

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

The Teton County Board of Commissioners met in regular session on **June 19, 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, Greg Epstein, Smokey Rhea, and Paul Vogelheim were present.

MINUTES

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to approve the **5/29/18, 5/29/18 (Budget), 6/4/18, 6/5/18, 6/8/18, and 6/11/18** 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 Macker and seconded by Commissioner Vogelheim to adopt today's agenda as presented with the following changes.

TO WITHDRAW: MFS #9 – Consideration of Approval of Settlement Agreement of James P. Spalding v. BCC of Teton County, Docket No.17580 ([continued from June 11, 2018 and June 5, 2018](#))

TO POSTPONE: MFS #6 - Consideration of a Resolution Declaring the Need for Additional Land for a Teton Village Firehouse ([postponed to the August 28, 2018 BCC Hearing](#))

TO POSTPONE: MFPD #2 and #3 – FISH CREEK INVESTMENTS, LLC C/O TEX-ISLE VAR2017-0005 and 2018-0001

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 Macker to place the following Matters from Staff on a Consent Agenda:

3. Consideration of a Letter of Engagement for a Real Estate Agent
4. Consideration of a Letter of Engagement for a Hearing Officer
8. Consideration of Approval of WIC Agreement with State of Wyoming
10. Consideration of MOU between the Department of Revenue, Teton County, and Teton County Assessor for Computer Assisted Mass Appraisal (CAMA) System
11. Consideration of a Lease Agreement for Teton County Employee Housing for Hoback Cabins #9
12. Consideration of a Lease Agreement for Teton County Employee Housing for Hoback Cabins #7
14. Consideration of Approval to Contract Design Phase for New Document Archive System
15. Consideration of Approval of Contract with Day Wireless for Radio System
16. Consideration of Notice of Award and Contract for Water Well System Design at the Transfer Station
17. Consideration of Agreement with the Brinson Foundation for FY2019 and FY 2020 Grant Funding
18. Consideration of Award of Contract for Teton County 2018 Chip Seal Project
19. Consideration of Approval of Change Order #1 with Century Contractors for the Old Library Reconstruction Project
20. Consideration of an Agreement with Meridian Engineering for Floodplain Administration Duties

Chair Newcomb 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 Macker 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:

3. Consideration of a Letter of Engagement for a Real Estate Agent

To approve the Letter of Engagement with Brett McPeak, Associate Broker, Jackson Hole Sotheby's International Realty.

4. Consideration of a Letter of Engagement for a Hearing Officer

To approve the Letter of Engagement with Melissa M. Owens of Owens Law Office, PC.

8. Consideration of Approval of WIC Agreement with State of Wyoming

To approve the WIC Agreement with the State of Wyoming.

10. Consideration of MOU between the Department of Revenue, Teton County, and Teton County Assessor for Computer Assisted Mass Appraisal (CAMA) System

To approve the MOU with the Wyoming Department of Revenue for the CAMA hardware.

11. Consideration of a Lease Agreement for Teton County Employee Housing for Hoback Cabins #9

To approve the Lease Agreement for 11055 South Highway 89, Hoback Cabin Unit #9 with Teton County Employee, Travis Babcock, for \$830 per month and a \$500.00 security deposit.

12. Consideration of a Lease Agreement for Teton County Employee Housing for Hoback Cabins #7

To approve the Lease Agreement for 11055 South Highway 89, Hoback Cabin Unit #7 with Teton County Employee, Stephanie Kerley, for \$685 per month with a \$500.00 security deposit and \$750 pet deposit.

14. Consideration of Approval to Contract Design Phase for New Document Archive System

To approve the system design agreement with Adventos for \$7,800.00.

15. Consideration of Approval of Contract with Day Wireless for Radio System

To approve the baseline proposal and repairs to the MIP 500 with Day Wireless, not to exceed \$46,095.00.

16. Consideration of Notice of Award and Contract for Water Well System Design at the Transfer Station

To give Notice of Award and Contract to Nelson Engineering to document and analyze the condition and capacity and to propose a conceptual design for controls and upgrades to meet current and future needs of the water well system that serves the Transfer Station area for an amount not to exceed \$7,100.00.

17. Consideration of Agreement with the Brinson Foundation for FY2019 and FY 2020 Grant Funding

To approve a grant agreement with the Brinson Foundation for a FY2019 grant for ISWR in the amount of \$30,000, as well as a FY2020 grant in the amount of \$30,000.

