

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

The Teton County Board of Commissioners met in regular meeting on **June 21, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 8:50 a.m. for Board of Health interviews. At 9:01 a.m., the regular agenda began and the Pledge of Allegiance was recited.

ROLL CALL

County Commission: Luther Propst, Vice-Chairman, Mark Barron, Mark Newcomb and Greg Epstein were present. Natalia Macker, Chairwoman, was absent.

CALL TO ORDER

TETON COUNTY BOARD OF HEALTH INTERVIEW

The Board interviewed the following applicants:

- Shannon Brennan – via phone
- Meghan Quinn

9:00 AM PLEDGE OF ALLEGIANCE / REGULAR AGENDA

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt today's agenda with the addition of item #19, an Employee Lease for 60 East Pearl Ave #202. Vice-Chairman Propst called for the vote. The vote showed all in favor and the motion carried.

APPROVAL OF COUNTY VOUCHERS – Voucher run for June 21, 2022

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the County Voucher Run for June 21, 2022 in the amount of \$2,010,595.72. Vice-Chairman Propst called for the vote. The vote showed all in favor and the motion carried.

MINUTES

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the 6-6-2022 and 6-7-2022 minutes. Vice-Chairman Propst called for the vote. The vote showed all in favor and the motion carried.

CONSENT AGENDA

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

1. Consideration of Contract for Fire Alarm Installations
2. Consideration of Contract for FCA Phase 3
3. Consideration of a Contract Between the Wyoming Department of Health and Teton County for the Teton District Health Officer to Provide Additional Services
4. Consideration of a Sole Source Bid Award and Purchase of Ultrasound Equipment
5. Consideration of a MOU with the Wyoming Department of Health and Teton County for Public Health Nursing Services and Maternal and Child Health Services
6. Consideration of Affirmation of Public Health Board Approval of 2022 Fee Schedule
7. Consideration of Annual Treatment Court Contract with State of Wyoming
9. Consideration of a Grant Agreement with the Brinson Foundation for Integrated Solid Waste and Recycling
10. Consideration of Wilson Boat Ramp- Engineering Add Services Agreement with Harmony Design
11. Consideration of Exhibit B Approval to Rec Center Climbing Wall Contract
12. Consideration of Approval to Begin 45 Day Public Comment Period for Possible Adoption of the Teton County Public Transit Title VI (Civil Rights) Rules
14. Consideration of Amendment to Existing Agreement with Dude Solutions, Inc. for SmartGov Permitting System
16. Consideration of a Decrease of Fair Board Members
17. Consideration of Master Lease for 400 W. Snow King Studios

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

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

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Contract for Fire Alarm Installations

To approve the contract to install fire alarm systems with Mountain Alarm Fire and Security in the amount of \$51,900.00.

2. Consideration of Contract for FCA Phase 3

To approve the proposal by Brightly Software Inc. (formerly Dude Solutions) to provide Facility Condition Assessments on Fire/EMS Station 1 and the Recreation Center for the amount of \$23,500.00.

3. Consideration of a Contract Between the Wyoming Department of Health and Teton County for the Teton District Health Officer to Provide Additional Services

To approve the Contract between the Wyoming Department of Health, Public Health Division and Teton County for the Teton District Health Officer to assist with Public Health Preparedness and Response.

4. Consideration of a Sole Source Bid Award and Purchase of Ultrasound Equipment

To award the sole source bid and approve the purchase of Ultrasound equipment from Philips HealthCare for the Health Department's Family Planning Clinic.

5. Consideration of a MOU with the Wyoming Department of Health and Teton County for Public Health Nursing Services and Maternal and Child Health Services

To approve the MOU with the Wyoming Department of Health, Public Health Division and Teton County for Public Health Nursing (PHN) services, home visitation services, Children's Special Health (CSH) Program services, and other Maternal and Child Health (MCH) services that support Title V priorities for the amount of \$435,000 for the period July 1, 2022, to June 30, 2024.

