

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

The Teton County Board of Commissioners met in regular meeting on **September 6, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:01 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

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

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt today's agenda as presented. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

CONSIDERATION OF PAYMENT OF COUNTY VOUCHERS

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the county voucher run dated September 6, 2022 in the amount of \$931,502.33. Chairwoman 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 Barron to approve the 8-15-2022, 8-22-2022 (contested case), and 8-22-2022 (voucher) minutes. Chairwoman 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 24-Hour Catering Permit
2. Consideration of Airport Terminal FAA Grant
3. Consideration of Cooperative Law Enforcement Agreement Between Teton County Sheriff and BTNF
6. Consideration of an Amendment and Restatement Special Restriction for a Melody Ranch Townhome

Chairwoman 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. Chairwoman 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 24-Hour Catering Permit

To approve the 24-hour catering permit submitted by the Jackson Hole Land Trust / The Liquor Store for the WYLD Dinner to take place at the Rocking H Ranch, 6450 Snake River Ranch Road, Wilson, WY on September 30, 2022 with the permit being valid for a 24-hour period.

2. Consideration of Airport Terminal FAA Grant

To adopt the proposed Resolution, and approve of the FAA Grant Agreement to Expand the Terminal Building at the Jackson Hole airport, with the FAA obligation under the grant being a maximum of \$9,000,000.

3. Consideration of Cooperative Law Enforcement Agreement Between Teton County Sheriff and BTNF

To approve Cooperative Law Enforcement Annual Operating Plan and Financial Plan between the Teton County Sheriff's Office and the Bridger Teton National Forest for Federal FY 21.

6. Consideration of an Amendment and Restatement Special Restriction for a Melody Ranch Townhome

To approve the Amendment and Restatement Special Restriction as presented by staff for Lot 28 Melody Ranch Townhomes, Second Filing.

DIRECT CORRESPONDENCE

1. Jan Lovett 8/23/2022 email regarding Rafter J Lot 333
2. Brian Merritt 8/23/2022 email regarding Rafter J Lot 333
3. Kelvin Stirn 8/23/2022 email regarding Property Tax Appeals
4. Brooke Bullinger 8/24/2022 email regarding Article: Loss of Charm
5. Perri Stern 8/26/2022 email regarding Jackson Street Apartments
6. Jim Darwiche 8/26/2022 email regarding Rafter J Lot 333
7. Jared Baecker 8/29/2022 email regarding Snake River Fund - WYDOT Housing
8. LeeAnn Inberg Schuff 8/29/2022 email regarding Fish Creek Road Development
9. Secretary of State Ed Buchanan 8/30/2022 letter regarding Exit Letter

PUBLIC COMMENT

Public comment was given by Jared Baecker regarding the BLM Parcel 26th and the proposal to use it for temporary WYDOT construction project housing.

MATTERS FROM COMMISSION AND STAFF

4. Consideration of a Toolcat Tractor Replacement / 5. Consideration of a Holder Tractor Purchase

Steve Ashworth, Director of Parks and Recreation, presented to the Board for consideration of approval a bid and approval of purchase of a tractor/utility machine, Bobcat Toolcat UW53, as a cyclical replacement for the 2012 Bobcat Toolcat 5600, and a request to purchase a Holder X45i Series tractor from Karcher-Holder Municipal North America Corporation in the amount of \$78,566.98 to replace the Department's 2008 Holder C250.

There was no public comment for items 4 and 5.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to award the bid and approve purchase for a Toolcat UW53 from Bobcat of Rock Spings in the amount of \$45,960.07, and, to approve the sole source purchase of a Holder X45i Series tractor from Karcher-Holder Municipal North America Corporation in the amount of \$78,566.98 to replace the Departments 2008 Holder C250. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

7. Consideration of an Agreement with Community Planning Strategies for Planning Review Services

Chris Neubecker, Director of Planning and Building Services, presented to the Board for consideration of approval agreements for Professional Services with Community Planning Strategies and SAFEBuilt for Planning Application Reviews for the Planning & Building Services Department.

On June 29, 2022, the Planning & Building Services Department issued a Request for Qualifications (RFQ) for Planning Application Review Services. The need for temporary services in the Planning Division is the result of vacancies in the Planning Division and increased development activity in the community. One of the two approved Associate Planner positions has been vacant since April 1, 2021.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the agreement with Community Planning Strategies planning and zoning review services, and to approve the agreement with SAFEBuilt for planning and zoning review services. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

8. Consideration of Acceptance of Opioid Settlement Distribution of Funds

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval an agreement to participate in the OneWyo Opioid Settlement Distribution

Teton County entered into a MOA with the Wyoming Attorney General's Office to pursue opioid abuse litigation. There are multiple pharmacy companies and distributors that are in multiple lawsuits and settlement discussions. Teton County agreed on December 21, 2021 to a settlement agreement with Janssen/Johnson & Johnson (referred to as Janssen Settlement) and a separate settlement agreement with a group of distributors, specifically AmerisourceBergen, Cardinal Health and McKesson. Teton County also entered into an agreement as to how funds will be distributed entitled, OneWyo Opioid Settlement MOA. All Wyoming counties and cities with a population over 10,000 people are eligible to participate.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to agree to participate in the OneWyo Opioid Settlement Distribution, accept the total proposed payment of \$15,144.93, and use the funds for programs and strategies that are approved uses under the OneWyo Opioid Settlement Agreement. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

- 1. Permit:** SD2022-0006
Applicant: Cirque Consulting
Presenter: Chandler Windom
Request: A Plat Amendment request pursuant to Section 8.5.3 and 8.2.13.C.4 for a partial vacation without replat of Lots 22-25 of Block 2 of the Lundy Plat No. 118.
Location: 1260 N West Street is located in downtown Wilson at the corner of Highway 22 and West Street. Lots 25, 24, 23 and a portion of Lot 22 of the Lundy Plat combined are also described as Lot 28 of the Lundy Plat. The lots are zoned Wilson Commercial and not in any Overlays.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Partial Vacation without Replat, pursuant to Section 8.2.13 of the Teton County Land Development Regulations (LDRs), to vacate the lot lines between Lots 22, 23, 24 & 25 on Plat No. 118 pursuant to Section 8.5.3 of the LDRs.

The applicant is requesting a plat amendment to formally vacate the lot lines between Lots 22, 23, 24 & 25 of the Lundy Plat and combine into one lot. In March of 1998 an affidavit was filed with the Teton County Clerks Records, Doc. #459257, titled "Lot combination and Common Lot Line Vacation". The affidavit described the current owner in 1998, the R.W. Ewing Jr. Company, combining these four lots (#22-25) into one lot to be described at Lot 28. That affidavit document was not the result of any subdivision permit application and did not include approval or signature by the Board of County Commissioners. It should also be noted that this combination did not include a portion of Lot 22 which was granted to the owners of Lot 21 in 1981. In accordance with Wyoming Statute § 34-12-108, a partial vacation of plat without any replat requires an instrument acknowledged by both the affected parties and the Board of County Commissioners (BCC) stating that the partial vacation does not abridge or destroy any rights and privileges of other proprietors in the plat. This partial vacation request is attempting to remedy the lack of BCC acknowledgement (i.e. approval and signature) on the original combination affidavit and bring the property into compliance with State Statute. The existing lot conditions, as illustrated on the Teton County GIS, will remain unchanged, including that portion of Lot 22 that was already combined with Lot 21. A May of Survey is provided as an exhibit to accompany the partial vacation of plat affidavit. 1260 N West Street will continue to be described as Lot 28 of Block 2 of the Lundy Plat.

George Putnam, on behalf of the Applicant, commented on the Application.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve SD2022-0006, submitted June 21, 2022 for the partial vacation of lot line without replat of Lots 22, 23, 24 & 25, of Block 2 of the Lundy Subdivision except for that portion of Lot 22 described in instrument of record Document #0225143, based on the Teton County Land Development Regulations, findings of Section 8.5.3 and standards of Section 8.2.13.C.5, 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. 118, with no conditions, and request the Teton County Clerk to annotate the new partial vacation document on Plat No. 118 upon filing of the affidavit. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

2. Permit: AMD2022-0002
Applicant: Wyoming Stargazing (Samuel Singer)
Presenter: Erin Monroe
Request: Samuel Singer, Executive Director of Wyoming Stargazing, has proposed an LDR amendment to update and futureproof the outdoor lighting provisions, reduce energy consumption and light pollution, improve nighttime visibility, and enhance public safety. The application is to amend the Teton County Land Development Regulations (LDRs), pursuant to Section 8.7.1, to amend Section 5.3.1 Exterior Lighting Standards, Section 5.6.2 Sign Standards and Division 9.5 Defined Terms, and add section 1.9.6 related to nonconforming lighting. The applicant is proposing these changes in order for the County to be eligible for International Dark Sky Community (IDSC) designation, and to better align with internationally recognized best practices.
Location: Countywide

Erin Monroe, Associate Long-Range Planner, presented to the Board for consideration of approval a proposal to amend the Teton County Land Development Regulations (LDRs), pursuant to Section 8.7.1, to amend Sections 5.3.1 Exterior Lighting Standards, 5.6.2 Sign Standards, and Division 9.5 related to Defined Terms, and add section 1.9.6 related to Nonconforming Exterior Lighting. The applicant is proposing these changes in order for the County to be eligible for International Dark Sky Community (IDSC) designation, and to better align with internationally recognized best practices.

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

Samuel Singer, the Applicant, and John Barentine, Dark Sky Consulting, commented on the application and gave a presentation.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve AMD2022-0002, as presented in the draft dated July 14, 2022, to add Section 1.9.6 of the Land Development Regulations related to Nonconforming Lighting and to amend Section 5.3.1 related to Exterior Lighting Standards, Section 5.6.2 related to County Sign Standards, and Division 9.5 related to Defined Terms, being able to make the findings of Section 8.7.1. as recommended by the Planning Director. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 10:27 a.m. and reconvened at 10:36 a.m.

3. Permit: MSC2022-0019
Applicant: Wyoming Stargazing (Samuel Singer)
Presenter: Erin Monroe
Request: Fee Waiver Request being made by Wyoming Stargazing to waive fees associated with the LDR Text Amendment request AMD2022-0002.
Location: Countywide

Erin Monroe, Associate Long-Range Planner, presented to the Board for consideration of approval a waive the Planning fee for the AMD2022-0002 LDR text amendment submitted by Wyoming Stargazing Director, Samuel Singer, related to making Teton County eligible for International Dark Sky Community (IDSC) designation by the International Dark-Sky Association (IDA) under the Nonconformity Standards, Exterior Lighting Standards, County Sign Standards, and Defined Terms regulations pursuant to finding 2.a 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 Propst to approve Samuel Singer's Fee Waiver Request, on behalf of Wyoming Stargazing, MSC2022-0019, received February 25, 2022, for \$1,500.00 of County fees associated with an LDR text amendment, being able to make finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054). Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION – No Public Comment Taken

A. Calendar Review

The Board reviewed their weekly calendar and discussed the upcoming hearing of Rafter J Lot 333, CUP2021-0003 which had been continued to September 20, 2022 on May 23rd of this year. The Board will discuss continuing the hearing of that application at next Monday's voucher meeting on September 12th, 2022, due to Commissioner availability.

B. Mercill Commercial Space Update

Alyssa Watkins, Board of County Commissioners Administrator, addressed the Board with updates on the Mercill Commercial Space development which has received proposals from three childcare agencies.

The Board heard from the following applicants for use of the space: Ethan Lobdell and KJ Morris with Jackson Hole Children's museum, and Jennifer Wolf of Sweet Spirits Childcare. Another Applicant, Happy Kidz Daycare, was not present.

A motion was made by Commissioner Epstein and seconded by Commissioner Propst to award spaces 1, 2, and 3 to of the Mercill Commercial Space to the Children's Museum, and to award space 4 to Happy Kidz Daycare Center. Chairwoman Macker called for a vote. The vote showed four in favor and the motion carried 4-1 with Commissioner Barron opposed.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:48 a.m.

Respectfully submitted,
 Chalice Weichman
 Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

 Natalia D. Macker, Chairwoman

ATTEST:

 Maureen E. Murphy, County Clerk

**TETON COUNTY CLERK'S OFFICE
 08-8-2022 WARRANTS**

Warrant Number	Name	Amount
406587	A.J. WHEELER M.D.	260.00
406588	ALBERTSONS/SAFEWAY	156.21
406589	ALLEGIANCE BENEGIT PLAN MNGT INC.	85.50
406590	AMAZON CAPITAL SERVICES, INC.	79.99
406591	ASCAP	406.29
406592	ASHLEY WHITTEN	52.50
406593	AT&T MOBILITY	572.73
406594	BIG R RANCH & HOME	795.65
406595	BLACK WIDOW ARENA DRAG	10,850.00
406596	BOB BARKER COMPANY, INC.	680.00
406597	BONNEVILLE BLUEPRINT SUPPLY 1	946.90
406598	CASSIE HEIKKILA	39.00
406599	CASSIE WILLIAMS	21.00
406600	CENTURYLINK	342.22
406601	CENTRAL SQUARE TECH	1,134.00
406602	CHARTER COMMUNICATIONS	107.39
406603	CHILLER ICE LLC	280.00
406604	CLARKS' BROADWAY AUTO PARTS, LLC	23.47
406605	CLAUDIA JUAREZ TARANGO	52.50
406606	COMMUNITY ENTRY SERVICES	15,833.33
406607	CODY HADERLIE	475.75
406608	C&W EXCAVATION INC.	17,215.32
406609	DEPARTMENT OF WORKFORCE SERVICES	47,850.63
406610	DFPES	215.63
406611	ECOLAB INC.	2,331.94
406612	E.R. OFFICE EXPRESS INC.	490.23
406613	EVANS CONSTRUCTION COMPANY	59.96
406614	FALL RIVER RURAL ELEC.COOP.,INC.	190.56
406615	FIRE SERVICES OF IDAHO INC.	9,193.57
406616	FREE HEEL STUDIO	2,500.00
406617	GLOBAL STAR USA	101.82
406618	GREG EPSTEIN	60.00
406619	GRAVITY GRAPHICS	54.60
406620	HARMONY DESIGN , INC.	13,401.80

406621	H.D FOWLER COMPANY	7,533.51
406622	HIGH COUNTRY LINEN SUPPLY LLC	48.80
406623	IDAHO COMMUNICATIONS	2,279.00
406624	JACKSON LUMBER	177.14
406625	JACKSON PEDIATRICS,P.C.	800.00
406626	JH20 WATER CONDITIONING & FILTRATIO	74.00
406627	JH COMMUNITY COUNSELING CENTER	696.00
406628	JACKSON HOLE FORD	43,362.00
406629	JORGENSEN ASSOCIATES PC	1,070.00
406630	JOHNSON, ROBERTS & ASSOCIATES	17.50
406631	KJAX COUNTRY	336.00
406632	KMTN THE MOUNTAIN	336.00
406633	KZJH CLASSIC ROCK	336.00
406634	LARRY H MILLER FORD	652.89
406635	LEADERSHIP JACKSON HOLE	400.00
406636	LENOVO INC.	5,277.92
406637	L.N. CURTIS & SONS	870.10
406638	LONG BUILDING TECHNOLOGIES, INC.	2,871.25
406639	LORENZO GIGLIOTTI	1,500.00
406640	LOWER VALLEY ENERGY	32.81
406641	LUTHER PROPST	60.00
406642	MD NURSERY & LANDSCAPING INC.	109,852.78
406643	MIDGLEY-HUBER, INC	1,714.00
406644	MICHAEL G. MAURER	585.41
406645	NATALIA D. MACKER	60.00
406646	P.A.R TRAINING AND PROPS LLC	6,600.00
406647	PERKINS&WILL, INC	297,757.25
406648	PIONEER ATHLETICS & MTP	440.64
406649	HAL JOHNSON JR-PROFESSIONAL EXPRESS	464.00
406650	PREMIER CLEANING SERVICES LLC	10,940.00
406651	QUICK MED CLAIMS LLC	2,340.59
406652	QUADIENT LEASING USA INC	1,722.86
406653	RAHCO INC.	204.00
406654	RACHEL RUDD	52.50
406655	RAFTER J RANCH HOMEOWNER'S ASSOCIAT	1,283.04
406656	RON'S TOWING LLC	875.00
406657	ROBERT OSMOND	186.23
406658	RX BENEFITS INC	8,500.78
406659	SHANE YU	5,002.25
406660	SILVER STAR COMMUNICATIONS	165.98
406661	SPARKS SULLIVAN LLC	4,000.00
406662	ST JOHN'S MEDICAL CENTER	1,942.00
406663	SUNRISE ENVIRONMENTAL SCIENTIFIC	177.87
406664	ELIOR INC.	7,888.02
406665	TETON COUNTY 4-H COUNCIL	2,401.00
406666	TETON COUNTY TREASURER	55,681.05
406667	TETON COUNTY TREASURER	5,781.73
406668	TERRA FIRMA ORGANICS, INC.	94,273.71
406669	TETON MOTORS	5,550.42
406670	TRC INC.	43.45
406671	TETON MEDIA WORKS, INC.	1,396.22
406672	THOMAS QUINN	100.00
406673	TREES INC.	1,495.00
406674	TRANSAMERICA EMPLOYEE BENEFITS	1,346.84
406675	TRIHYDRO	55,273.33
406676	T&T REPORTING LLC	1,222.50
406677	TETON VILLAGE W&S	2.97
406678	UNIFORMS 2 GEAR	288.50
406679	UW TETON COUNTY EXTENSION	400.00
406680	VISA	23,466.79
406681	VIDL SOLUTIONS, INC	600.00
406682	BEECHER EMISSIONS SOLUTIONS TECH	10,152.63
406683	WESTERN STATES EQUIPMENT	213.72
406684	WILSON HARDWARE	31.98
406685	WIMACTEL, INC	77.00
406686	WILLIAM R. SMITH M.D.	1,300.00
406687	WYOMING DOT	7.00
406688	WYOMING MECHANICAL, INC.	2,160.00

406689	XEROX FINANCIAL SERVICES	1,526.21
406690	Y2 CONSULTANTS LLC	7,595.02
406691	YELLOWSTONE LEATHER PRODUCTS INC.	288.65
406692	YVETTE M. WERNER, LCSW	480.00