18. Consideration of Award of Contract for Teton County 2018 Chip Seal Project

To award the 2018 Teton County Chip Seal Project contract to the lowest responsible bidder, Intermountain Slurry Seal, Inc. in the amount of \$398,000.00.

19. Consideration of Approval of Change Order #1 with Century Contractors for the Old Library Reconstruction Project

To approve Change Order #1 for work at the Old Library Building in the amount of \$15,670.70.

20. Consideration of an Agreement with Meridian Engineering for Floodplain Administration Duties

To execute the Owner/Consultant Agreement between Teton County and Meridian Engineering for Professional Services to provide Floodplain Administration services.

DIRECT CORRESPONDENCE

1. Anna Cole, Jackson Hole Mountain Resort 5/29/2018 email regarding Housing Mitigation Rates
2. Diana Osuna, South Squaw Creek ISD 5/29/2018 email regarding Proposed Budget
3. Tim Rieser 5/30/2018 email regarding Airport FBO
4. John Eastman 5/30/2018 email regarding Brain Chemistry Labs
5. Kelly Lockhart 5/30/2018 email regarding FoF and CoL - Lockhart Cattle Co Draft
6. Peggy Gilday 5/30/2018 email regarding Housing Mitigation
7. JH Working 5/30/2018 email regarding Housing Mitigation Comments
8. Melissa Shinkle, County Assessor 5/30/2018 email regarding FOF and COL - Lockhart Cattle Co. - 18-5-30.docx
9. Andrea Riniker 5/31/2018 email regarding Property Taxes
10. Bill Dillon 5/31/2018 email regarding Property Taxes
11. Celia Dillon 5/31/2018 email regarding Property Taxes
12. Rob Bass 5/31/2018 email regarding Property Taxes
13. Jean Lewis, Jackson Hole Childrens Museum 5/31/2018 email regarding 6th Annual Touch A Truck Event – this Sunday
14. Leah Corrigan 5/31/2018 email regarding Hog Island ISD
15. Irene Steeg, Fish Creek ISD 6/1/2018 email regarding Proposed Budget FY2019
16. Jim Fulmer, Aspens ISD 6/1/2018 email regarding Proposed Budget FY2019
17. Office of Governor Matt Mead 5/2/2018 letter regarding Appointment of Assistant Public Defender for Fremont County, Ninth Judicial District
18. Tom Merkt, Snake River Sporting Club ISD 6/1/2018 email regarding Proposed Budget FY2019
19. Jessica Romo, St. Johns Medical Center 6/1/2018 email regarding Teton County Hospital District Proposed Budget FY2019
20. Carly Schupman, Skyline Ranch ISD 6/1/2018 email regarding Skyline Improvement and Service District Preliminary Proposed 2018-2019 Budget
21. Susan Johnson, Planning & Development 6/1/2018 email regarding Additional Public Comment for S/D2018-0003
22. Kelly Lockhart 6/1/2018 email regarding FOF and COL - Lockhart Cattle Co. - 18-6-1.document
23. Skye Schell, Jackson Hole Alliance 6/1/2018 email regarding Alliance/GYC comments for SPET discussion
24. Erik Rasmussen, Charter Communications 6/1/2018 email regarding Wyoming Public Service Announcement at WAM
25. Becky Evans 6/4/2018 email regarding Mary Throne - Gubernatorial Candidate
26. Michael Lynch 6/4/2018 email regarding E-Bikes on Pathways Support
27. Justin Adams 6/4/2018 email regarding Housing Mitigation
28. Jared Baecker, Snake River Fund 6/5/2018 email regarding BLM Parcel 26
29. Roby Hurley, Planning & Development 6/5/2018 email regarding NRSG Meeting June 11, 2018
30. Todd Cedarholm 6/5/2018 email regarding Snake River Sporting Club
31. Teton County School District 6/5/2018 regarding Resolution regarding request for transfer of exaction parcel Teton Village, WY
32. Irene Steeg, Fish Creek ISD 6/5/2018 email regarding Proposed Budget FY2019

