

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

The Teton County Board of Commissioners met in regular session on **October 6, 2020** 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 Chair, Greg Epstein Vice-Chair, Mark Barron, Mark Newcomb and Luther Propst were present.

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt today's agenda as presented. Chair 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 minutes for meetings dated 09/08/2020 BOE, 09/08/2020 V, 09/14/2020, 09/15/2020, 09/21/2020, 09/28/2020, and 09/29/2020. Chair Macker 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 Newcomb to place the following Matters from Staff on a Consent Agenda:

1. Consideration of a Data Agreement for Sara Alert Software
2. Consideration of a revised CenturyLink Contract
3. Consideration of Grant Award from the Teton Conservation District for Household Hazardous Waste Disposal, E-Waste Disposal, and Food Waste Composing
4. Consideration of Power Agreement and Easement with Lower Valley Energy
5. Transfer of Ownership of Retail Liquor License
6. Consideration of Lease for Treasurer's Office Copier
7. Consideration of a Bid Award and Contract for a Media and Communications Agency for COVID-19 Related Educational Materials
8. Consideration of Amendment #3 to Contract with Nelson Engineering for the Trash Transfer Station Water System Improvement Project

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

MATTERS FROM COMMISSION AND STAFF:

1. Consideration of a Data Agreement for Sara Alert Software

To approve the Sara Alert Data Use Agreement between MITRE Corporation and the Association of Public Health Laboratories and Teton County, Wyoming.

2. Consideration of a revised CenturyLink Contract

To approve the SIP phone contract with CenturyLink for 36 months.

3. Consideration of Grant Award from the Teton Conservation District for Household Hazardous Waste Disposal, E-Waste Disposal, and Food Waste Composing

To approve Teton Conservation District grant award to ISWR in the amount of \$23,000 for fiscal year 2021.

4. Consideration of Power Agreement and Easement with Lower Valley Energy

To approve the Agreement with Lower Valley Energy for the Installation of Electric Service at the Horsethief Canyon Trash Transfer Station site, at a cost of \$24,252.54, to be paid out of Fund 34.

5. Transfer of Ownership of Retail Liquor License

To approve the transfer of a retail liquor license from TGR Resorts and Services, LLC to WYVAN VRT 2550 Moose Wilson Liquor Co, LLC for time period of October 7, 2020 through January 6, 2021.

6. Consideration of Lease for Treasurer's Office Copier

To approve the lease agreement with Rocky Mountain Competitive Solutions for one copier and service in the amount of \$262.88 per month plus per print charges.

7. Consideration of a Bid Award and Contract for a Media and Communications Agency for COVID-19 Related Educational Materials

To award and approve the contract for media and communication services for COVID-19 educational materials to Lum Studios in the amount of \$60,000.

8. Consideration of Amendment #3 to Contract with Nelson Engineering for the Trash Transfer Station Water System Improvement Project

To approve Amendment #3 to the County's Contract with Nelson Engineering in time and materials costs not-to-exceed \$19,000, for a total not-to-exceed contract amount of \$138,700.

