

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

The Teton County Board of Commissioners met in regular meeting on **October 4, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:00 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

County Commission: Natalia Macker, Chairwoman, Luther Propst, Vice-Chairman, Mark Barron, and Mark Newcomb. were present. Greg Epstein joined after roll call at 9:02 a.m.

ADOPTION OF AGENDA

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to adopt today's agenda as presented. Chairwoman Macker called for the vote. The vote showed four in favor and the motion carried 4-0.

MINUTES

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve the 9-12-2022, 9-13-2022, 9-19-2022, and 9-20-2022 minutes. Chairwoman Macker called for the vote. The vote showed four in favor and the motion carried 4-0.

Commissioner Epstein joined the meeting at 9:02 a.m.

CONSENT AGENDA

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

1. Consideration of Amendment to Allegiance ASA
2. Consideration of Consideration of a Contract for Cybersecurity Consultant
3. Consideration of a Sole Source Bid Award and Agreement for a Health Survey with Curve Jumping
5. Consideration of Approval of School Resource Officer Agreement with Teton County School District
6. Consideration of Amendment Extending Term on Parking Agreement with Downtowner On-Demand Transportation
7. Consideration of One Year Extension to Search and Rescue Helicopter
8. Consideration of Amendment to the Jail Food Service Contract
9. Consideration of an Agreement with Brightly Software for SmartGov Training

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 Barron 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 Amendment to Allegiance ASA

To approve the Amendment to the Allegiance Administrative Service Agreement.

2. Consideration of Consideration of a Contract for Cybersecurity Consultant

To approve the contract with Sylint for a not to exceed price of \$81,500 for the purposes of a cybersecurity analysis

3. Consideration of a Sole Source Bid Award and Agreement for a Health Survey with Curve Jumping

To award the sole source bid with Curvejumping to conduct a qualitative survey for the Health Inequities grant in the amount of \$4,800.00.

5. Consideration of Approval of School Resource Officer Agreement with Teton County School District

To approve the School Resource Officer Agreement

6. Consideration of Amendment Extending Term on Parking Agreement with Downtowner On-Demand Transportation

To approve the First Amendment to the Parking Lot Spaces Use Agreement

7. Consideration of One Year Extension to Search and Rescue Helicopter

To approve the Second Amendment to the Search and Rescue Helicopter Agreement with Helicopter Express.

8. Consideration of Amendment to the Jail Food Service Contract

To approve the Amendment #1 with Summit Food Service for inmate meal service at the Teton County Detention Center.

9. Consideration of an Agreement with Brightly Software for SmartGov Training

To approve the Brightly Software Services Agreement for training services in an amount not to exceed \$4,201.75.