6. Consideration of Affirmation of Public Health Board Approval of 2022 Fee Schedule

To approve the 2022 Fee Schedule for the Teton County Environmental Health and Public Health and further affirm the approval of the Teton District Health Board's approval

7. Consideration of Annual Treatment Court Contract with State of Wyoming

To approve Contract between the Wyoming Department of Health and Teton County for the Teton County Court Supervised Treatment Program and accept state funding in the amount of \$48,193.05

9. Consideration of a Grant Agreement with the Brinson Foundation for Integrated Solid Waste and Recycling

To approve the grant agreement with the Brinson Foundation for a FY2023 grant for ISWR in the amount of \$50,000.

10. Consideration of Wilson Boat Ramp- Engineering Add Services Agreement with Harmony Design

To approve the Add Services Contract Agreement with Harmony Design & Engineering for the Wilson Boat Ramp Project for the Aquatic Resource Inventory and Environmental Analysis Update in the amount of \$13,165.00.

11. Consideration of Exhibit B Approval to Rec Center Climbing Wall Contract

To approve Exhibit B dealing with Insurance and Bonds that goes with the already approved design build contract with Entre prises Climbing, Inc for the Recreation Center climbing walls and boulders.

12. Consideration of Approval to Begin 45 Public Comment Period for Possible Adoption of the Teton County Public Transit Title VI (Civil Rights) Rules

To authorize staff to begin the 45-day public comment period for the Teton County Public Transit Title VI (Civil Rights) Rules.

14. Consideration of Amendment to Existing Agreement with Dude Solutions, Inc. for SmartGov Permitting System

To approve the order form for the additional scope of work with Brightly Software, Inc. for data migration and project management in an amount not to exceed \$2,458.13.

16. Consideration of Decrease of Fair Board Members

To approve the request of the Teton County Fair Board to decrease from nine(9) members to seven (7) members on the Teton County Fair Board.

17. Consideration of Master Lease for 400 W. Snow King Studios

To approve the Master Lease Agreements for 400 West Snow King between the Town of Jackson and Teton County for units 16, 18, and 19 and corresponding Sublease Agreements with six Temporary Status Parks and Rec. employees as presented by staff.

DIRECT CORRESPONDENCE

1. Leah Duke 5/31/2022 email regarding Willowbrook Water and Sewer District
2. Alyson Klaczkiewicz 6/1/2022 email regarding SPET: Conservation Fund
3. Gesche Haas 6/1/2022 email regarding JH Children's Museum
4. Jim Hammerel 6/1/2022 email regarding JH Children's Museum
5. Joe Cranston 6/1/2022 email regarding Snake River Sporting Club Budget
6. Amanda Moyer 6/1/2022 email regarding JH Children's Museum
7. Marisa Laugen 6/1/2022 email regarding Mercill Proposals
8. Jessica Kellett 6/1/2022 email regarding JH Children's Museum
9. Kea Molnar 6/1/2022 email regarding JH Children's Museum
10. Jenny May 6/1/2022 email regarding JH Children's Museum
11. Laura Soltau 6/1/2022 email regarding JH Children's Museum
12. Chelsea Schumaker 6/1/2022 email regarding JH Children's Museum
13. Emily Hagedorn 6/1/2022 email regarding TCD Draft Budget
14. Lacey Merrell 6/1/2022 email regarding JH Children's Museum
15. Sadek Darwiche 6/1/2022 email regarding Rafter J Homeowner's Association
16. Chani Knobe 6/1/2022 email regarding JH Children's Museum
17. Lindsay Linton Buk 6/1/2022 email regarding JH Children's Museum
18. Grace Johnston 6/1/2022 email regarding JH Children's Museum
19. Marylee White 6/1/2022 email regarding SPET Transportation Alternatives

