. Cindy Hannon 4/10/2023 email regarding Housing Plan for Adults with Disabilities
12. Joshua Hansen 4/10/2023 email regarding Housing Plan for Adults with Disabilities
13. Lindsey Love 4/10/2023 email regarding TC Energy Code Update

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

11. Consideration of Special Use Permit Application, Wyoming Office of State Lands & Investments- Highway 390 State Lands, Site 1 Levee Stockpile Facility

Dave Gustafson, Road and Levee Manager, presented to the Board for consideration of approval the Wyoming Office of State Lands & Investments Special Use Permit (SUP) application for State Trust Land (School Section) Site 1, located on North Moose-Wilson Road.

Teton County currently holds a one-year temporary use permit (TUP-03398) for the State Lands Site 1 location. The permit allows for stockpile of U.S. Army Corp. of Engineers' levee revetment rock. The permit expires on June 1, 2023. A Special Use Permit is required for the remaining nine years of Teton County's anticipated lease. As part of the SUP application, Wyoming Office of State Lands & Investments required Teton County to develop metes and bounds legal descriptions for the Site 1 parcel and access road from Highway 390. A boundary survey for the School Section was required for legal description development. All work was performed in-house by Road & Levee Staff.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the Wyoming Office of State Lands & Investments Special Use Permit application for State Trust Land (School Section) Site 1. Vice-Chair Macker called for a vote. The vote showed all in favor and the motion carried.

16. Consideration of Easement for Wilson to Stilson Pathway - Keith B. Ohnmeis – CONTINUED FROM 4-11-2023

Brian Schilling, Pathways Coordinator, answered questions from the Board.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to continue consideration of Easement for Wilson to Stilson Pathway - Keith B. Ohnmeis to the April 24, 2023 Board of County Commissioners Meeting. Vice-Chair Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

ADJ2022-0013 and DEV2022-0008 were presented concurrently:

- 1. Permit:** ADJ2022-0013
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: Request for Administrative Adjustment pursuant to Section 8.8.1. of the Land Development Regulations to allow development on Steep Slopes of up to 36%.
Location: 3300 East Alta Ski Hill Road, Grand Targhee Resort, west of the Resort Center in the Residential and Accommodation Plan Area (RAPA West). The property is zoned Planned Resort (PR) and is not within any Zoning Overlays.
- 2. Permit:** DEV2022-0008
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: A Development Plan request pursuant to Section 8.3.2. of the Teton County Land Development Regulations, for a 22 lodging cabin unit subdivision.
Location: 3300 East Alta Ski Hill Road, Grand Targhee Resort, west of the Resort Center in the Residential and Accommodation Plan Area (RAPA West). The property is zoned Planned Resort (PR) and is not within any Zoning Overlays.

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a development Permit application to permit twenty-two (22) lodging cabin units in the Grand Targhee Resort Residential and Accommodation Plan Area (West) within the Planned Resort zone.

The Grand Targhee Resort First Amended Master Plan (GTRMP) was approved by the Board of County Commissioners on February 11, 2019. The Master Plan implements two Plan Areas; the Resort Center Plan Area (RCPA) and the Residential Accommodation Plan Area (RAPA). Given a Resort Area orientation of east to west, the RCPA is located approximately in the center, contains 35.7 acres and has an allowance of 360 units. The RAPA is located on to the east and west of the RCPA, contains 84.3 acres and has an allowance of 90 units. The gross floor area for Commercial Uses and Resort Support Uses (as defined earlier in the Master Plan) shall not exceed 150,000 sq. ft. of Community Facilities (as defined in the Master Plan). Employee housing units, parking areas, and basements (as defined by the LDRs) shall be excluded from this gross floor area calculation.

Stephen Jellie, Fire Chief, commented on the applications.

Amy Ramage, County Engineer, answered questions from the Board.

Nicole Krieger, for the Applicant, and Brendan Schulte, Jorgensen Associates, commented on the application.

The meeting recessed at 11:02 a.m. and reconvened at 11:09 a.m.

Public comment was given by Teton County, Idaho representatives: Troy Butzlaff, Greg Adams, Rob Marin, and Cindy Riegel.

The meeting recessed at 11:55 a.m. and reconvened at 1:29 p.m.

Additional in-person public comment was given by Bruce Simon, Amy Kuszak, and Kevin Krasnow, and via Zoom, public comment was made by Kelsey Yarzab and Anne Callison.

Brendan Schulte and Chief Jellie answered questions from the Board.

A motion was made by Commissioner Newcomb and seconded by Commissioner Gardner to continue ADJ2022-0013 and DEV2022-0008 to the May 16th, 2023 Board of County Commissioners meeting. Vice-Chair Macker called for a vote. The vote showed four in favor and the motion carried 4-1 with Commissioner Epstein opposed.

The meeting recessed at 2:41 p.m. and reconvened at 2:48 p.m.