DIRECT CORRESPONDENCE

1. David Denious 9/14/2022 email regarding Tribal Trails
2. Richard Hobbins 9/14/2022 email regarding DEV2022-0002

3. James Scholdelmeier 9/14/2022 email regarding Western South Park
4. Thomas Jacobson 9/14/2022 email regarding Rafter J Lot 333
5. Jan Lovett 9/15/2022 email regarding Rafter J Lot 333
6. Mark Lovett Brennan 9/15/2022 email regarding Rafter J Lot 333
7. Mandy Lowe 9/15/2022 email regarding Rafter J Lot 333
8. Bobbie C Dailey 9/15/2022 email regarding Rafter J Lot 333
9. Rich Ochs 9/15/2022 email regarding Updates to the Emergency Operations Plan
10. Jenn Soparks 9/15/2022 email regarding Wilson Boat Ramp
11. Department of Revenue 9/16/2022 email regarding Hoback Water and Sewer Letter
12. Jan Lovett 9/16/2022 email regarding Rafter J Lot 333
13. David Ellerstein 9/16/2022 email regarding Wilson Boat Ramp
14. Raz Reinecke 9/16/2022 email regarding Elk Refuge Pathway
15. John Lotshaw 9/16/2022 email regarding Rafter J Lot 333
16. William Reinecke 9/16/2022 email regarding Elk Refuge Rd Pathway
17. May Sumicad 9/16/2022 email regarding Rafter J Lot 333
18. Barbara Burris 9/17/2022 email regarding Fish Creek Rd Development
19. Donald Cooke 9/19/2022 email regarding RAfter J Lot 333
20. Barbara Bridges 9/17/2022 email regarding Rafter J Lot 333
21. Morgan Fredrick 9/17/2022 email regarding Wilson Boat Ramp
22. Deb Kuzloski 9/19/2022 email regarding Rafter J Lot 333
23. Phil Blum 9/19/2022 email regarding Rafter J Lot 333
24. Liz Hirschland 9/19/2022 email regarding Rodeo Arena Times
25. Susan Imhoff 9/19/2022 email regarding Elk Refuge Rd. Pathway
26. John Scott 9/19/2022 email regarding Fish Creek Rd. Development
27. Debra Patla 9/19/2022 email regarding Fire in the Mountains
28. Kathy Bressler 9/19/2022 email regarding Fish Creek Rd. Development
29. Herb Brooks 9/19/2022 email regarding Rafter J Lot 333
30. Doug Mackenzie 9/19/2022 email regarding Fish Creek Development
31. Richard Hobbins 9/19/2022 email regarding Scenic Preserve Trust/Fish Creek Rd Development
32. Mike Turley 9/19/2022 email regarding Rafter J Lot 333
33. Linda McInally 9/19/2022 email regarding Fish Creek Road Subdivision
34. Marlene Brodrick 9/20/2022 email regarding Rafter J Lot 333
35. Mary Sharood 9/20/2022 email regarding Rafter J Lot 333
36. Cathy French 9/20/2022 email regarding Fish Creek Rd. Development
37. Beedee Ladd 9/20/2022 email regarding Fish Creek Rd Development/One Wildlife Ranch
38. Jan Lovett 9/20/2022 email regarding One Wildlife Ranch
39. Jan Lovett 9/20/2022 email regarding Rafter J Lot 333
40. Jackie Baxa 9/20/2022 email regarding Rafter J Lot 333
41. Ann Ryan 9/21/2022 email regarding One Wildlife Ranch Development
42. Carol Lichti 9/21/2022 email regarding Pie Contest Judging/Seniors of the West
43. Karen Daubert 9/21/2022 email regarding One Wild Ranch Development
44. john Carney 9/21/2022 email regarding Fish Creek Road PRD Development
45. Liz Jacobson 9/21/2022 email regarding Rafter J Lot 333
46. Floren Poliseo 9/22/2022 email regarding Staff Response to Concerns Re: Construction
47. Dede Burnstine 9/22/2022 email regarding One Wildlife Ranch Development
48. Abigail Karin 9/22/2022 email regarding SPET Questions
49. Alexander Muromcew 9/22/2022 email regarding 2019 SPET
50. Brian Jones 9/22/2022 email regarding Fish Creek Road Development
51. Gillian Chapman 9/23/2022 email regarding SPET
52. Pamela McIntosh 9/23/2022 email regarding Rafter J Lot 333
53. Henry Phibbs 9/23/2022 email regarding One Wildlife Ranch
54. Douglas Stanley 9/23/2022 email regarding One Wildlife Ranch
55. Alberto Cribiore 9/23/2022 email regarding One Wildlife Ranch
56. David Ricks 9/23/2022 email regarding One Wildlife Ranch
57. Jen Cashen 9/24/2022 email regarding One Wildlife Ranch
58. David Wilkinson 9/24/2022 email regarding Assisted Living in JH
59. Stephen R Koch 9/24/2022 email regarding One Wildlife Ranch
60. Annie Band 9/26/2022 email regarding One Wildlife Ranch
61. Leslie Ballinger 9/26/2022 email regarding One Wildlife Ranch
62. Cynthia Dietzmann 9/26/2022 email regarding One Wildlife Ranch
63. Jayne Ottman 9/26/2022 email regarding One Wildlife Ranch
64. John Wasson 9/26/2022 email regarding One Wildlife Ranch
65. Becky Hawkins 9/26/2022 email regarding One Wildlife Ranch
66. Margaret Creel 9/26/2022 email regarding Rafter J Lot 333
67. Nate Fuller 9/26/2022 email regarding One Wildlife Ranch
68. Duke Wiser 9/26/2022 email regarding One Wildlife Ranch
69. Leslie Petersen 9/26/2022 email regarding One Wildlife Ranch
70. Geoff Gottlieb 9/26/2022 email regarding One Wildlife Ranch
71. Margaret Creel 9/26/2022 email regarding Rafter J Lot 333
72. Hole Hike 9/26/2022 email regarding One Wildlife Ranch
73. Marylee White 9/26/2022 email regarding One Wildlife Ranch
74. Nancy Leon 9/26/2022 email regarding One Wildlife Ranch
75. Paul Vaughn 9/26/2022 email regarding One Wildlife Ranch
76. Carol Kaminski 9/26/2022 email regarding BLM Parcel 26 WYDOT Use
77. Mandy Lowe 9/26/2022 email regarding Rafter J Lot 333
78. Lee Ann InbergSchuff 9/26/2022 email regarding One Wildlife Ranch
79. Jocelyn Wasson 9/26/2022 email regarding One Wildlife Ranch
80. Kathryn Nyrop 9/26/2022 email regarding One Wildlife Ranch
81. Dawn Webster 9/26/2022 email regarding One Wildlife Ranch DEV
82. Laurie Hunter 9/26/2022 email regarding One Wildlife Ranch DEV
83. Richard Murray 9/26/2022 email regarding One Wildlife Ranch DEV
84. Miga Rossetti 9/26/2022 email regarding One Wildlife Ranch DEV