20. Camille Obering 6/2/2022 email regarding Gun Violence
21. Bill Voge 6/2/2022 email regarding Good Samaritan Mission
22. Anna Luhrmann 6/2/2022 email regarding 105 Mercill Property/JH Children's Museum
23. Marylee White 6/3/2022 email regarding Transportation SPET
24. Hans Flinch 6/3/2022 email regarding Rafter J Lot 333
25. Anna Olson 6/3/2022 email regarding SPET Comments/Chamber of Commerce
26. Brian Schilling 6/3/2022 email regarding Willow Street Safe Routes Bollard Proj.
27. Brent Schaffer 6/3/2022 email regarding Rafter J Lot 333
28. David Bressler 6/5/2022 email regarding Henry's Road - Comunidad Rezone
29. Ann Smith 6/5/2022 email regarding 307 Horse Racing
30. Louisa Sandvig 6/6/2022 email regarding Pari-Mutuel Wagering
31. Gigi Halloran 6/6/2022 email regarding Pari-Mutuel Wagering
32. Kevin Cochary 6/6/2022 email regarding Assisted Livinh SPET
33. Laura Soltau 6/6/2022 email regarding Horsethief Canyon Rezone
34. Travis Gay 6/6/2022 email regarding Alta Recreation
35. Tim Rieser 6/6/2022 email regarding St. John's SPET Request
36. Tracy Baiotto 6/6/2022 email regarding Rafter J Lot 333
37. Tim Cole 6/6/2022 email regarding JH Children's Museum
38. Jessica Chambers 6/6/2022 email regarding Pari-Mutuel Wagering
39. Jessica Chambers 6/6/2022 email regarding Pari-Mutuel Wagering
40. Virginia Dean 6/7/2022 email regarding Wagering
41. Mike Smerklo 6/7/2022 email regarding Dairy Subdivision
42. Gilliam Chapman 6/7/2022 email regarding Capacity of Schools/SPET
43. Brian Schilling 6/8/2022 email regarding Willow Safe Routes
44. Stacy Stoker 6/8/2022 email regarding Housing Rules and Regs
45. Matt Faupel 6/9/2022 email regarding Housing Rules and Regs
46. WYDOT 6/10/2022 email regarding Rural Road Safety Program
47. Erik Dombroski 6/10/2022 email regarding JHTTB Budget Agreement
48. Susan Johnson 6/10/2022 email regarding Bollards
49. JJ Healy 6/10/2022 email regarding Wilson Truck Arrestor
50. Jared Smith 6/10/2022 email regarding Fish Creek RD DEV
51. Doug Mackenzie 6/12/2022 email regarding Fish Creek
52. Stephen Koch 6/12/2022 email regarding Fish Creek DEV
53. Jonathan Schechter 6/12/2022 email regarding SPET Allocations
54. Margie Lynch 6/13/2022 email regarding ECW SPET Application
55. Nancy Leon 6/13/2022 email regarding Fish Creek DEV
56. Tor Ingstad 6/13/2022 email regarding Permitting Issues
57. Sinclair Buckstaff, JR 6/13/2022 email regarding Flat Creek Watershed Proposed Budget
58. Steve Price 6/13/2022 email regarding Yellowstone Floods

PUBLIC COMMENT

Public comment was given by Scott Horn regarding the proposed truck arrestor on Highway 22.
 Public comment was given by Jim Roscoe regarding the proposed truck arrestor on Highway 22.
 Public comment was given by Camille Obering (via Zoom) regarding the proposed truck arrestor on Highway 22.
 Public comment was given by Madeline Forrestel regarding the proposed truck arrestor on highway 22.

MATTERS FROM COMMISSION AND STAFF

8. Consideration of a Variance for Small Wastewater Facility SWF2022-0002 at 5 Jackpine Road

Amy Ramage, Engineer, presented to the Board for consideration of approval a petition for variance to the Small Wastewater Facility (SWF) Regulations for permit SWF2022-0002; substitution of a composite septic tank in place of standard pre-cast concrete tank.