- 33. Matt Faupel 6/5/2018 email regarding Housing Mitigation
- 34. NACo 6/6/2018 letter regarding Election of NACo Officers and voting on Policy
- 35. Richard Bloom 6/6/2018 email regarding Floor Area Option
- 36. Jonathan Robinson 6/6/2018 email regarding Balance of Zoning, Funding, and Mitigation Tools
- 37. Tim Young 6/7/2018 email regarding WYDOT WY-22 Resurface should include Wilson downtown
- 38. Gretchen Spankie 6/7/2018 email regarding Housing Mitigation
- 39. Robert Flath 6/7/2018 letter regarding Special Event Complaint
- 40. Bailey Schreiber, W C C A 6/7/2018 email regarding Forest Service Sage Grouse Proposed Actions - Cooperator Review
- 41. Billy Kirk, County Public Information Specialist 6/7/2018 email regarding Brown Bag Lunch - July
- 42. Connie Wieneke 6/8/2018 email regarding Jackson Hole Writers Conference
- 43. Bailey Schreiber, W C C A 6/8/2018 email regarding Proposed Changes to USFS Sage-Grouse Plan Amendments
- 44. Kevin Gregory, Lubing Law Group LLC 6/12/2018 email regarding Mahin Accessory Residential Unit (ARU) Variance Request—VAR2017-0004

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF:

1. Consideration of a Resolution Adopting the Teton County Wildlife Crossings Master Plan

Amy Ramage, Engineering Manager, presented to the Board for consideration of approval a resolution for the formal adoption of the Teton County Wildlife Crossings Master Plan. The Teton County Wildlife Crossings Master Plan was called for within the Jackson/Teton Integrated Transportation Plan that was adopted in September 2015. Wildlife conservation is also an important directive within the Comprehensive Plan. Wildlife-vehicle collisions are a hazard to human safety, have a significant economic impact, and can have substantial detrimental effects to wildlife populations, migration and overall habitat conservation. A special thanks to the many people that helped compile this report: Chris Colligan – Greater Yellowstone Coalition, Ali Courtemanch – WY G&F, Keith Compton – WYDOT, Gary Fralick – WY G&F, Morgan Graham – Teton Conservation District, Susan Johnson – TC Planning, Jon Mobeck – JH Wildlife Foundation, Sean O'Malley – TC Director of Public Works, Darren Martens - USFS, Siva Sundresan – Greater Yellowstone Coalition, Leslie Steen – Trout Unlimited, Marissa Wilson – JH Conservation Alliance, and Leah Mesnick – JH Conservation Alliance.

Discussion between the Board and staff included WYDOT involvement – in the process of working on state-wide master plan, and funding mechanisms and partnerships to implement.

Public comment was given by Sandy Shuptrine, Chris Colligan, and Kelly Lockhart.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Epstein to adopt the resolution regarding the Teton County Wildlife Crossings Master Plan as presented. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to convene as the Teton County Board of Equalization. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried. The Teton County Board of Equalization was convened at 9:28am.

2. Consideration of Approval of Amended Order in the Lockhart Cattle Co. 2016 Tax Appeal

Sherry Daigle, County Clerk, presented to the Board for consideration of approval the amended order in the Lockhart Cattle Co. 2016 tax appeal. The County Board of Equalization originally ruled in favor of the Landowner, Lockhart Cattle Company and against the Teton County Assessor. The Teton County Assessor appealed to the State Board of Equalization. The State Board of Equalization remanded the original 2016 county order back to the Teton County Board of Equalization on October 26, 2017. The County Board of Equalization met on January 8, 2018 and made additional findings to support their earlier decision and remanded the matter back to the Teton County Assessor. The Teton County Assessor then appealed again to the State Board of Equalization. The State Board of Equalization remanded again and sent the Amended Decision of the Teton County Board of Equalization back to the County Board of Equalization on March 22, 2018. The County Board of Equalization then met and discussed further changes to the order on the 2nd remand. The County Board of Equalization requested that the prevailing side, Lockhart, write a proposed order. Mr. Lockhart has drafted a proposed order which is attached hereto as the proposed order for the 2nd remand.

There was no public comment.

Discussion between the Board and staff included a lot of blame was placed on the County Assessor, correspondence between the County Assessor and Mr. Lockhart

A motion was made by Commissioner Epstein and seconded by Commissioner Vogelheim to approve the second amended order as presented in the case of in Docket 2018-06, the appeal of Lockhart Cattle Company, LLC from a decision of the Teton County Assessor 2016 property valuation. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

Clerk Daigle informed the Board of Equalization of the outstanding appeal with the Jackson Hole Hereford Ranch and asked for direction to try to complete this action.

A motion was made by Commissioner Vogelheim and seconded by Commissioner Macker to adjourn as the Teton County Board of Equalization. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried. The Teton County Board of Equalization was adjourned at 9:35am.