- 85. Anne Moran 9/26/2022 email regarding One Wildlife Ranch DEV
- 86. Leslie Mattson 9/26/2022 email regarding One Wildlife Ranch DEV
- 87. J Carlo Cannell 9/26/2022 email regarding Alta Recreation
- 88. Carter Westfall 9/26/2022 email regarding One Wildlife Ranch DEV
- 89. Kathleen Martin 9/26/2022 email regarding Rafter J Lot 333
- 90. Elizabeth Carlin 9/27/2022 email regarding One Wildlife Ranch DEV

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

4. Consideration of a Resolution Recognizing Domestic Violence Awareness Month

Tracy Trefren, Victim Services, read a resolution recognizing Domestic Violence Awareness Month:

BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY
RESOLUTION # _____

(Domestic Violence Awareness Month)

WHEREAS, every person in America has the right to live free from violence in their homes, neighborhoods, and communities, and domestic violence is a serious crime that affects all individuals—adults and children—disrupts communities, destroys relationships and families; and

WHEREAS, violence against predominantly women and children continues to become more prevalent as a social problem, the problems of domestic violence are not confined to any one group of people but crosses all gender identities, economic, racial, and societal barriers; and violates an individual’s dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological, and economic control and / or abuse; and

WHEREAS, the U.S. Department of Justice estimates that one million women are victimized by domestic violence each year, with less than half of all such crimes actually thought to be reported; and

WHEREAS, in a single day in 2021, 264 victims of domestic violence were served in Wyoming. 143 adult and child victims of domestic violence found refuge in emergency shelters, transitional housing, or other housing provided by local domestic violence programs. 121 adult and child victims received non-residential assistance and services, including counseling, legal advocacy, children’s support groups, and more. In the same 24 hours, 120 hotline calls took place across the state.

WHEREAS, Teton County Victim Services, The Community Safety Network, the Wyoming Division of Victim Services and the Wyoming Coalition Against Domestic Violence & Sexual Assault encourages community leaders, co-workers, friends and loved ones to take a personal pledge to end domestic violence.

NOW, THEREFORE, having duly met at a regular meeting and considered the matter, the Teton County Board of County Commissioners, do hereby encourages all of us to be part of the solution by pledging to never commit, condone, or remain silent about violence and do hereby proclaim October as

DOMESTIC VIOLENCE AWARENESS MONTH

Adopted on the ____ day of _____, 2022.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Natalia D. Macker, Chairwoman

Maureen E. Murphy, Teton County Clerk

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Resolution recognizing October as Domestic Awareness Month. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

- 1. Permit:** DEV2022-0002
- Applicant:** LF&F, LLC
- Presenter:** Chandler Windom
- Request:** A Development Permit request for a 4-unit Rural-Planned Residential Development pursuant to Section 8.3.2 and 7.1.2 of the LDRs.
- Location:** 3975 N Fish Creek Road (PIDN 22-41-17-02-3-00-005) is located 2.5 miles north of Downtown Wilson and adjacent to Bridger-Teton National Forest. The site is zoned Rural-1 and is partially in the Natural Resources Overlay