PUD2022-0003, AMD2022-0006 and DEV2022-0005 were considered concurrently:

- 3. Permit:** PUD2022-0003
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: Teton County is reviewing applications to transfer density from Lot 23, to existing Lots 24 and 25 (proposed Lots 29, 30 and 31 of the Ranch Homes 2nd Filing), within Subarea II of the Snake River Canyon Ranch Resort. The proposal includes an amendment to the Teton County Land Development Regulations to move Lot 23 from Sub Area II to Sub Area I of the Resort (LDRs; AMD2022-0006) and an amendment to the Snake River Canyon Ranch Resort Master Plan, as amended (PUD2022-0003). Total density allowed at the resort would not increase.
Location: Application to transfer density from Lot 23, to existing Lots 24 and 25 (proposed Lots 29, 30 and 31 of the Ranch Homes 2nd Filing), within Subarea II of the Snake River Canyon Ranch Resort. The sending and receiving lots are all zoned Planned Resort (PR) and located within both the Natural Resources Overlay (NRO) and the Scenic Resources Overlay (SRO).

- 4. Permit:** AMD2022-0006
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: Teton County is reviewing applications to transfer density from Lot 23, to existing Lots 24 and 25 (proposed Lots 29, 30 and 31 of the Ranch Homes 2nd Filing), within Subarea II of the Snake River Canyon Ranch Resort. The proposal includes an amendment to the Teton County Land Development Regulations to move Lot 23 from Sub Area II to Sub Area I of the Resort (LDRs; AMD2022-0006) and an amendment to the Snake River Canyon Ranch Resort Master Plan, as amended (PUD2022-0003). Total density allowed at the resort would not increase.
- Location:** Application to transfer density from Lot 23, to existing Lots 24 and 25 (proposed Lots 29, 30 and 31 of the Ranch Homes 2nd Filing), within Subarea II of the Snake River Canyon Ranch Resort. The sending and receiving lots are all zoned Planned Resort (PR) and located within both the Natural Resources Overlay (NRO) and the Scenic Resources Overlay (SRO).
- 5. Permit:** DEV2022-0005
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: An application to construct 2,000 sf of employee housing and 2,000 sf of office space on Lot 23 of the Snake River Canyon Ranch River Homes, within Subarea II of the Snake River Canyon Ranch Resort. The proposal includes an amendment to the Teton County Land Development Regulations to move Lot 23 from Sub Area II to Sub Area I of the Resort (LDRs; AMD2022-0006) and an amendment to the Snake River Canyon Ranch Resort Master Plan, as amended (PUD2022-0003). Total density allowed at the resort would not increase.
- Location:** Lot 23, Snake River Canyon Ranch, The River Homes (Plat No. 1030) within Subarea II of the Snake River Canyon Ranch Resort. The lot is zoned Planned Resort (PR) and located within both the Natural Resources Overlay (NRO) and the Scenic Resources Overlay (SRO).

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval two applications:

1) Approval of a Master Plan Amendment pursuant to Section 8.7.3 of the Teton County Land Development Regulations to transfer a single dwelling unit with an allowance for short-term rental use (Lot 23) and change the boundary of Sub Area I to include Lot 23 to allow Lot 23 to be developed for employee housing and offices related to Resort operations.

2) Approval of an LDR Text Amendment to update the language in Section 4.3.6, Snake River Canyon Ranch of the LDRs in order to ensure consistency with the proposed changes to the PUD Resort Master Plan proposed as part of this application. The application includes the 2 sets of findings associated with a PUD application (Section 8.7.3 and 8.2.13.D.), a red-lined version of the withdrawn application narrative PUD2022-0003, clean application narrative and a red-lined version of the Master Plan reflecting proposed amendments. AMD2022-0006 includes proposed revisions to the Teton County LDRs, Section 4.3.6 (Snake River Canyon Ranch) that are needed in the event of approval of PUD2022-0003.

Brendan Schulte of Jorgensen Associates, for the Applicant, commented on the application and described requested changes to the application, namely the removal of nonresidential use for offices from the application.

Public comment was given by Paige Byron with Astoria Park Conservancy, Joe Smith with Snake River Fund, David Sollitt with JH Conservation Alliance, Joe Cranston with Snake River Sporting Club, and Gregg Ornowski with Snake River Sporting Club.

Christopher Swann, Applicant, commented on the application.

The Board discussed remanding the application back to Planning Commission pursuant to 8.2.14(d)(v) of the Land Development Regulations.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to remand the three applications, PUD2022-0003, AMD2022-0006 and DEV2022-0005 to the reviewing agency. Vice-Chair Macker called for a vote. The vote showed all in favor and the motion carried.

ADJOURN

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to adjourn. Vice-Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 3:54 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Luther Propst, Chair

ATTEST:

Maureen E. Murphy, County Clerk