5. Consideration of a Resolution for County Employer Group Preliminary Approval of Collective Workers Compensation Work Plan

Alyssa Watkins, County Commissioners Administrator, presented to the Board for consideration of approval a resolution offering preliminary and non-binding support on a startup plan for a collective works compensation group being developed by the Wyoming County Commissioners' Association in consultation with county and state representatives. The Wyoming County Commissioners Association (WCCA) first presented to its membership on the idea of workers compensation consolidation in May of 2017. The premise behind the consolidation proposal is that, rather than make premium payments to the state year after year, counties can form a County Employer Group (CEG) and make payments to that entity at the same rate as they would have paid to the state. Because the amount charged to the CEG by the state is lower than the sum total of the amount charged to each individual county, within the CEG the small amount of excess funds collected can be funneled to a self-controlled program with a goal of reinvestment back to the counties. Reinvestment would first take the form of staff support and program development but would eventually also include premium rebates. In this way, counties not only can work individually with added staff support to improve workplace outcomes and costs but can also leverage their collective employment power and staff resources to drive down costs for all counties, large and small.

The intent of the CEG is four-fold:

- 1) To improve outcomes for county employees that help keep them healthy and safe while working, and; connected, recovering, and quickly returning to work if injured.
- 2) To create a mechanism for all counties to benefit from shared professional staff that reduces county employee obligations; results in improved safety programs and claims management that will, over time, drive down the county employee base rate; and to have a single point of contact for further legislative activities to improve the county position.
- 3) To reduce premium liabilities at each county commensurate with each county's own work, injury rates and the collective effort of all counties.
- 4) To establish a revenue stream beyond the costs of operating the CEG for the WCCA that reduces counties' overall dues obligation as a percentage of the budget.

Discussion between the Board and staff included better service vs. funds paid, benefits to Teton County, estimated premiums and cost savings, not agreeing in the pool – agreeing to put together real costs, next steps, and the five anticipated outcomes of the plan: supporting a workplan that establishes a governing board or guidelines for the appointment of a governing board, staffing requirements and estimates of costs for staffing; premium rate estimates and proposed targets for premium rebates; proposal for baseline safety program to establish minimum discounts; a proposal for interaction between the counties, the collective group, and the state to manage claims; and a proposal for a formal adoption of a collective account that includes a process for decision making on entry and exit, failure of individual counties to maintain sustained safety programs and other future decision making.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Vogelheim to approve the Workers Compensation County Employer Group Preliminary Approval Resolution. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 9:41am and reconvened at 9:50am.

7. Consideration of a Transfer of Land to the Teton County School District

Alyssa Watkins, County Commissioners Administrator, presented to the Board for consideration of approval of the transfer of real property to Teton County School District No. 1 which is a portion of exaction land to Teton Village Park pursuant to the Teton Village Area 2 Master Plan.

Discussion between the Board and staff included original MOU was received June 18th via email, County awareness of TCSD becoming recipient of parcel in early 2000, BCC awareness of TCSD not interest in using that parcel, interest from TCSD in acquiring the exaction parcel, TCSD prepared the MOU and County received it on June 18th.

Gillian Chapman, Teton County School District #1 (TCSD) Superintendent, addressed the Board regarding the timeline of discussion of parcel and need for the parcel, draft MOU based on concerns from workshop on June 16th, deadlines for School Facilities Commission to get on the Spring 2020 budget items, capacity issues, deed in hand is viewed favorably, appreciation to county staff for work.

Discussion between the Board and TCSD staff (Gillian Chapman, Sara Van Genderen, Jeff Daugherty) included timeline of meetings, number of acres actually needed, restriction of uses on the parcel, shared uses for acreage needed, access roads, traffic concerns, possible postponement to July 3rd and complications it could present, desirability of acreage at Village vs. other acreage, MOU discussion, deed the parcel today and work on MOU for July 3rd meeting, different versions of warranty deed, current warranty deed containing housing, Wyoming Attorney General supports school districts to overrule county zoning rules, Schwabacher Development – teacher/staff housing is considered a school use, obligation to the Master Plan including 120 student elementary school that live in that area, concerns of traffic/congestion/type of school cannot be flushed out without planning funds from the state, reverter clause, traffic demand management plan attached to warranty deed, most immediate need is for school space, school is subject to TDM, acreage needed based on state standards, prepared to work with other entities on the remaining acreage of parcel, application without deed until a later date, and what is TCSD's "Plan B".

