

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

The Teton County Board of Commissioners met in regular session on **July 16, 2019** 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: Natalia Macker Chair, Greg Epstein Vice-Chair, Mark Barron, Mark Newcomb, and Luther Propst were present.

MINUTES

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the **7/1/19, 7/2/19, and 7/8/19** minutes. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

ADOPTION OF AGENDA

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to adopt today's agenda with the following changes:

TO ADD: MFP #14: Consideration of Approval of Treatment Court and Alternative to Incarceration Position

TO POSTPONE: MFP #3: DOP2019-0002 LOVETT, RICHARD J. TRUSTEE **POSTPONED TO THE AUGUST 6, 2019 BCC MEETING**

TO POSTPONE: MFP #4: EAS2019-0001 LOVETT, RICHARD TRUST OF 1996, LOVETT, RICHARD J. TRUSTEE **POSTPONED TO THE AUGUST 6, 2019 BCC MEETING**

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 Approval of a Contract with Independent Contractor, Kim Mellick, for Nurse Practitioner Services for the Family Planning Clinic at Teton County Health Department
2. Consideration of Approval of a Contract with Independent Contractor, Vicki Rosenberg, for Title X Program Coordination Services for the Family Planning Clinic at Teton County Health Department
3. Consideration of Approval of a Modification to an Agreement Between Jackson Hole Fire/EMS and the USDA, Forest Service, Bridger Teton National Forest for Prescribed Fire Assistance
4. Consideration of Approval of Airport Access Road Grant
6. Consideration of Approval of FY20 Community Partner Agreements for ISWR Outreach and Education
11. Consideration of Approval of Contract for Phase 3 Engineering of Children's Learning Center Rafter J HVAC

Chair Macker 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 Newcomb to approve the items on the Consent Agenda with the motion as stated in their respective staff report. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION AND STAFF:

- 1. Consideration of Approval of a Contract with Independent Contractor, Kim Mellick, for Nurse Practitioner Services for the Family Planning Clinic at Teton County Health Department**

To approve the Contract between Independent Contractor, Kim Mellick for Nurse Practitioner services for family planning clients at Teton County Public Health for the period July 16, 2019 – June 30, 2020.

- 2. Consideration of Approval of a Contract with Independent Contractor, Vicki Rosenberg, for Title X Program Coordination Services for the Family Planning Clinic at Teton County Health Department**

To approve the Contract between Independent Contractor, Vicki Rosenberg for Title X program coordination services at Teton County Health Department for the period July 1, 2019 – June 30, 2020.

- 3. Consideration of Approval of a Modification to an Agreement Between Jackson Hole Fire/EMS and the USDA, Forest Service, Bridger Teton National Forest for Prescribed Fire Assistance**

To approve the modification of the Fire Supplemental Project Agreement between Jackson Hole Fire/EMS and USDA, Forest Service, Bridger-Teton National Forest.

- 4. Consideration of Approval of Airport Access Road Grant**

To approve the FAA Grant Agreement for the rebuild of the access road to the Jackson Hole Airport with the maximum obligation amount from the FAA being \$2,556,642.00.

- 6. Consideration of Approval of FY20 Community Partner Agreements for ISWR Outreach and Education**

To approve the FY2020 ISWR Community Partnership agreements in the amount of \$10,000.00 and as detailed in the staff report.

11. Consideration of Approval of Contract for Phase 3 Engineering of Children's Learning Center Rafter J HVAC

To approve the contract for Phase 3 RetroCommissioning to Quantum Group Engineering in the amount of \$12,000.00.