The lessee of the Forest Service cabin at 5 Jack Pine Road off Granite Creek Road has a septic system that requires replacing. The applicant has been issued a permit, however has requested the permit be amended to allow for a plastic tank in lieu of a precast concrete tank required by the SWF regulations. Prior to the January 2022 adoption of the Title 9 of the Teton County Code Small Wastewater Facility Regulations, the decision to allow substitute materials for septic tanks rested with the County Sanitarian. Pre-cast concrete septic tanks were the default standard material for such tanks, but allowance for alternate materials was considered when difficult site or access constraints existed for a specific application.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the Small Wastewater Facility Variance Petition with the additional condition to the issued permit that the design engineer shall certify that the substitute tank is installed in conformance their design and all manufacturer's recommendations. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

13. Consideration of an Agreement for Building Plan Review Services

Chris Neubecker, Director of Planning and Building Services, presented to the Board for consideration of approval an Agreement for Professional Services with West Coast Consulting (WC-3) for Building Plan Reviews for the Planning & Building Services Department.

On March 23, 2022, the Planning & Building Services Department issued a Request for Qualifications (RFQ) for Building Plan Review Services. The need for temporary services in the Building Division is the result of a vacancy in a full-time Plans Examiner position. The Plans Examiner position has been vacant since December 30, 2021. The RFQ process resulted in the submittal and review of ten (10) proposals, scoring of the proposals, and a review of the fees for service. Of those proposals submitted, five (5) firms were selected for interviews, which were completed between May 18 and May 26, 2022. The staff evaluators for the review, interviews, and recommendation on proposals were: • Chris Neubecker, Planning & Building Services Director • Billy Nunn, Building Official After interviewing the five (5) firms and reviewing the costs for services, and performing reference checks on two firms, the Planning Director and

Building Official recommend approval of a contract with West Coast Consulting, also known as WC-3. The proposed agreement amount is based on a percentage of the County's Plan Review Fee. The Plan Review Fee charged by the County is 65% of the Building Permit Fee. The proposed WC-3 fee is 65% of the Plan Review Fee

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the agreement with West Coast Consulting for building plan review services, not to exceed \$97,509.29. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

15. Consideration of an Application for Temporary Use Permit for Rock Stockpile Site

Dave Gustafson, Road and Levee Manager, presented to the Board for consideration of approval an application to the State of Wyoming Board of Land Commissioners for a Temporary Use Permit for the stockpiling of rock to be used in levee maintenance and repair.

Teton County historically has held a temporary use permit (TUP1699) for the Highway 390 Wyoming State Lands (School Section) Site 8 location. The permit allowed for the stockpiling of U.S. Army Corp. of Engineers' levee revetment rock. The permit expired on May 1, 2022. Wyoming Office of State Lands and Investments initiated a competitive bid process in February 2022 for securing future temporary use permits, with nine site leases available on the School Section. Teton County was unsuccessful at retaining Site 8 during the competitive bid process; however, further discussion/negotiation between the County Administrator and State Lands resulted in a 10-year lease on Site 1. The existing rock stockpile must be moved from Site 8 to Site 1 by August 1, 2022. An agricultural and grazing lease for the entire School Section is held by Snake River Ranch. Pursuant to the Board of Land Commissioners' Rules and Regulations, Chapter 14, a new lease/permit requires comment from the grazing and agricultural lessee and possible surface impact payment to the grazing and agricultural lessee.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the application to the State of Wyoming Board of Land Commissioners for a Temporary Use Permit for the stockpiling of rock on Site 1. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

18. Consideration of JSA Agreements

April Norton, Housing Director, presented to the Board for consideration of approval Jackson Street Apartments Agreements.

Jackson Street Apartments is a public-private partnership that will create 57 permanently deed restricted apartments in downtown Jackson and that will include 15 Rights of First Rental for Teton County employees.

Public comment was given by Laurie Andrews.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the Field of Interest Fund Form & Agreement and the Addendum to the Field of Interest Fund Form & Agreement as presented here today. Vice-Chairman Propst 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 Operating Agreement of Jackson Street Apartments LLC as presented here today. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

19. Consideration of Employee Lease at 60 East Pearl Avenue Unit #202

Stacy Stoker, Housing Manager, presented to the Board for consideration of approval a lease agreement for Teton County Employee Housing located at 60 E Pearl Unit #202.