Discussion between the Board and Teton County staff (Tyler Sinclair, Susan Johnson, Erin Weisman, Sean O'Malley) included transportation element – Condition #36 of the Master Plan, 120 student elementary school with 60% of students from Teton Village, Area 2 regulations for travel, amend master plan if elementary school is not sited there, perception of not following the Master Plan, focus today should be on 3-acre parcel, contemplated uses of county piece of exaction parcel – village park / potential school site / potential firehouse, allowed uses on conservation easement, no access from highway on conservation easement, no access to potential firehouse parcel, and housing included on school exaction parcel.

Public comment was given by Jerry Blann (Teton Village Association), Katherine Mead (TCSD Board of Trustees Chair), Janine Bay Teske (TCSD Board of Trustees), and Paul D'Amours.

Discussion among the Board included MOU has not been noticed so no action can be taken on it, MOU tied to motion for warranty deed, and separate documents – crux of agreement is the MOU.

A motion was made by Commissioner Rhea and seconded by Commissioner Epstein to approve the Warranty Deed including associated Exhibit A, to Teton County School District #1 for a defined 3-acre section of the Teton Village Park exaction parcel and that includes “It is thus hereby understood and stipulated that the above-described real property hereby conveyed may only be used for school purposes, including, but not limited to, a school building, playing fields, ancillary school support uses, or to acquire additional or other property for a school site by sale or trade with Teton County or another government entity. It is further understood and stipulated that the real property shall remain subject to a reverter in perpetuity which runs with the real property identified in Warranty Deed on PIN: 22-42-16-19-3-00-009 as set forth in Doc 0945558 and shall be valid and enforceable on this Grantee or its successors and assigns. Until such time that the Real Property is used for the above-described school purposes, it is further understood and stipulated that the above-described real property may be used for a public park, playground and /or other public purpose facilities that are in each case consistent with Section 13 of the Teton Village Expansion (Area Two) Resort Master Plan as existing on the date of this Warranty Deed upon written agreement and authorization by the Grantee”. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

13. Consideration of an EMP Request for an Emissions Inventory Project from Yellowstone-Teton Clean Cities

Lauren Long, Director of General Services, presented to the Board for consideration of approval to appropriate funds at the request of Yellowstone-Teton Clean Cities in the amount of \$7,500 from the Teton County Energy Mitigation Fund for an updated emissions inventory project.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to approve Yellowstone-Teton Clean Cities request for Energy Mitigation Funds in the amount of \$7,500 for an emissions inventory project. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

21. Consideration of Adoption of a Resolution Supporting the SHIFT Principles of Outdoor Recreation and Conservation

Mark Newcomb, BCC Chairman, presented to the Board for consideration of adoption of a resolution supporting the SHIFT Principles of Outdoor Recreation and Conservation. SHIFT is a local festival held each fall in Teton County. SHIFT has been working to bring together outdoor recreationists and conservationists. Through multiple meetings, summits, and festivals, SHIFT has formulated what is being called the SHIFT Principles of Outdoor Recreation and Conservation.

Discussion between the Board and staff included SHIFT Principles tying into a destination plan, time sensitive nature to adopting resolution, local and state support of rolling out SHIFT,

Christian Beckwith, Center for Jackson Hole, addressed the Board regarding how to make sure principles are being acted upon, template for coalition building, guidelines to help direct work as an agency (Colorado Parks and Wildlife), SHIFT principles work as a roadmap to address challenges such as increase in pressures on growing population and pressure in natural resources, funding for maintenance of trails, regulatory and budgeting authority – components to incorporate into planning efforts, financial expectations from Teton County, and many principles are already part of our Comp Plan.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Vogelheim to continue the Resolution to adopt the Shift Principles for Outdoor Recreation and Conservation to a date uncertain. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING & DEVELOPMENT

- 1. Applicant:** THOMAS P. MAHIN
Presenter: Hamilton Smith
Permit No.: VAR2017-0004
Request: Variance, pursuant to Teton Village Area 1 Master Plan Section IV.D.6.d, to deviate from the Dimensional Limitations Schedule as outlined in Table Three of the Teton Village Master Plan, to allow reduction of a rear setback from the 30 feet required, to 15 feet.
Location: 3850 W. Holly Drive, Teton Village, WY. Lot 194, J.H.S.C. 11th Filing Subdivision. The property is zoned Planned Resort with no overlay.

Hamilton Smith, Senior Planner, presented to the Board for consideration a Variance, pursuant to Teton Village Area 1 Master Plan Section IV.D.6.d, to deviate from the Dimensional Limitations Schedule as outlined in Table Three of the Teton Village Master Plan, to allow reduction of a rear setback from the 30 feet required to 15 feet to permit the construction of a 2-story, 1,476 square foot structure that includes an ARU and a garage.

The property owner is requesting a variance to the 30-foot setback to the rear property boundary with the neighboring USFS Bridger-Teton National Forest land (BTNF). The application for the Variance would allow the development of a 2-story structure with 800 square foot of habitable square footage for an ARU above a 676 square foot garage. The application is to locate development outside and adjacent to an existing 15-foot wide utility easement along the rear lot line. Development includes a driveway, which meets all setbacks, that would be required to span an existing natural ephemeral creek/drainage feature. A 45-foot long over-sized culvert with scour protection, velocity checks and two (2) overflow retention basins has been designed to provide runoff management for the site development in this location.

Discussion between the Board and staff included maintaining setback standards, number of comments in support vs. non-support, number of townhomes in Moose Creeksubdivision, no public comment for denial outside of Moose Creek Townhomes, reasons for being unable to make findings.

John Korhonen with Farmer Payne Architects, representing the applicant, addressed the Board regarding public comment from Moose Creek neighbors, photos showing height of building in question.

Public comment was given by Pat Mahin, Jim Terry, Paul D'Amours, and Kevin Gregory – representing John and Phillipa Cannon and Big Horn Properties of Wyoming, LLC.

Discussion between the Board and staff included east to west trend downslope in excess of 30%, is this precedent setting.

The meeting was recessed at 1:01pm and reconvened at 1:30pm.

Discussion between the Board and staff included slopes, trees and vegetation, drainage, TV Architectural Committee encourages protection of mature trees, condition #1 special circumstances, non-conformity vs. illegal, procedure on last minute conditions, removing condition becomes code enforcement, bringing property into compliance before issuing additional requests, 1998 process for deviations from design, County/TVAC partnership, building/structure is not a minor encroachment, what jurisdiction do we have to enforce someone to do something on land they don't own, client stepped forward to voluntarily do revegetation, let landowner deal directly with USFS.

Pat Mahin, landowner, spoke about the letter received from USFS.

Discussion among the Board included partnerships with supporting agencies,

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to approve VAR2017-0004, a request to deviate from the Dimensional Limitations Schedule as outlined in Table Three of the Teton Village Master Plan Area 1, to reduce the 30-foot rear setback to 15 feet for development of a 1,476 square foot 2-story structure, including an 800 square foot Accessory Residential Unit and a 676 square foot garage, as set forth in the application dated March 12, 2018, being able to make all if the four (4) findings of Teton Village Area 1 Master Plan Section IV.D.6.d., with three (3) conditions of approval as listed below, as recommended herein by the Planning Director and the Planning Commission:

1. Prior to issuing any physical development permits, the unpermitted pool maintenance building within the side setback near the north property boundary shall be brought into compliance with the required 20-foot side setback by removal or relocation.
2. Temporary construction fencing shall be installed along the western property boundary in the vicinity of the project area to prevent encroachment onto USFS property.
3. Prior to issuance of a Certificate of Occupancy the applicant shall provide documentation that the adjacent landscape area on USFS property to the west has been revegetated in accordance with the plans submitted by the applicant.

Chair Newcomb called for a vote. The voted showed 4-1 and the motion carried with Commissioner Macker opposed.

MATTERS FROM COMMISSIONERS

A. Fire in the Mountains Discussion

Commissioner Vogelheim asked for staff to monitor event permit for the Fire in the Mountain Music Festival.

Discussion between the Board and staff included LDRs not possible at this time, timing of updates to LDRs, give this particular event extra attention, conditions include camping, noise - impacts on neighbors, lack of neighbor notice, special event permit process – tier out size of events, changes to Special Events Resolution has a quicker change time than LDRs, all Special Events applications come before the Board.

B. Board Retreat

Commissioner Macker requested the Board to schedule a retreat to go through the Working Agreement and Rules of Meeting Procedure. Will discuss at next calendar review.

ADJOURN

A motion was made by Commissioner Macker and seconded by Commissioner Vogelheim to adjourn. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 2:35pm.

Respectfully submitted,

Shelley Fairbanks
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Mark Newcomb, Chair

Natalia D Macker, Vice-Chair

Greg Epstein

Paul Vogelheim

ATTEST:

Kathleen "Smokey" Rhea

Sherry L. Daigle, County Clerk