

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

The Teton County Board of Commissioners met in regular session on **October 15, 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 Newcomb, and Luther Propst were present. Mark Barron arrived at 9:05am.

**ADOPTION OF AGENDA**

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb 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 Newcomb and seconded by Commissioner Epstein to approve 9/25/19, 9/30/19, 10/1/19, and 10/7/19 minutes. 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 Approval of Snow Removal Change Orders
2. Consideration of Approval of Amendment No. 7 to Contract with Golder Associates for the Completion of the Landfill Closure at Horsethief Canyon
3. Consideration of Approval to Award Bid for Back Up Generator at Station 6
4. Consideration of Approval of Amendment No. 2 to the Wyoming Department of Transportation South 89 Enhancements Cooperative Agreement N104079
5. Consideration of Approval of a Contract to Purchase Office 365 Licenses
8. Consideration of Approval of 1% Transfer Fee Covenant for the Homesteads and the Lodges at Shooting Star West
9. Consideration of Approval of Purchase Self-Contained Breathing Apparatus (SCBA) Packs and Bottles

Chair Macker called for the 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. 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 Snow Removal Change Orders**

To approve the Teton County's snow removal change orders in the amount of \$8,583.36 for the 2019-20 season.

**2. Consideration of Approval of Amendment No. 7 to Contract with Golder Associates for the Completion of the Landfill Closure at Horsethief Canyon**

To approve Amendment #7 to the County's Contract with Golder Associates for engineering support and construction quality assurance and management in time and materials costs not to exceed \$204,100, for a total contract amount of \$2,717,442.

**3. Consideration of Approval to Award Bid for Back Up Generator at Station 6**

To approve the contract with Delcon in the amount of \$82,421.00 for purchase and installation of a backup generator at Station 6.

**4. Consideration of Approval of Amendment No. 2 to the Wyoming Department of Transportation South 89 Enhancements Cooperative Agreement N104079**

To approve Amendment #2 to the WYDOT Cooperative Agreement N104079 for the south section of the South Hwy. 89 pathway enhancements.

**5. Consideration of Approval of a Contract to Purchase Office 365 Licenses**

To approve the Agreement between Teton County and Liffoff LLC for Office 365 renewal in the amount of \$54,584.40.

**8. Consideration of Approval of 1% Transfer Fee Covenant for the Homesteads and the Lodges at Shooting Star West**

To approve and certify that the proposed Declaration of Covenant and Condition fully satisfies Condition Number 60 which was imposed on the Teton Village Expansion Planned Unit Development for Planned Resort by the Board of County Commissioners on July 12, 2005, and approve the execution, filing and recordation of Declaration of Covenant and Conditions for Transfer Fee for the Homesteads and the Lodges at Shooting Star West with the County Clerk.

**9. Consideration of Approval of Purchase Self-Contained Breathing Apparatus (SCBA) Packs and Bottles**

To purchase SCBA Air Packs and Bottles from MES in the amount of \$146,700.00.

Commissioner Barron joined the meeting at 9:05am.

## **DIRECT CORRESPONDENCE**

1. Gary Duquette 9/24/2019 email regarding Melody Ranch Townhomes Roof
2. Alicia Cox, Yellowstone-Teton Clean Cities 9/24/2019 email regarding Release of the 2019 Greenhouse Gas Emissions
3. Margi Griffith 9/25/2019 email regarding Affordable Housing
4. Ben McCarter 9/25/2019 email regarding Melody Ranch Townhomes Roof
5. Skyline Ranch ISD 9/26/2019 email regarding Amended 2019-2020 Budget
6. Tom Segerstrom, Teton Conservation District 9/27/2019 email regarding Gros Ventre Riverbank Stabilization Project
7. Jared Baecker, Snake River Fund 9/27/2019 email regarding Gros Ventre Riverbank Stabilization Project
8. Chris Agnew, Teton Science School 9/27/2019 email regarding Transportation - Hwy 22 and Coyote Canyon Intersection
9. Frances Clark 9/30/2019 email regarding Gros Ventre River Stabilization Project
10. Doug Stanley 9/30/2019 email regarding Housing Exaction Fees
11. Mary Erickson, Shelter JH 9/30/2019 email regarding 440 W Kelly Avenue
12. Sue Morgan 9/30/2019 email regarding Melody Ranch Townhomes Roof
13. Darren Brugmann, START 10/1/2019 email regarding Teton Science School - Hwy 22/Coyote Canyon Road
14. Mary Moore, Bridger Teton National Forest 10/2/2019 email regarding UPDATE REGARDING: Summary of Draft Alternatives for Snow King Mountain Resort On-mountain Improvements Project
15. Paul Hansen 10/2/2019 email regarding Gros Ventre Riverbank Stabilization
16. Carrie Geraci 10/3/2019 email regarding Melody Ranch Townhomes Roof
17. Raen White 10/3/2019 email regarding Housing Rules and Regulations
18. Carolyn Douglas 10/3/2019 email regarding 440 West Kelly Avenue
19. Leslie Steen, Trout Unlimited 10/3/2019 email regarding Gros Ventre Riverbank Stabilization
20. Brian Modena 10/4/2019 email regarding Melody Ranch Townhomes Roof
21. Eliza Todd 10/4/2019 email regarding 440 West Kelly Avenue
22. Shelby Read 10/4/2019 email regarding 440 West Kelly Avenue
23. Douglas Stanley 10/4/2019 email regarding Housing Exaction Fees
24. Michael Stern 10/6/2019 email regarding 440 West Kelly Avenue
25. Perri Stern 10/6/2019 email regarding 440 West Kelly Avenue
26. Linda Williams 10/6/2019 email regarding 440 West Kelly Avenue
27. Dick and Judy Greig 10/6/2019 email regarding 440 West Kelly Avenue
28. Ryan Nourai 10/6/2019 email regarding 440 West Kelly Avenue
29. Clare Stumpf 10/6/2019 email regarding 440 West Kelly Avenue
30. Julia Smith 10/6/2019 email regarding 440 West Kelly Avenue
31. Nikki Kaufman 10/7/2019 email regarding 440 West Kelly Avenue
32. Norm Duke 10/7/2019 email regarding Teton Pass Truck Arrestor
33. Gwynne Carpenter 10/7/2019 email regarding 440 West Kelly Avenue
34. Seadar Rose Davis 10/7/2019 email regarding 440 West Kelly Avenue
35. Jonah Sloven 10/7/2019 email regarding 440 West Kelly Avenue
36. Emily Coleman 10/7/2019 email regarding 440 W Kelly Avenue
37. Camille Obering 10/7/2019 email regarding Teton Pass Truck Arrestor
38. Rich Ochs, Emergency Management 10/8/2019 email regarding Wyoming Inter-County Mutual Aid Agreement

## **PUBLIC COMMENT**

There was no public comment.

## **MATTERS FROM COMMISSION AND STAFF**

### **6. Consideration of Approval of an Additional Deputy County and Prosecuting Attorney Full-Time Employee**

Erin Weisman, County Attorney, presented to the Board for consideration of approval a request for an additional full-time Deputy County Attorney. The Teton County and Prosecuting Attorney's Office has consistently operated with six full time deputy county attorneys along with the elected County and Prosecuting Attorney. In 2018 the number of full-time deputy county attorneys dropped down to five deputy county attorneys when a deputy retired, and the position was not filled by the previous County Attorney. For the past two years the County and Prosecuting Attorney's office has operated with only five deputy county attorneys. Historically, caseloads have remained steady, or increased. The current caseloads necessitate an additional deputy attorney, which would be returning to six full time deputy county attorneys. An additional deputy county attorney is needed primarily in the criminal division, which handles misdemeanors, felonies, juvenile actions, drug court, and involuntary hospitalizations.

Clark Allen, Chief Deputy Attorney, addressed the Board regarding the request for the additional full-time Deputy County Attorney and the current case load in the Teton County Attorney's office.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the increase of one (1) FTE for an additional Deputy County and Prosecuting Attorney for the Teton County and Prosecuting Attorney's Office.

Sherry Daigle, County Clerk, addressed the Board regarding where the funding for the additional employee cost would be found in the budget.

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

### **7. Consideration of Approval of a Resolution Authorizing an Application for Lease/Patent Transfer of BLM Parcels 13, 14 and 26 Through the Recreation and Public Purpose Act**

Steve Ashworth, Director of Parks & Recreation, presented to the Board for consideration of approval the submission of an application through resolution to the Bureau of Land Management (BLM) under the Recreation and Public Purposes Act for lease or transfer to Teton County BLM parcels 13, 14, and 26. The request is consistent with the adopted 2008 Snake River Corridor land transfer document and direction of the Board of County Commissioners. Teton County currently holds Right-of-Way agreement for all three parcels and has completed significant infrastructure improvements on the land as well as currently managing the parcels for public access.

**RESOLUTION #19-027**

**TETON COUNTY BOARD OF COUNTY COMMISSIONERS TETON COUNTY, WYOMING  
(Authority to Submit Applications for Transfer of Bureau of Land Management Parcels to Teton  
County, Wyoming for Recreation/Public Purposes )**

**WHEREAS**, the Teton County, Wyoming is a duly organized county of the State of Wyoming. Wyoming Statute §18-1-101(v); and

**WHEREAS**, the Teton County Board of County Commissioners exercise the powers of the county to acquire real property. Wyoming Statute §18-2-101(a)(ii); and

**WHEREAS**, Teton County desires to obtain Bureau of Land Management (BLM) Parcels 13, 14, and 26 along the Snake River in Teton County, Wyoming to use for recreational/public purposes.

**NOW THEREFORE**, having duly met at a regular meeting and considered the matter, it is

**RESOLVED**, the Teton County Board of County Commissioners authorizes the submittal of applications to the United States Bureau of Land Management (BLM) for the transfer of BLM Parcels 13, 14, and 26 to Teton County, Wyoming.

Adopted on the 15th day of October 2019.

**TETON COUNTY BOARD OF COUNTY COMMISSIONERS**

Natalia D. Macker, Chairwoman

(Seal)

Attest:

Sherry L. Daigle, Teton County Clerk

Public comment was given by Jared Baecker – Snake River Fund.

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to approve and authorize through resolution the application of lease/transfer for BLM parcel 13, 14 and 26 under the Recreation and Public Purposes Act. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

**MATTERS FROM PLANNING & DEVELOPMENT:**

1. Findings of Fact and Conclusions of Law: CUP2019-0003 Teton County Sheriff's Office

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact, Conclusions of Law and Order granting approval of a Conditional Use Permit (CUP2019-0003) for the Teton County Sheriff's Office pursuant to Section 8.4.2 of the Teton County Land Development Regulations to permit an emergency helicopter landing zone in the Teton Village area.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve the Findings of Fact, Conclusions of Law for Conditional Use Permit (CUP2019-0003) applied for by the Teton County Sheriff's Office as described by Chief Deputy County Attorney Gingery. Chair Macker called for the vote. The vote showed 4-0 in favor with Commissioner Epstein abstaining and the motion carried.

2. Applicant: DODGE, NATHANIEL S. AND SALLIE C.  
Presenter: Chandler Windom  
Permit No.: MSC2019-0038  
Request: Request per Teton County LDR Section 8.2.13, Amendment of Permits or Approvals, to amend the building envelope on Lot 28 of the Stilson Ranch Subdivision.  
Location: 4380 Stilson Ranch Road in Wilson, north of the Stilson Parking Lot. It is zoned Rural-3 (R3) and is within the Scenic Resources Overlay.

Chandler Windom, Associate Planner, presented to the Board for consideration of approval a request to adjust the building envelope of their property, Lot 28 of the Stilson Ranch Subdivision, per LDR Section 8.2.13, Amendment of Permits or Approvals, as required by the original approval of the Building Envelopes for this Subdivision. The Stilson Ranch Subdivision was approved in 1997 with DEV1996-0047 and then final plat S/D1997-0009 for a 28-lot subdivision. At that time, the building envelopes were not depicted on the final plat map No. 912, however there was a note stating, "Building Envelopes for each lot are incorporated in the covenants, conditions & restrictions for the Stilson Ranch Subdivision." At that time, the building envelope depictions were inserted into the subdivisions CC&Rs (document 0447905). When the Dodges purchased the property there was an existing man-made pond that was deemed to be un-permitted. The Dodges have worked with staff to develop a plan to reclaim the un-permitted pond and realign the existing irrigation ditch while leaving the natural wetlands on the property undisturbed. The Dodges wish to relocate their building envelope in conjunction with this Grading and Erosion Control permit (GEC2019-0127) in order to more effectively locate future development on the property.

Sallie Dodge addressed the Board regarding the application.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve Miscellaneous Planning Request (MSC2019-0038) received September 4, 2019 to adjust the building envelope on Lot 28 of the Stilson Ranch Subdivision, with no conditions. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

3. Applicant: TETON VILLAGE PUD TEXT AMENDMENT  
Permit No.: PUD2019-0001 (Originally noticed for November 19, 2019. The BCC has cancelled the November 19, 2019 meeting. This item is to be moved to December 3, 2019.)

A motion was made by Commissioner Propst and seconded by Commissioner Barron to approve the move of PUD2019-0001 to the December 3, 2019 BCC meeting. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

4. Applicant: HIRSCHBERG/MENOLASCINO REZONE TO NC-TC  
Permit No.: ZMA2019-0002 (Originally noticed for November 19, 2019. The BCC has cancelled the November 19, 2019 meeting. This item is to be moved to December 3, 2019.)

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to postpone Hirschberg / Menolascino Rezone to NC-TC to the December 3, 2019 regular meeting. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

5. Applicant: THE LODGE CABINS AT SRCR RESORT – TOWNHOME SUBDIVISION  
Permit No.: S/D2019-0007 (Originally noticed for November 19, 2019. The BCC has cancelled the November 19, 2019 meeting. This item is to be moved to December 3, 2019.)

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve the move of S/D2019-0007 to the December 3, 2019 BCC meeting. 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**

There was no executive session held today.

**ADJOURN**

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adjourn. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 9:33am.

Respectfully submitted,

Shelley Fairbanks  
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

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Natalia D. Macker, Chair

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Greg Epstein, Vice-Chair

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Mark Barron

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Mark Newcomb

ATTEST: \_\_\_\_\_  
Luther Propst

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Sherry L. Daigle, County Clerk