In April of 2022, the County completed construction of a major remodel of Fire Station #1 located at 40 E Pearl Avenue. The building contains three housing units addressed as 60 E. Pearl. Units 201 and 202 are intended to house County employees. Unit 203 is reserved for Town employees until October of 2023 when it will revert to County employee use.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the Lease Agreement for 60 East Pearl Unit #202 with Erin Monroe. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 9:38 a.m. and reconvened at 9:45 a.m.

MATTERS FROM PLANNING AND DEVELOPMENT

Findings of Fact and Conclusions of Law

A. MSC2022-0026 - JHHR I, LLC Sketch Plan Amendment

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue the Findings of Fact and Conclusions of Law for JHHR I, LLC, to the July 5, 2022 Board of County Commissioners Meeting. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

- 1. Permit:** SD2021-0005 – **CONTINUED FROM JUNE 7, 2022**
- Applicant:** SRS CLUB, LLC
- Presenter:** Hamilton Smith
- Request:** Partial Vacation Without Replat, of Lots 95, 98, 99, and 102 into Lot 116 Snake River Sporting Club 3rd Filing, Plat No. 1195, pursuant to Section 8.2.13.C.5 of the Teton County

Land Development Regulations, Amendment of Permits or Approvals, to vacate interior lot lines.

Location: Lots 95, 98, 99, and 102 into Lot 116 Snake River Sporting Club 3rd Filing, Plat No. 1195. All subject Lots are undeveloped, located within the Snake River Sporting Club Planned Residential Development, adjacent to the Snake River Sporting Club Golf Course in the Rural 1 Zone (R-1), and are within the Scenic Resources Overlay and the Natural Resources Overlay.

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a Plat Amendment without replat, to vacate interior lot lines with the purpose to merge Lots 95, 98, 99, and 102 of Plat No. 1195 with the Golf Course Lot 116 of the Snake River Sporting Club 4th Filing, Plat No. 1373, pursuant to Section 8.5.3 and 8.2.13 of the Teton County Land Development Regulations (LDRs).

The applicant is requesting a plat amendment to vacate the interior lot lines of four (4) undevelopable lots within the Snake River Sporting Club Subdivision. This partial vacation does not affect the density of the development or available entitlements. The lots are identified on Plat No. 1195 as dedicated Open Space (Lot 95 & Lot 102) or Golf Course Lots (Lot 98 & 99).

Public comment was given by Robert Brady and Anne Brady.

Ron Levy, Jorgensen Associates, spoke on behalf of the Applicant.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve SD2021-0005, for the partial vacation without replat of Lots 95, 98, 99 and 102, the Snake River Sporting Club Third Filing Plat No. 1195, being able to make the findings of Section 8.5.3., the standards of Section 8.2.13.C., and being able to make the finding pursuant to Wyoming Statute §34-12-108, that such partial vacation does not abridge or destroy any of the rights and privileges of other proprietors in Plat No. 1195, and request the Teton County Clerk "vacate" on the subject Lots on Plat No. 1195 and a note on Plat 1373 indicating the change in acreage for Lot 116 upon filing of the instrument, with one condition of approval.

1. The Partial Vacation of Plat Instrument shall not be recorded with the County Clerk before a permanent access easement on USDA Forest Service land is issued and recorded for access by Wagon Road in perpetuity to private lands South of the easement location as identified in this application.