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Development Plan pursuant to Section 8.3.2 of the Teton County Land Development Regulations (LDRs) for a 5- unit Rural-Planned Residential Development (Rural-PRD)

The proposal is for a Rural-Planned Residential Development, which is a Development Option that allows for increased density and optional subdivision on a rural parcel in exchange for 70% conservation easement. This request is for a 5-unit development with 49.15 acres of open space, with future subdivision. This application was originally scheduled to be heard before the Board of County Commissioners on July 19, 2022. The applicant requested a continuance, which was granted, and the Board chose to continue to October 4, 2022. In the meantime, the applicant has changed the proposed conservation easement holder from the Jackson Hole Land Trust to the Teton County Scenic Preserve Trust and submitted the application EAS2022-0002. There was not sufficient time for staff to review EAS2022-0002 in preparation of this meeting, therefore that application has been scheduled for the November 15, 2022 BCC Meeting.

Chris Wigger and Mimi Lettunich, the Applicants, and Leah Schwartz, for the Applicants, commented on the application.

The meeting recessed at 10:37 a.m. and reconvened at 10:51 a.m.

Susan Johnson, SJ Planning Solutions, provided a slideshow on behalf of the Applicants. Michael Clement, also representing the Applicant, commented on the Application.

Public comment was given by Leslie Mattson, John Carney, Hank Phibbs, Paul Vaughn, Mark Sullivan, Brad Hoyt, Annie Band, and Doug Mackenzie.

The meeting recessed at 12:02 p.m. and reconvened at 1:30 p.m.

Public comment resumed with comments given by Jared Smith, Meghan Quinn, Dave Sollitt, Lee Anne Inberg-Schuff, Brock Coburn, Shane Hansen, Bobby Shriver, Jim Barlow, and Penny Mohan. On Zoom, public comment was given by Renee Seidler and Rich Sugden.

Susan Johnson made additional comments.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to continue DEV2022-0002 to the December 6th 2022 meeting. Chairwoman Macker called for a vote. The vote showed one in favor and the motion failed 1-4 with Commissioner Barron in favor.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve DEV2022-0002, dated March 25, 2022, for Rural-Planned Residential Development, with two conditions of approval, based on the recommended findings.

1. Exaction requirements in the form of a fee-in-lieu shall be calculated and paid prior to the recording of the subdivision plat.
2. This permit will expire within 18 months of issuance unless the conservation easement EAS2022-0002 with the Teton County Scenic Preserve Trust is approved and recorded in the Teton County Clerk's records.

Chairwoman Macker called for a vote. The vote showed one in favor and the motion failed 1-4 with Commissioner Barron in favor.

The meeting recessed at 2:55 p.m. and reconvened at 3:00

- 2. Permit:** SKC2022-0002
Applicant: WYOMING DEPARTMENT OF TRANSPORTATION
Presenter: Chandler Windom
Request: A request pursuant to Section 8.3.1 and 4.2.1.B.12 of the Land Development Regulations for 28 Accessory Residential Units.
Location: 1040 E Evans Road is located 7 miles south of the Town of Jackson in Hog Island. It is zoned Public/Semi-Public and is not in any Overlays.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Sketch Plan pursuant to Section 8.3.1 of the Teton County Land Development Regulations (LDRs) for the Wyoming Department of Transportation 28 Accessory Residential Unit housing development.

The Wyoming Department of Transportation (WYDOT) is proposing to construct 28 Accessory Residential Units (ARUs) for workforce housing adjacent to their primary office in Hog Island. The property in question was recently rezoned from Neighborhood Conservation to Public/Semi-Public with ZMA2021-0003. The Public/Semi-Public zone allows a governmental entity to develop a site with flexible physical development standards. In the Public/Semi-Public zone there is no limit on the density of ARUs, however by definition "An accessory residential unit (ARU) is a dwelling unit that is secondary to a principal use of the property. The intent is that accessory residential units provide workforce housing." The principal use of the property is the WYDOT government facility which includes vehicle storage, material storage, vehicle maintenance, and driver's license services.

Taylor Cook, the Applicant commented on the application.

Public comment was given by Rosie Haan.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve SKC2022-0002, dated May 16, 2022, for the proposed WYDOT Accessory Residential Units, with the following conditions, based on the recommended findings.

1. The future Development Plan application shall include a maximum of 23 accessory residential units and a maximum of 49,600 sf of combined habitable floor area
2. A paved pathway shall be provided to connect the proposed housing to Munger Mountain Elementary.
3. Each Accessory Residential Unit shall have a workforce housing deed restriction recorded with the Teton County Clerk in a form that is acceptable to the Jackson/Teton County Affordable Housing Department.

Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

- 3. Permit:** CUP2021-0005 - **CONTINUED FROM MAY 23, 2022**
Applicant: STAGE STOP INC.
Presenter: Chandler Windom
Request: Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations to allow for Workforce Apartments at the Legacy Lodge.
Location: 3000 W Big Trail Drive, or Lot 333, is situated in the northeast corner of the Rafter J Ranch Subdivision. The property is zoned Planned Unit Development Rural-3 and is not within any Overlays.

A Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations (LDRs) to allow for Workforce Apartments at the Legacy Lodge. The Board had taken public comment on this item prior to its continuance and resumed a discussion at this meeting.

The proposal is to retrofit the vacant assisted living center at 3000 W Big Trail Drive, i.e., the Legacy Lodge, into an Apartment building for members of the Teton County Workforce. The site is Lot 333 of Rafter J Ranch and is subject to the Rafter J Planned Unit Development (PUD). Initially presented concurrent with this application was a proposal to amend the Rafter J PUD to allow for this workforce apartment use on Lot 333 (PUD2021-0001). Without the PUD amendment, apartments are not a permitted use on this site. PUD2021-0002 was approved by the Board of County Commissioners at their May 3rd, 2022, meeting and recorded against the site on May 17th, 2022. This Conditional Use Permit application was continued by the Board to their May 17, 2022 meeting. At that meeting the Board voted 2-2

on a motion to approve the application, which resulting in the motion failing and the decision being one of denial. At the next Board of County Commissioners meeting on May 23, 2022 the Board chose to reconsider their previous decision and approved the reconsideration. The application was set for a new vote at a future date, October 4, 2022 to allow the applicant and the neighbors to work out any issues.

The applicant has separately submitted two Basic Use Permit applications, BUP2022-0076 and BUP2022-0077, for an office use and accessory residential unit(s) respectively, at the Legacy Lodge. The intent of the Basic Use Permits is for the applicant to explore a possible alternative use for the site in case this use application is not approved. These two permits were deemed insufficient as of September 9, 2022 and are not to be considered either under review or a component of this Conditional Use Permit.

Stefan Fodor, Attorney representing the Applicant, and Kristi Malone, Housing Supply Specialist, answered questions from the Board.

Commissioner Newcomb left the meeting at 4:09 p.m. and rejoined the meeting at 4:24 p.m.

In addition to conditions in the proposed motion in the staff report, the board directed staff to review conditions with the Applicant and answer questions regarding phasing of deed restrictions, restricting 75% of units for Critical Service Providers, number of individual residents, number of guest-parking spaces, the duration/definition of subleases, transportation, and other questions discussed during this meeting. The Planning Staff is to come back at the next meeting with new written proposed conditions based on the input from the commissioners on the above noted items.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue CUP2021-0005 to the October 18th, 2022 Board of County Commissioners meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

- 4. Permit:** AMD2022-0005
Applicant: TETON COUNTY
Presenter: Erin Monroe
Request: Notice is hereby given pursuant to Wyoming Statute §16-3-103 that Teton County is considering adoption of amendments to the Teton County Land Development Regulations (LDRs) to establish longer timeframes for County staff to review five of the planning applications, bringing them to 60 days (from 30-45 days). These applications include the following:
1. Environmental Analyses (EA) LDR Section 8.2.2 (45 to 60 days)
 2. Grading Permits (GEC) LDR Section 8.3.4 (45 to 60 days)
 3. Sign Permits LDR Section 8.3.5 (30 to 60 days)
 4. Basic Use Permits (BUP) LDR Section 8.4.1 (45 to 60 days)
 5. Zoning Compliance Verifications (ZCV) LDR Section 8.6.2 (45 to 60 days)
- These are amendments to the Land Development Regulations which are authorized pursuant to Wyoming Statute §18-5-201.
- Location:** Countywide

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue this item to the October 18th, 2022 Board of County Commissioners Meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

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 4:33 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