DIRECT CORRESPONDENCE

- 1.Dave Rothman 6/25/2019 email regarding Rural Colorado's New Plan to Lower Health Care Costs
- 2.Lisa Lord-Price 6/26/2019 email regarding E-Cigarette Sales
- 3.Susan Mick 6/26/2019 email regarding START Funding - Green Line and Star Valley Routes
- 4.Dianne Budge 6/26/2019 email regarding Bundling SPET Ballot
- 5.Joe Scott 6/26/2019 email regarding Snake River Sporting Club Pickleball Court
- 6.Jim Verdone 6/26/2019 email regarding Old Pass Road
- 7.Jeff Rice 6/26/2019 email regarding Munger Mountain Sustainable Workforce Housing
- 8.Douglas Linn, BLM Pinedale Field Office 6/27/2019 email regarding Acting Pinedale Field Manager Contact Information
- 9.Nina Lenz 6/27/2019 email regarding Mercill Housing Trust Proposal
- 10.Cindy Brackett 6/27/2019 email regarding Broadway and Powderhorn Corner
- 11.Rose Caiazza 6/27/2019 email regarding Mercill Development Selection
- 12.Climb Wyoming 6/28/2019 letter regarding Thank You
- 13.Karilyn Brodell 6/27/2019 email regarding SPET Bundling
- 14.Susan Johnson, Planning & Development 6/28/2019 email regarding Snow King EIS Process
- 15.Armond Acri 6/29/2019 email regarding SPET Bundling
- 16.Armond Acri 6/29/2019 email regarding START Funding Formula
- 17.Steve Dunbar 6/29/2019 email regarding SPET Bundling
- 18.Dick Aurelio 6/30/2019 email regarding START Funding Formula
- 19.Douglas Sobey 6/30/2019 email regarding SPET Bundling
- 20.Mitchell Dann 6/30/2019 email regarding SPET Bundling
- 21.Margaret Sobey 6/28/2019 email regarding SPET Bundling
- 22.Bob Lenz 6/30/2019 email regarding SPET Considerations
- 23.Lynne Becker 7/1/2019 email regarding SPET Bundling
- 24.Jonathan Schechter, Town Council 7/1/2019 email regarding SPET Elections - Analysis of Historical Voting Patterns
- 25.Sandy Shuptrine 7/1/2019 email regarding SPET Bundling
- 26.Don Jensen 7/1/2019 email regarding SPET Bundling
- 27.I S W and Recycling 7/1/2019 regarding Thank You
- 28.Beverly Boynton 7/1/2019 email regarding Bundling SPET
- 29.Linda Williams 7/1/2019 email regarding Wildlife Crossings - Hwy 390
- 30.Brady Hansen, Jackson Hole Fire/EMS 7/2/2019 email regarding Fire at Café Genevieve
- 31.Richard Greig 7/2/2019 email regarding SPET Bundling
- 32.Rich Ochs, Emergency Management 7/2/2019 email regarding Housing Rules and Regulations Clean Up
- 33.River Osborn, Seniors West of the Tetons 7/2/2019 letter regarding Thank You
- 34.Lucia Garcia 7/2/2019 letter regarding Thank you for the Continuing Education Award
- 35.Lucia Garcia 7/2/2019 letter regarding Thank you for the State Funded Scholarship
- 36.Keith Benefiel 7/3/2019 email regarding SPET Bundling
- 37.Keith Benefiel 7/3/2019 email regarding Wildlife Crossings
- 38.Jim Lewis 7/3/2019 email regarding SPET Bundling
- 39.Jack Ormond 7/3/2019 email regarding SPET Bundling
- 40.Evan Phillips 7/5/2019 email regarding Family Vacation to Jackson
- 41.Perri Stern 7/7/2019 email regarding 440 West Kelly Ave
- 42.Pat Butts 7/7/2019 email regarding SPET Bundling
- 43.Lauren Dickey 7/8/2019 email regarding 105 Mercill Ave
- 44.Ecosystem Research Group LLC 7/8/2019 letter regarding House Bill 54
- 45.Wyoming T2 Center 7/8/2019 letter regarding Wyoming Rural Road Safety Program
- 46.Mary Martin, UW Extension Office 7/8/2019 email regarding Poll Results
- 47.Katy Hollbacher 7/8/2019 email regarding 105 Mercill Ave Housing
- 48.Richard Greig 7/8/2019 email regarding 440 W. Kelly Ave

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF:

5. Consideration of Approval of Contract for Maintenance on Snake River Pathway Bridge

Amy Ramage, County Engineer, presented to the Board for consideration of approval a contract for \$63,373.00 for epoxy seal maintenance work on the Snake River pathway bridge.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the sole source contract between Teton County and Reiman Corp. for the Snake River Pathway Bridge Deck Epoxy Overlay project in the amount not to exceed \$63,373.00. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

7. Public Hearing on Adoption of Amendments to Chapter 3 Use of County Right of Way for Small Wireless Facilities CONTINUED FROM JUNE 18, 2019 BCC HEARING

John Graham, Deputy County Attorney, presented to the Board the changes requested by the BCC as advertised and for consideration of adoption pursuant to the Wyoming Administrative Procedures Act (Wyo. Stat. §16-6-103) of a new Chapter 3 regarding Use of County Right Way for Small Wireless Facilities.

There was no public comment.

8. Consideration of Approval of Adoption of Amendments to Chapter 3 Use of County Right of Way for Small Wireless Facilities CONTINUED FROM JUNE 18, 2019 BCC HEARING

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adopt Chapter 3 to Title 3 regarding Use of County Right of Way for Small Wireless Facilities to the Teton County Rules and Regulations. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

9. Public Hearing for Adoption of New Tipping Fees for Trash Transfer Facility and the Recycling Center CONTINUED FROM JUNE 18, 2019 BCC HEARING

Brenda Ashworth, Solid Waste and Recycling Superintendent, presented to the Board for consideration of approval a resolution to approve tipping fees for the Teton County Trash Transfer Facility and the Teton County Recycling Facility.

There was no public comment.

10. Consideration of Approval of Adoption on New Tipping Fees for the Trash Transfer Facility and the Recycling Center CONTINUED FROM JUNE 18, 2019 BCC HEARING

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Tip Fee Resolution for the Teton County Trash Transfer and Recycling facilities, with new fees effective July 17, 2019. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

12. Consideration of Approval of EMP Funding Request for Engineering Services Related to HVAC Upgrades at Children's Learning Center Rafters J

Alyssa Watkins, Board of County Commissioners Administrator, presented to the Board for consideration of approval the use of Energy Mitigation Plan (EMP) funds for engineering services related to energy efficient HVAC upgrades at the County's property at 1300 Valley Springs Road.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the use of \$2,300.00 of EMP funds to pay for the engineering services related to energy efficient HVAC upgrades at the County's property at 1300 Valley Springs Road. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

14. Consideration of Approval of Treatment Court and Alternative to Incarceration Position

Anne Sutton, Clerk of District Court, and Matt Carr, County Sheriff, provided to the Board the approximate number of Treatment Court clients in the last three years ranging from 4 – 10 at any one time. They talked of trends over the last 20 years with a decrease in population in the jails with the program and what to look forward to with new legislation, 24/7 program, and Alternatives to Incarceration. Timeline to begin program is immediately.

Public comment was made by Erin Weisman County Attorney.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the Treatment Court and Alternatives to Incarceration position at 40 hours per week, with the balance of the Drug Court budget line items to be funded per the FY20 Budget column as publicly advertised in June, 2019. I further direct and authorize the transition of position supervision from the Clerk of District Court to the Sheriff's Office, as requested by the Treatment Court Executive Committee. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 9:23am and reconvened at 9:29am.

MATTERS FROM PLANNING & DEVELOPMENT:

1. Applicant: TETON COUNTY SCHOOL DISTRICT #1
Presenter: Kristi Malone
Permit No.: MSC2019-0021
Request: Waive fees associated with a text amendment brought forward by Teton County School District #1.
Location: Applicable County Wide

Kristi Malone, Planning Staff, presented to the Board for consideration of approval a request to waive fees associated with AMD 2019-0003, requesting a text amendment to Section 7 of the Land Development Regulations (LDRs) to split the contents of "Development Exactions" currently described in Section 7.5.1, into a new Section 7.5.2 Park Exaction, and a new Section 7.5.3 School Exaction, and update affected references throughout the LDRs, pursuant to findings 2.b and 2.d of the Teton County Fee Waiver Policy (Resolution 2014-054).

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Teton County School District #1 request MSC2019-0021 received May 23, 2019 for waiver of \$1,500 of County fees associated with Planning and Building Application Fees, pursuant to findings 2.b and 2.d of the Teton County Fee Waiver Policy (Resolution 2014-054). Chair Macker called for the vote. The vote showed all in favor and the motion carried.

2. Applicant: TETON COUNTY SCHOOL DISTRICT #1
Presenter: Kristi Malone
Permit No.: MSC2019-0022
Request: Waive building permit fees for Teton County School District for a gym storage addition and office work at the Alta Elementary School.
Location: 15 Alta Ski Hill Road

Kristi Malone, Planning Staff, presented to the Board for consideration of approval a request to waive Building Permit fees in the amount of \$415.49 for a Gym Storage addition and office work at 15 Alta Ski Hill Road, pursuant to finding 2.b of the Teton County Fee Waiver Policy (Resolution 2014-054).

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Teton County School District's request MSC2019-022 received May 24, 2019, for waiver and refund of \$415.49 in building permit fees and other fees associated with a permit for a Gym Storage addition and office work (BDC2019-0021) at 15 Alta Ski Hill Road, pursuant to finding 2.b of the Teton County Fee Waiver Policy (Resolution 2014-054). Chair Macker called for the vote. The vote showed all in favor and the motion carried.

3. Applicant: LOVETT, RICHARD J. TRUSTEE **POSTPONED TO THE AUGUST 6, 2019 BCC MEETING**
Permit No.: DOP2019-0002
4. Applicant: LOVETT, RICHARD TRUST OF 1996 **POSTPONED TO THE AUGUST 6, 2019 BCC MEETING**
LOVETT, RICHARD J. TRUSTEE
Permit No.: EAS2019-0001

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to convene as the Teton County Scenic Preserve Trust. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

5. Applicant: SCOGGIN, JO ANN A. & SUNDHEIM, JOHN M.
Presenter: Kristi Malone
Permit No.: EAS2018-0001
Request: Request to amend the Alta Ridge Open Space Easement held by the Teton County Scenic Preserve Trust to allow a residential access drive within the designated open space.
Location: Alta Ridge Easement located on Lot 1 Alta Ridge Subdivision, generally one quarter of a mile east of State Line Road in Alta north of South Leigh Creek. The property is zoned Rural-2 and is not within any Overlays.

Kristi Malone, Planning Staff, presented to the Board for consideration of approval a request to amend the Alta Ridge Open Space Easement held by the Teton County Scenic Preserve Trust (TCSPT) to allow a residential access drive within the existing designated open space and reconfigure the boundary of the open space to limit access to the proposed single driveway.

Paul D'Amours on behalf of the applicant addressed the Board regarding the application.

Public comment was given by Ken Fritschel.

Commissioners Epstein, Macker, and Barron stated they could make the findings. Commissioner Newcomb could not make the findings.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve EAS2018-0001, dated September 18, 2018 and revised May 17, 2019, for a requested amendment to the Alta Ridge Subdivision Open Space easement held by Teton County Scenic Preserve Trust to allow a residential access drive and additional open space area, being able to make the findings in the Open Space Resources Resolution of Teton County, Wyoming. Chair Macker called for the vote. The vote showed 3-2 in favor with Commissioners Newcomb and Propst opposed and the motion carried.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to adjourn as the Teton County Scenic Preserve Trust. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION AND STAFF (continued):

13. Consideration of Approval of Award to Develop Housing at 105 Mercill Avenue

April Norton, Housing Director, presented to the Board for consideration an opportunity to choose a partner to develop housing on a County-owned parcel that is located in the Town of Jackson; is close to jobs, transit, childcare, and recreation; and is another step in implementing the Comprehensive Plan and the Workforce Housing Action Plan. There are four proposals:

1. Developer: Jackson Hole Community Housing Trust; Architect: Northworks; Builder: Shaw Construction
2. Developer: Mercill Partners; Architect: Design Associates; Builder: JH Builders
3. Developer: Onion Flats; Architect: Love/Schack Architects & Onion Flats; Builder: G.E. Johnson
4. Developer: Westmount Development; Architect: Krikor Architects; Builder: New West Builders

The meeting was recessed at 10:22am and reconvened at 10:28am.

The Jackson Hole Community Housing Trust team addressed the Board on the following topics: site circulation, Consumer Price Index (CPI)/price caps, funding of project, unit size, parking spaces, philanthropy, revenue projections, cost per square foot, rights of first purchase, partnership with the Jackson Hole Children's Museum, residential storage.

The Mercill Partners team addressed the Board on the following topics: site circulation, parking spaces, livability of small units, commercial space, right of first purchase for County, unit size, washer/dryers, construction costs, water quality issues, and sustainability.

The Onion Flats team addressed the Board on the following topics: site circulation, parking spaces, residential square footage, unit size, residential storage, community space, zoning issues with community space, LEED Platinum (sustainability), and price difference on basement space vs underground parking space.

The meeting was recessed at 11:49am and reconvened at 1:30pm.

The Westmount Development team addressed the Board on the following topics: site circulation, unit size, livability, and commercial space.

Public comment was given by Nina Lenz and Michael Kudar.

The Board discussed the proposals.

Chris Lee, Design Associates, responded to the possibility of changing plans due to the number of people housed and the commercial space.

The meeting was recessed at 2:50pm and reconvened at 2:57pm.

Lindsey Love, Love/Schack Architecture, responded to the possibility of changing plans due to the number of people housed and the commercial space.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to continue this item to a special meeting on July 30, 2019 at 9:00am. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION

There were no matters from Commission.

EXECUTIVE SESSION

No executive session was held.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 3:18pm.

Respectfully submitted,

Shelley Fairbanks
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chair

Greg Epstein, Vice-Chair

Mark Barron

Mark Newcomb

ATTEST:

Luther Propst

Sherry L. Daigle, County Clerk