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

- 2. Permit:** MSC2022-0018 – **CONTINUED FROM JUNE 7, 2022**
Applicant: TARGHEE VILLAGE, INC. C/O RHOLAND E. LANGE
Presenter: Hamilton Smith
Request: An application to amend a condition of approval on a Final Development Plan for the Targhee Village subdivision (DEV99-0027), to amend the condition such that a fee-in-lieu be provided to meet affordable housing standards rather than subject the property to a deed restriction as an Affordable lot, pursuant to Section 8.2.13.C.5 of the Land Development Regulations, Amendment of Permits or Approvals.
Location: Lot 21 of Targhee Village, Plat No. 971. The subject lot is undeveloped, located within the Targhee Village Subdivision in the Rural-3 Zone (R-3). The lot is not within any Teton County Zoning Overlays.
- 3. Permit:** SD2022-0003 – **CONTINUED FROM JUNE 7, 2022**
Applicant: TARGHEE VILLAGE, INC. C/O RHOLAND E. LANGE
Presenter: Hamilton Smith
Request: Partial Vacation Without Replat, of Lot 21 of Targhee Village, Plat No. 971, pursuant to Section 8.2.13.C.5 of the Teton County Land Development Regulations, Amendment of Permits or Approvals, to remove plat notes referencing the status of Lot 21 as "Affordable" or "Deed Restricted".
Location: Lot 21 of Targhee Village, Plat No. 971. The subject lot is undeveloped, located within the Targhee Village Subdivision in the Rural-3 Zone (R-3). The lot is not within any Teton County Zoning Overlays.

Hamilton Smith, Principal Planner, presented MSC2022-0018 and SD2022-0003 concurrently.

MSC2022-0018: A request to amend a Development Plan (DEV99-0027) condition of approval to allow a fee-in lieu to meet affordable housing standards rather than subject the property to a deed restriction as an Affordable lot, pursuant to Section 8.2.13 of the Land Development Regulations, Amendment of Permits or Approvals.

SD2022-0003: Plat Amendment to remove plat notes referencing the status of Lot 21 (Plat No. 971) as "Affordable" or "Deed Restricted", without replat, pursuant to Section 8.5.3 and 8.2.13 of the LDRs.

The intent of the two applications is to revise the housing mitigation strategy approved with a Final Development Plan (DEV99-0027) in 1999, such that a fee-in-lieu can replace the requirement that Lot 21 of the Targhee Village Subdivision be a deed restricted affordable lot. This requires the amendment of a Development Plan condition of approval and the vacation of associated plat notes. The applicant would like to contribute the fee-in-lieu calculated to reflect the 1999 requirement. Henceforth, the lot would be a free market lot, without deed restriction.

Public comment was given by Bob Pushaw, Wayne Shannon, and Scott Pierson.

Abigail Moore, Deputy County Attorney, answered questions from the Board.

Additional public comment was given by Bob Pushaw and Wayne Shannon.

Motion for MSC2022-0018

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve MSC2022-0018 to amend Development Plan (DEV99-0027) Limitations and Conditions #2, based on the Teton County Land Development Regulations, findings of Section 8.2.15., with no conditions, as follows:

2. The deed restrictions for Lot 21 will fulfill the County affordable housing requirement once the Affidavit Affecting Title, Covenant and Encumbrance is recorded with the final plat, or the developer shall pay a fee-in-lieu to the Teton County Affordable Housing Department in the amount of \$44,800 to allow for removal of the affordable deed restriction on Lot 21.

Vice-Chairman Propst called for a vote. The vote showed none in favor and the motion failed 0-4.

Motion for SD2022-0003

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve SD2022-0003 for the partial vacation without replat, to remove plat notes referencing the status of Lot 21 Targhee Village (Plat No. 971) as "Affordable" or "Deed Restricted" without replat, being able to make the findings of Section 8.5.3., the standards of Section 8.2.13.C., and being able to make the finding pursuant to Wyoming Statute §34-12-108, that such partial vacation does not abridge or destroy any of the rights and privileges of other proprietors in Plat No. 971 and request the Teton County Clerk to write "vacate" on the "Affordable" or "Deed Restricted" notes on Plat No. 971 as recommended in this Staff Report upon filing of the instrument. Vice-Chairman Propst called for a vote. The vote showed none in favor and the motion failed 0-4.

The meeting recessed at 11:14 a.m. and reconvened at 11:19 a.m.

- 4. Permit:** CUP2022-0001
Applicant: DIAMOND CROSS RANCH LLC
Presenter: Chandler Windom
Request: A Conditional Use Permit request pursuant to Land Development Regulation Section 8.4.2 to expand an existing Outdoor Reception Site at the Diamond Cross Ranch.
Location: 24340 & 24560 N Diamond Cross Road are located in Moran approximately 5.5 east of the Moran post office on the north side of Hwy 26/287. The parcels are zoned Rural-1 and are in the Natural & Scenic Resources Overlays.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations (LDRs) to allow for an Amendment to the Outdoor Reception Site CUP2004-0003 at the Diamond Cross Ranch.