DIRECT CORRESPONDENCE

1. Sam Pope 9/9/2020 email regarding Northern South Park
2. Jayne Ottman 9/9/2020 email regarding HWY 390 Rezone
3. Teton County Historic Preservation Board 9/9/2020 email regarding Café Genevive Historic Easement PR
4. Brooke Sausser 9/9/2020 email regarding Comp Plan Update
5. Nancy Shea 9/10/2020 email regarding Northern South Park
6. Peter Moyer 9/10/2020 email regarding Village Road/390
7. Brooke Sausser 9/10/2020 email regarding Water-Focused Comments on the Comp Plan Update
8. Anne Marie Wells 9/10/2020 email regarding Northern South Park
9. Paul O'Brien 9/10/2020 email regarding Northern South Park
10. Kirstin Robbe 9/11/2020 email regarding Grand Targhee Expansion
11. Amberley Baker 9/11/2020 email regarding September 14 JIM Meeting Public Comment
12. Leslie Steen 9/11/2020 email regarding Comp Plan Update/River Management
13. Anna Barker 9/11/2020 email regarding Northern South Park
14. Dan Baker 9/11/2020 email regarding Northern South Park
15. Jared Baecker 9/11/2020 email regarding BLM Land Transfer & State Lands Proposal
16. Burke Baler 9/11/2020 email regarding Moulton Coop Road Paving Request
17. Howie Garber 9/11/2020 email regarding Grand Targhee Resort Proposal
18. David Hardie 9/11/2020 email regarding Northern South Park
19. Carla Watsabaugh 9/11/2020 email regarding Wildlife Deaths
20. Geoff Gottlieb 9/12/2020 email regarding Northern South Park
21. Doreen Ward 9/12/2020 email regarding Northern South Park
22. Robert Caspar 9/12/2020 email regarding Northern South Park
23. Thyresa Lundquist 9/12/2020 email regarding Northern South Park
24. Richard Aurelio 9/12/2020 email regarding Northern South Park
25. Fred Reimers 9/12/2020 email regarding Northern South Park
26. Roger Dotson 9/12/2020 email regarding Northern South Park
27. George Ford 9/12/2020 email regarding Paving of Moulton Loop Road
28. David Stout 9/14/2020 email regarding Northern South Park
29. Sophia Schwartz 9/14/2020 email regarding Northern South Park
30. Stan Morgan 9/14/2020 email regarding Northern South Park
31. Mary Lampton 9/14/2020 email regarding Northern South Park
32. Raz Reinecke 9/14/2020 email regarding Northern South Park
33. Mary Wendell 9/14/2020 email regarding Northern South Park
34. Rich Bloom 9/14/2020 email regarding Draft Jackson/Teton County Comprehensive Plan
35. Jean Ferguson 9/14/2020 email regarding Northern South Park
36. Marvin Heilesen 9/14/2020 email regarding Northern South Park
37. Julia Weston 9/14/2020 email regarding Northern South Park
38. Susan Imhoff 9/14/2020 email regarding Northern South Park
39. Chris Colligan 9/14/2020 email regarding WWNRT Agreement for Wildlife Crossings
40. Dana Ankeny 9/14/2020 email regarding Wildlife on the Gill Property
41. Steve Farrell 9/14/2020 email regarding moulton Loop Paving
42. Bill Reinecke 9/14/2020 email regarding Northern South Park
43. Ivan Jimenez 9/14/2020 email regarding Northern South Park
44. Frances Clark 9/14/2020 email regarding BLM Land Transfer
45. Frances H. Clark 9/14/2020 email regarding Northern South Park
46. Bill Schwartz 9/14/2020 email regarding Northern South Park
47. John Hummel 9/14/2020 email regarding Northern South Park
48. Adele Ziemann-Smith 9/14/2020 email regarding Northern South Park
49. Emy Farrow-German 9/14/2020 email regarding Northern South Park
50. Christine Walker 9/14/2020 email regarding Northern South Park
51. Reilly Dillon 9/14/2020 email regarding Northern South Park
52. Emily Coleman 9/14/2020 email regarding Northern South Park
53. Ivan Jimenez 9/14/2020 email regarding Northern South Park
54. Pete Pedersen 9/14/2020 email regarding Subarea 12.2 390 Rezone
55. Zahan Billimoria 9/14/2020 email regarding Northern South Park
56. Mollie Braley 9/14/2020 email regarding Northern South Park
57. Snake River Fund 9/14/2020 email regarding Snake River Comp Plan Updates
58. Kevin Cochary 9/14/2020 email regarding Northern South Park
59. JH Climate Action Collective 9/14/2020 email regarding Northern South Park
60. Hannah Habermann 9/14/2020 email regarding Northern South Park
61. Isaac Hayden 9/14/2020 email regarding Northern South Park
62. Joey Sackett 9/14/2020 email regarding Northern South Park
63. Reverend Jimmy Bartz 9/14/2020 email regarding Northern South Park
64. Christina Feuz 9/14/2020 email regarding Northern South Park
65. Christi Yannelli 9/14/2020 email regarding Moulton Loop Paving Request
66. Bayless Sword 9/14/2020 email regarding Northern South Park
67. Lorie Cahn 9/14/2020 email regarding Northern South Park
68. Shane Rothman 9/14/2020 email regarding Northern South Park
69. Miles Yazzolino 9/15/2020 email regarding Northern South Park
70. Julien Hass 9/15/2020 email regarding Northern South Park
71. Peter Long 9/15/2020 email regarding Northern South Park
72. Max Ludington 9/15/2020 email regarding NEPA Alternative Analysis for the Highway 22 Corridor
73. Oliver Tripp 9/15/2020 email regarding Northern South Park
74. Lee Rust 9/15/2020 email regarding Northern South Park
75. Carol Linton 9/15/2020 email regarding Northern South Park
76. Vicki L. Garnick 9/15/2020 email regarding Northern South Park
77. Vicki Garnick 9/15/2020 email regarding Northern South Park
78. Mark Dalby 9/15/2020 email regarding Northern South Park
79. Kris Greenville 9/15/2020 email regarding Northern South Park

80. Paul Beaupre, MD 9/15/2020 email regarding St. John's Housing Challenge
81. Stefan Merriam 9/15/2020 email regarding Northern South Park
82. Rachael Zimmerman 9/15/2020 email regarding Northern South Park
83. Shelby Mulrennan 9/15/2020 email regarding Northern South Park
84. Jessica Chambers 9/15/2020 email regarding Northern South Park
85. Mary Whitney 9/15/2020 email regarding Northern South Park
86. Mike Dukart 9/15/2020 email regarding Northern South Park
87. Ali Milburn 9/15/2020 email regarding Northern South Park
88. Mckenzie Myers 9/15/2020 email regarding Northern South Park
89. Nikki Kaufman 9/15/2020 email regarding Northern South Park
90. Kathy Golden 9/16/2020 email regarding County COVID Directives
91. Whitney Openhuizen 9/16/2020 email regarding Northern South Park
92. Renee Glick 9/16/2020 email regarding Wildlife Deaths on the HWY
93. Patty Lummis 9/16/2020 email regarding Transportation Grant
94. Carla Watsabaugh 9/16/2020 email regarding Wildlife-Caused Traffic Jams
95. Larry W. 9/16/2020 email regarding Vehicle Registrations
96. Tonya Eslami 9/16/2020 email regarding Northern South Park
97. Housing Supply Board 9/4/2020 email regarding Northern South Park Public Comment
98. Jake Condon 9/17/2020 email regarding Wildlife Crossings
99. Chris Neubecker 9/17/2020 email regarding Grand Targhee Resort Expansion
100. Gloria Courser 9/18/2020 email regarding No audio in the Swagit stream
101. Forest Dramis 9/18/2020 email regarding In-Town Trail System
102. Hannah Trask 9/19/2020 email regarding Northern South Park
103. Act Now JH 9/19/2020 email regarding RFP Committee Member
104. Susan Marsh 9/20/2020 email regarding BLM Lands in Teton County
105. Kathy Tompkins 9/21/2020 email regarding Northern South Park
106. Rich Bloom 9/21/2020 email regarding Northern South Park
107. Jay Pence 9/21/2020 email regarding Teton Pass FLAP Workshop
108. Reed Armijo 9/22/2020 email regarding Northern South Park Water/Sewer Request
109. Brooke Sausser 9/22/2020 email regarding Clean Drinking Water
110. Gloria Courser 9/22/2020 email regarding Weston County Commissioners as an Example
111. Sale Rhodes 9/22/2020 email regarding Rule for the protection of Public Water Systems
112. Christian Beckwith 9/23/2020 email regarding Proposed Expansion of Grand Targhee Resort Permit Boundaries
113. Jackson Hole Chamber of Commerce 9/23/2020 email regarding Annual Chamber Report
114. Larry Pardee 9/23/2020 email regarding Northern South Park Water+Sewer
115. Hal Hutchinson 9/23/2020 email regarding Northern South Park
116. Gigi Halloran 9/24/2020 email regarding Northern South Park
117. Kristi Malone 9/24/2020 email regarding Prep for 10/5 JIM Comp Plan Item
118. Nancy Henderson 9/24/2020 email regarding Northern South Park
119. Kelly Stirn 9/25/2020 email regarding Northern South Park
120. Cynthia Dahlin 9/25/2020 email regarding Affordable Housing
121. William Gale 9/25/2020 email regarding BLM Land Acquisition
122. Burger Family 9/25/2020 email regarding Northern South Park
123. Kristi Malone 9/28/2020 email regarding Compiled Public Comment from T.C. Planning Staff Regarding Northern South Park
124. Mary Whitney 9/28/2020 email regarding Water Protection
125. Joy Sawyer-Mulligan 9/28/2020 email regarding Cooperating Agency Discussion
126. Robert Paulson 9/28/2020 email regarding Water Quality
127. Beverly Boynton 9/28/2020 email regarding Proposed Boundary Expansion of Grand Targhee
128. Phil Leeds 9/28/2020 email regarding Water Quality
129. Fiorella Lazarte Beal 9/28/2020 email regarding Northern South Park
130. Clair Bates 9/28/2020 email regarding Northern South Park
131. Jean Barash 9/28/2020 email regarding Northern South Park
132. Anton Wahlman 9/28/2020 email regarding Teton County Mask Order False Signage
133. Brad Nielson 9/28/2020 email regarding Northern South Park
134. Nick Hines 9/28/2020 email regarding Jackson-Wilson Snake River Bridge Project
135. Reynolds Pomeroy 9/29/2020 email regarding Water Quality
136. Brooke Sausser 9/29/2020 email regarding Northern South Park
137. Kevin Gross 9/29/2020 email regarding Northern South Park
138. Georgie Stanley 9/29/2020 email regarding Northern South Park
139. Stefan Merriam 9/29/2020 email regarding Northern South Park
140. Anna Kerr 9/29/2020 email regarding Northern South Park
141. Joey Sackett 9/29/2020 email regarding Northern South Park
142. Alec Blossom 9/29/2020 email regarding Northern South Park
143. Peter French 9/29/2020 email regarding Northern South Park
144. Tory Thomas, Wyoming Department of Transportation 9/29/2020 letter regarding Wildlife-Vehicle Collissions on 390
145. Robert H Baker 9/29/2020 letter regarding Moulton Loop Road
146. Laurie Balosh 9/29/2020 letter regarding Moulton Loop Road
147. Fran Marino 9/29/2020 letter regarding Moulton Loop Road
148. Roger Dotson/Darrell Hawkins/Robert Baker 9/29/2020 letter regarding Moulton Loop Road
149. Liz Greenberger 9/29/2020 letter regarding Moulton Loop Road
150. Chris Peck 9/29/2020 letter regarding COVID-19 Testing
151. Christine Watkins 9/29/2020 letter regarding Indian Springs Ranch/Tribal Trails
152. Teton Wetlands Preservation Fund 9/29/2020 regarding Tribal Trail Connector
153. Ivan Jimenez 9/29/2020 email regarding Northern South Park
154. Melissa Turley 9/29/2020 email regarding Northern South Park
155. Susan Imhoff 9/29/2020 email regarding Northern South Park
156. Peter T. Halpin 9/29/2020 email regarding Tribal Trail Connector
157. Clare Stumpf 9/29/2020 email regarding Volunteer Board Openings

- 158. Lorna Miller 9/29/2020 email regarding Note on automatic garage doors and their effect on fire safety
- 159. Gloria Courser 9/29/2020 email regarding COVID-19 Restrictions
- 160. Brooke Sausser 9/29/2020 email regarding Northern South Park
- 161. Rich Bloom 9/29/2020 email regarding Northern South Park
- 162. Rhonda Robles 9/30/2020 email regarding Northern South Park

PUBLIC COMMENT

Public comment was given by Brenda Ashworth regarding thanks for the fast response of JH Fire/EMS, Teton County Sheriff, and Yellow Iron to fires at the transfer station.

Public comment was given by Eden Morris, regarding sexual assault allegations against Mayor Muldoon.

MATTERS FROM COMMISSION AND STAFF:

9. Domestic Violence Awareness Month Resolution

Maureen Murphy, Teton County Clerk, presented to the board for consideration of approval a resolution recognizing Domestic Violence Awareness Month in the month of October.

There was no public comment.

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

**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 Wyoming, this past year, there were 2,055 *reported* incidents of domestic violence; and 56 cases were reported in Teton County. Whereas, 57 victims of Domestic Violence were served in 2019 by Teton County Victim Services. We as service providers know that this is severely underreported and under-recognized as a serious problem, and,

WHEREAS, in Wyoming on a given day, almost 300 victims were served; over 100 adult and child victims found refuge in emergency shelters or transitional housing; almost 150 adult and child victims received non-residential assistance and services, including counseling, legal advocacy and children's support groups; and

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

Adopted on the ____ day of _____, 2019.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Natalia Macker, Chair
(Seal)

Attest:

Maureen E. Murphy, Teton County Clerk

10. Consideration of Contract with Golder Associates, Inc. for Animal Pit Closure Design, Bidding Documents, and construction Quality Assurance

Brenda Ashworth, Superintendent, Solid Waste and Recycling, presented to the Board for consideration of approval a sole-source contract with Golder Associates, INC. for animal pit closure design, bidding documents and construction quality assurance.

As a final part of the overall landfill capping and closure, Teton County is required to cap and close the dead animal pit at the Horsethief Canyon Landfill by Dec. 31, 2021. Golder Associates submitted a proposal to Teton County for the Dead Animal Pit capping and closure design, bidding documents and construction quality assurance. Golder Associates has been under contract for the overall landfill capping/closure, groundwater remediation, and trash transfer facility improvements since 2012. Golder Associates' cost estimate for the proposed Scope of Work is \$53,530. The proposed Scope of Work items are as follows:

- Engineering design of the capping and closure and work plan for submission to Wyoming Department of Environmental Quality for approval;
- Preparation of the construction bid package and procurement support;
- Construction Quality Assurance (CQA) oversight; and,
- Preparation of CQA certification report for submission to Wyoming Department of Environmental Quality.

Golder Associates, Inc. has proven to be a professional firm that provides high quality engineering, guidance, expertise, and recommendations for the overall success of the project. Due to their extensive work on the landfill closure project, design, engineering and construction management work on the scale house, interim transfer station, fire suppression system and new transfer facility, Golder Associates, Inc. has the necessary background and expertise to complete this work in the most efficient and cost-effective manner. Sufficient funds are available in the amount of \$53,530 for this project in Fund 34 (2012 SPET for Landfill Closure and Transfer Station). Dead Animal Pit closure

design, bidding documents and construction management/quality assurance costs are eligible for reimbursement to Teton County by the SLIB grant at 50% of project costs.

Time is of the essence in order to close the animal pit prior to winter of 2021 and to meet the WDEQ-required closure date of December 31, 2021. Staff estimates that it will take approximately ten months to complete closure design and bid documents, procure construction services, and complete the closure construction work. In order to accommodate this timeline and leverage the existing familiarity with the site, staff recommends approval of the sole-source contract with Golder Associates, Inc. for Dead Animal Pit closure design, bidding documents and construction quality assurance.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve a sole-source contract with Golder Associates for the Teton County Dead Animal Pit closure design, bidding documents and construction quality assurance in an amount not to exceed \$53,530. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

11. Consideration of Changes to the Employee Housing Program Policies

Alyssa Watkins, Board of County Commissioners Administrator, presented to the Board for consideration of approval changes to the Employee Housing Program Policies. A new Human Resources Policy Manual was presented to the Board of County Commissioners (BCC) and adopted on March 1, 2020. The Housing Policies had previously been adopted through a Resolution but were incorporated into the HR Policy Manual to provide one source of policy information for employees. Changes to policy regarding the terms of employee housing leases were approved by the BCC on June 16, 2020.

The BCC met on August 31, 2020 to conclude discussions regarding the County's Adams Canyon housing unit. The proposed changes below memorialize the discussion and direction given at that meeting. Specifically, the changes allow for law enforcement priority and a reduced rental rate for the Adams Canyon unit.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the changes to the Teton County Human Resources Policy Manual, policy 4-17 Employee Housing Program Policies, as presented. Chair Macker called for a vote. The vote showed three in favor with Commissioners Propst and Epstein opposed, and the motion carried.

The meeting adjourned at 9:28 a.m. and reconvened at 9:36 a.m.

MATTERS FROM PLANNING & DEVELOPMENT:

- 1. Permit No.:** DEV2016-0002
Applicant: AJL DUERSCH, LLC
Presenter: Chandler Windom **CONTINUED FROM AUGUST 25, 2020**
Request: Request for a 4-unit Subdivision Planned Residential Development pursuant to Section 2320 of the 4th Printing of the 1994 LDRs.
Location: The subject property is located east of N State Line Road in Alta. The land is zoned Rural and is not within any overlays.

Chandler Windom, Planning Staff, Planning and Building Services, presented to the Board for Consideration of approval a revised Development Permit pursuant to Section 2320 of the 2015 Teton County Land Development Regulations (LDRs) for a 4-unit Subdivision Planned Residential Development.

The applicant, Y2 Consultants, on behalf of the property owners, AJL Duersch, LLC and PWD Duersch, LLC, are requesting a Development Permit to subdivide a 48.03-acre parcel into 4 lots using the Planned Residential Development (PRD) option. This original application was submitted in March of 2016. It was put on hold in February of 2017 in order for the applicant to work on outstanding requirements and to collaborate with neighbors to address their concerns. It was deemed that the applicant was not unresponsive, and instead was actively working on resubmittal requirements. The applicant waived the timeline for review of the application as outlined in the LDRs. Since this application was deemed sufficient on March 26, 2016 the project is to be reviewed under the PRD standards effective at that time. This was prior to the adoption of the most recent Teton County Land Development Regulations on April 1st, 2016.

The applicant is proposing 4 lots, three of which will be 13 acres and a fourth lot of 9.05 acres. The open space proposed is a majority of each lot, totaling 35.2 acres or 74.59% of the base site area. The applicant has requested a new conservation easement from the Teton County Scenic Preserve Trust, EAS2019-0002, which will be brought before the Board of County Commissioners concurrent with this application. The open space is valued for its agricultural activities and scenic views.

Comments were made by Hal Hutchinson, for the applicant, Allen Lynch, applicant.

Public comment was given by Earle Layser, Gigi Hendricks, Richard Weinbrandt, Greg Such, and via Zoom: Bart Birch.

A motion was made by Commissioner Propst and seconded by Commissioner Barron to continue the application, DEV2016-0002, and to direct staff and council to work with the applicant and the neighbors to investigate options for county assumption of sections of Table Rock Road West.

Commissioner Propst amended his motion to continue the application and direct staff and council to investigate options for county assumptions of sections of Table Rock West. Commissioner Barron accepted the amendment for the sake of discussion.

Commissioner Propst then amended his motion to provide a date certain of October 20, 2020. Commissioner Barron accepted the amendment.

Chris Neubecker, Director, Planning and Building Services, recommended continuing the item to a date later than October 20, 2020.

The amended motion that had been made by Commissioner Propst and seconded by Commissioner Barron was amended to extend the continuation date to November 10, 2020. It read as follows: to continue Application DEV2016-0002 to November 10, 2020, and to direct staff and council to investigate options for county assumptions of sections of Table Rock West.

Chair Macker called for a vote. The vote showed four opposed with Propst in favor. The motion failed.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve DEV2016-0002, revised June 29, 2018 and updated September 24, 2020, for a 4-unit Planned Residential Development, with the following conditions, being able to make the five (5) findings for a Development Plan pursuant to Section 5100.

1. Prior to recording of the subdivision plat, per the independent calculation, the applicant shall pay to Teton County an affordable housing fee in the amount of \$111,389.
2. Prior to the recording of the subdivision plat, the applicant shall pay to Teton County a Development Exaction fee in the amount of \$18,249.45.
3. The county pursue an adoption of that section of the spur of Table Rock Road from Targhee Town Road providing access to the applicant's subdivision.

Commissioner Barron amended his motion to specify an eight or ten-foot easement for a pathway.

The meeting recessed at 11:34 a.m. and reconvened at 11:46 a.m.

Commissioner Epstein withdrew his second to the motion. The motion failed for the lack of a second.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue DEV2016-0002 to November 10, 2020. Chair Macker 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 Propst to direct staff to pursue conveyance of West Table Rock Road, a 200-foot spur, to the county, for access for application DEV106-0002. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

2. Permit No.: EAS2019-0002 - **CONTINUED FROM AUGUST 25, 2020**

Applicant: AJL DUERSCH, LLC & PWD DUERSCH, LLC

Presenter: Chandler Windom

Request: Request to accept a new easement to the Teton County Scenic Preserve Trust to allow approval of a Planned Residential Development

Location: The subject property is located east of N State Line Road in Alta. The land is zoned Rural and is not within any overlays.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to continue EAS2019-0002 to November 10, 2020. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting adjourned at 12:01 p.m. and reconvened at 1:31 p.m.

3. Permit No.: PUD2019-0001

Applicant: JACKSON HOLE MOUNTAIN RESORT CORP.

Presenter: Andrew Bowen

Request: Request for text amendment pursuant to Div. 8.7.1 of the Teton County LDR's, to amend Section VII. A: Provision of Employee Housing of the Teton Village PUD Master Plan., to enable the use of dormitory style dwellings in order to satisfy employee housing requirements.

Location: Applies to Teton Village Area One; zoned Planned Unit Development-Planned Resort with no overlay.

Andrew Bowen, Senior Planner, Planning and Building Services, presented to the Board for consideration of approval an amendment to the Teton Village Master Plan (TVMP) pursuant to Sections 8.7.3 and 4.3.1.D of the Teton County Land Development Regulations (LDRs), to allow dormitories to partially satisfy housing mitigation requirements.

Proposed Amendment:

- A. Provision of Employee Housing. Employee Housing shall be provided in conjunction with all non-residential development in at Teton Village Area 1 in accordance with the all applicable Teton County Land Development Regulations and the Jackson/Teton County Affordable Housing Department's Rules and Regulations, consistent with the following modifications and conditions: Article IV, Section 49600, Employee Housing Standards for Planned Unit Development (PUD) District for Planned Resort.
 1. Unit Types Allowed. A required affordable or workforce housing unit shall be a detached single-family unit (LDR 6.1.4.B.), attached single-family unit (LDR 6.1.4.C.), apartment (LDR 6.1.4.D.), accessory residential unit (LDR 6.1.11.B.), or dormitory meeting the requirements mandated below:
 - A. Each lavatory shall be shared between a maximum of four bedrooms.
 - B. Each bedroom shall have individual lock off ability and be occupied by one individual.
 - C. Each dwelling shall have access to a kitchen area located on the same floor as the dwelling.
 - D. Dorm units shall not be fractioned (an entire dorm unit must be used to meet a housing requirement that is a fraction of a unit).
 2. No more than 60% of the total required Housing Mitigation created by development in Teton Village Area may be satisfied through the use of dormitory units.
 3. Dormitory units, including those serving as Housing Mitigation units, may be occupied by individuals who are not a "qualified household" as defined by the Jackson / Teton County Housing Authority Rules and Regulations.

As seen in the language above, JHMR is requesting that up to 60% of all mitigation requirements generated in Teton Village Area One can be offset with dormitory style housing. Staff is recommending that this allowance be limited to 25% of any new housing mitigation requirements. Staff is recommending this condition for two reasons. First, while the Board has legislative discretion to allow either 25% or 60% mitigation, setting the amount of allowed dormitory mitigation at 60% would be inconsistent with prior LDR text amendments that removed dormitories as acceptable mitigation units. Second, a 60% mitigation allowance exceeds the recently approved amendments to the Snow King Resort Master Plan. Snow King was recently granted the ability to mitigate 25% of their housing requirements with dormitories, and the Board has previously expressed a desire to treat Planned Resort Developments similarly across the town and county. This change would be an amendment Teton Village Master Plan Section VII. A: Provision of Employee Housing. This amendment will only alter the mitigation requirements of employee housing projects required by physical development within Teton Village Area One. Per the TVMP, 20% of all housing mitigation must occur within Area One, but the other 80% of required mitigation can occur throughout Teton County and the Town of Jackson. There are no proposed LDR changes as part of this amendment.

Andrew Bowen answered questions from the Board.

Bill Shreiber, Engineer/Planner Jackson Hole Mountain Resort, applicant, made comments and answered questions from the Board.

Bill Collins, representing Jackson Hole Mountain Resort, made comments and answered questions from the Board. There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve PUD2019-0001 for an amendment to the Teton Village Master Plan (Area One) dated July 19, 2019, to allow for the usage of dormitories to satisfy housing mitigation requirements, being able to make all nine (9) findings of Section 8.7.3 of the Teton County Land Development Regulations with the following (three) 3 conditions:

1. Section VII.A.2 of the applicants proposed amendment shall be replaced with the following: "No more than 40% of the total required Housing Mitigation created by future development in Teton Village Area may be satisfied through the use of dormitory units"
2. A Section VII.A.3 shall be added to applicant's proposed amendment stating "Dormitory units, including those serving as Housing Mitigation units, may be occupied by individuals who are not a 'qualified household' as defined by the Jackson / Teton County Housing Authority Rules and Regulations."
3. Dormitory units serving as Housing Mitigation units shall not be used for short-term rental.

Chair Macker called for a vote. The vote showed four in favor with Commissioner Newcomb opposed, and the motion carried.

The meeting recessed at 3:01 p.m. and reconvened at 3:08 p.m.

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

- 4. Permit No.:** EAS2020-0001
Applicant: TURNER, JOHN ET AL & 4TWYO, LLC
Presenter: Andrew Bowen
Request: Request to amend an existing Teton County Scenic Preserve Trust easement to allow approval of a Boundary Adjustment (BDJ2020-0005).
Location: 3955 & 3975 Matheson Hill Rd., Lots 22 and 25 of the Hufsmith Hill Subdivision. The properties are west of South Park Loop Road. Both properties are zoned Rural-2 (R2) and are partially within the Scenic Resource Overlay (SRO).

Andrew Bowen, Senior Planner, Planning and Building Services, presented to the Board for consideration of approval a Request to amend an existing Teton County Scenic Preserve Trust (TCSPT) easement to allow approval of a Boundary Adjustment (BDJ2020-0005). A Zoning Compliance Verification (ZCV2019-0031) was issued on February 19th, 2020 for this Easement Amendment proposal. Said ZCV may be reviewed as attached.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve EAS2020-0001 to amend the current Teton County Scenic Preserve Easement present on Lot 28 (existing Lot 25) of the Hufsmith Hill Subdivision dated June 10, 2020 with one condition stated below and based upon the findings within this application's supporting staff report dated September 15, 2020:

1. The Teton County Board of County Commissioners must approve BDJ2020-0005 prior to the Teton County Scenic Preserve Trust accepting and recording the easement.

Chair Macker 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 Newcomb to adjourn as the Scenic Preserve Trust. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

- 5. Permit No.:** BDJ2020-0005
Applicant: TURNER, JOHN ET AL & 4TWYO, LLC
Presenter: Andrew Bowen
Request: A Boundary Adjustment, pursuant to Section 8.5.5 of the Teton County Land Development Regulations to re-configure Lots 22 and 25 of the Hufsmith Hill Subdivision 2nd Filing and 25 of the Hufsmith Hill Subdivision 3rd Filing.
Location: 3955 & 3975 Matheson Hill Rd., Lots 22 and 25 of the Hufsmith Hill Subdivision. The properties are west of South Park Loop Road. Both properties are zoned Rural-2 (R2) and are partially within the Scenic Resource Overlay (SRO).

Andrew Bowen, Senior Planner, Planning and Building Services, presented to the Board for consideration of approval a Boundary Adjustment, pursuant to Section 8.5.5 of the Teton County Land Development Regulations to re-configure Lot 22 of the Hufsmith Hill Subdivision 2nd Filing, and Lot 25 of the Hufsmith Hill Subdivision 3rd Filing.

A Zoning Compliance Verification (ZCV2019-0031) was issued on February 19th, 2020 for this boundary adjustment proposal. Said ZCV may be reviewed as attached. The proposed adjustment to the boundary between the two neighboring lots (22 and 25) seeks to achieve two primary outcomes. First to reconfigure the platted building envelope on Lot 22 and second to dedicate additional open space to Lot 25. Lot 22 is currently 14.50 acres. In reallocating land to Lot 25, Lot 22 will be decreased in size from 14.50 acres to 11.53 acres. This reallocation will result in a new Lot 28 (Former Lot 22). Lot 25 is currently 9.05 acres. By receiving the reallocated acreage from Lot 22, Lot 25 will increase in size from 9.05 acres to 12.02 acres. This reallocation will result in a new Lot 27 (Former Lot 25). In addition, the existing 2.38-acre building envelope on the current Lot 25 and 0.96 acres of land conveyed to 4TWYO, LLC will be placed under conservation easement. A Teton County Scenic Preserve Trust (TCSPT) Easement Amendment application (EAS2020-0001) has been submitted to fulfill this proposal.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve BDJ2020-0005, based upon the application dated June 10, 2020, to re-configure Lot 22 of the Hufsmith Hill Subdivision 2nd Filing and Lot 25 of the Hufsmith Hill Subdivision 3rd Filing being able to make all five (5) findings of Section 8.7.3 and all three (3) findings of Section 1.9.4.C of the Teton County Land Development Regulations with 1 required condition:

1. Applicant shall provide to the Teton County Planning Department a release of the mortgage held by JP Morgan Chase on lot 27, prior to recording the final plat.

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

The meeting recessed at 3:23 p.m. and reconvened at 3:24 p.m.

- 6. Permit No.:** AMD2019-0005 - **POSTPONED TO THE OCTOBER 20, 2020 BCC HEARING**
Applicant: TETON COUNTY
Presenter: Rian Rooney
Request: LDR Text Amendment to Update Section 6.1.10.D. Wireless Communication Facilities.
Location: County-wide

MATTERS FROM COMMISSION

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 3:25 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chair

Greg Epstein, Vice-Chair

Mark Barron

Mark Newcomb

ATTEST: _____
Luther Propst

Maureen E. Murphy, County Clerk