The proposal is for an amendment and expansion to the existing outdoor event/reception site at the Diamond Cross Ranch, located at 24340 Diamond Cross Road. In 2004, a Conditional Use Permit (CUP2004-0003) for an outdoor recreation use was approved which allowed for horse training demonstrations and community functions in the barn and horse arena at the Diamond Cross Ranch. Prior to the issuance of that Conditional Use Permit Diamond Cross Ranch was hosting corporate and private gatherings on the ranch with a Temporary Use Permit. CUP2004-0003 limited the number of events to 104 annually, with no more than 48 events between May 1- October 31 of each year. This outdoor recreation use is now non-conforming because it does not comply with the current LDR standards that require a minimum site area of 140 acres, as well as exceeding the maximum number of individual events now limited by the Rural-1 zone (LDR Section 3.2.2). Per LDR Section 1.9.3, non-conforming uses may be expanded a cumulative total of 20% in the floor area and site area occupied and/or the daily and annual duration. The applicant proposes to amend the Conditional Use Permit to expand the designated area for the use to the Northeast to include an outdoor venue on 24560 Diamond Cross Road. The applicant is also requesting an additional 20 events be moved from the winter event allowance to the summer season (May 1- October 31).

Peter Long, the applicant, commented on the application.

There was no other public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve CUP2022-0001 dated February 24, 2022, for the proposed Diamond Cross Ranch Reception Site amendment to CUP2004-0003, with the following conditions, based on the findings recommended below:

1. In accordance with CUP2004-0003 no more than 104 events may occur on the site annually. However, no more than 68 events may occur between May 1- October 31.
2. The hours of operation for the expanded venue site shall be 9:00 AM to 10:00 PM
3. Prior to issuance of this permit, the applicant shall demonstrate to Teton County Planning & Engineering either that existing utilities are sufficient for the frequency of events, or how utility facilities will be improved to comply with Teton County or Wyoming Department of Environmental Quality requirements, whichever is applicable.
4. For each event at the expanded venue, the owner shall complete the checklist provided by the Jackson Hole Fire/EMS Department. An inspection by the Jackson Hole Fire/EMS Department is also required prior to the start of the expanded operations proposed by this application.
5. Special Event Permits may be required from the Teton County Commissioners Administration Office for discrete events.

Commissioner Barron amended his motion to read "The hours of operation for the expanded venue site shall be 9:00 AM to 9:00 PM. And Commissioner Epstein, the second, accepted the amendment. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION

- A. Calendar Review – The Board reviewed their Weekly Calendar.

Commissioner Barron left the meeting at 11:50 a.m.

EXECUTIVE SESSION

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to enter executive session pursuant to WY Statute §16-4-405-(a)(ii), to consider appointments to volunteer boards, specifically the appointment of a board member as a public officer. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting entered executive session at 11:52 a.m.

Commission present: Luther Propst, Greg Epstein, and Mark Newcomb

Others: Alyssa Watkins, Board of County Commissioners Administrator, Keith Gingery, Deputy County Attorney, Maureen Murphy, Teton County Clerk, and Chalice Weichman, Deputy County Clerk.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to exit executive session. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting exited executive session at 12:01 p.m.

VOLUNTEER BOARD APPOINTMENTS

Board of Health:

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to appoint to the Board of Health Shannon Brennan to serve a full term. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

Fair Board: (a decrease in Fair Board members from 9 to 7 was approved on consent earlier in this meeting)

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to appoint to the Fair Board Hannah Bouline and Alaina McBride to serve full terms. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried

ADJOURN

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to adjourn. Vice-Chairman Propst called for a vote. The vote showed three in favor and the motion carried 3-0. The meeting adjourned at 12:07 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk