

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

The Teton County Board of Commissioners met in regular session on **October 29, 2018** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:07am.

Commission present: Mark Newcomb Chair, Natalia Macker Vice-Chair, Greg Epstein, Smokey Rhea, and Paul Vogelheim.

ADOPT AGENDA

A motion was made by Commissioner Vogelheim and seconded by Commissioner Macker to adopt today's agenda as presented with the following changes:

TO ADD: Other Matter for Discussion #1 – Natural Resource Protection LDRs Update (right after public comment)

TO ADD: Action Item #5 - Purchase of Employee Housing

TO ADD: Action Item #6 – Resolution Giving Authorization for Any Member of the Board of County Commissioners to Sign the Closing Documents for the Purchases of 804 Powderhorn, Unit E.

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

PUBLIC COMMENT

Rich Bloom gave public comment regarding the hours of operation text amendment for the LDRs – Jackson Hole Classical Academy.

Jared Baecker gave public comment regarding BLM land transfers on the Snake River Corridor.

Tim Young gave public comment regarding the Wilson Workshop and a follow-up letter to WYDOT about WY22.

Katherine Dowson gave public comment regarding the current master planning process regarding BLM Parcels 9 and 10.

ACTION ITEMS

1. Consideration of Payment of County Vouchers

A motion was made by Commissioner Vogelheim and seconded by Commissioner Rhea to approve the October 29, 2018 county voucher run in the amount of \$1,574,439.87 Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the voucher in the amount of \$581,986.74 for the purchase of employee housing at 804 Powderhorn, Unit E, which amount is included in our prior motion. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

- 2. Other Matters for Discussion**

- a. Natural Resource Protection LDRs Update

Alex Norton, Planning Staff, addressed the Board regarding the Board's request that staff put you on notice if anything came up regarding difficulties meeting the review schedule for the newly proposed regulations.

The Stakeholder Group met Wednesday and Thursday this past week, 10/24 and 10/25, to review modifications proposed by staff based on comments received since the draft Natural Resources LDRs were publicly released. During those meetings it became clear that at least 2/3 of the Stakeholder Group feels that the public review draft needs to be reworked with regard to how the tiers of habitat protection and environmental analysis are structured.

There are two options that the Board needs to consider during today's voucher meeting:

1. Continue moving forward with the LDRs as drafted by staff, as scheduled with Planning Commission meetings continuing to occur on 10/29, 10/30, and 11/1, as well as with the Board hearings on 11/13 and 11/14; or
2. Pause the process and revise the Natural Resources Regulations so they are aligned with the Stakeholder Group's recommendations prior to additional public review and Planning Commission recommendation.

Currently, there is a Natural Resources Stakeholder Group meeting scheduled for Monday morning, 10/29 at 9:00 a.m., as well as a Planning Commission meeting to review the Natural Resources LDRs scheduled for Monday evening, 10/29 at 6:00 p.m.

Discussion between the Board and staff included taking more time to consider the Stakeholder process, request migration corridor maps included in the process, continue with a robust meeting schedule, request Stakeholder Group to conclude their portion by the end of the year, good momentum going, allow Stakeholder group to proceed using their knowledge (reasons they were chosen for the group), do whole package together makes the most sense, postpone Planning Commission meeting tonight to a time uncertain, let Stakeholder Group finish their process, Planning will get an updated schedule to the Board.

ACTION ITEMS (continued)

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the Resolution giving Authority to Sign Closing Documents regarding purchase of 804 Powderhorn, Unit #E. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

2. Consideration of Administrative Items

- a. Liquor Permits - There were none.
- b. SLIB Drawdowns – There were none.
- c. Tax Roll Corrections

Melissa Shinkle, County Assessor, presented to the Board for consideration of approval the following tax roll corrections:

- i. MAM Revocable Trust
- ii. Crawford
- iii. GPB Rev Trust
- iv. Golightly
- v. Parriott
- vi. Caruso
- vii. Chapman
- viii. Wientjes
- ix. Stauth
- x. Four Lazy F Ranch Inc ET AL
- xi. Knori Family Trust
- xii. 3 Creek Homeowners Association
- xiii. Bullseye Taxi
- xiv. Sears Roebuck and Company

There was no discussion between the Board and staff.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Rhea to approve the above described tax roll corrections totaling \$70,095.74. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

- d. Human Service/Community Development Contracts for Service – There were none.
- e. Special Events Permits – Applications Pending *(for informational purposes, no action taken)*
 - i. Dead & Company 2019 Concert and Festival, August 17-18, 2019, Gill Property – Hereford Ranch Lots 6 & 7, 20,000 attendees

3. Designate a Hearing Officer - Contested Case Docket No. 2018-0001, Friends of South Park et al v. Planning Director of Teton County.

Sherry Daigle, County Clerk, presented to the Board for consideration of approval of the designation of a presiding hearing officer, pursuant to Section 8.8.3.G.3 of the LDRs, Contested Case Docket No. 2018-0001. Friends of South Park et al v. Planning Director of Teton County. Recommendation to consider the designation of Melissa Owens as Hearing Officer.

There was no discussion between the Board and staff.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to designate Melissa Owens as Hearing Officer for the Friends of South Park et al v. Planning Director of Teton County contested case Docket 2018-0001. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

4. Consideration of Letter to Town of Jackson Regarding Snow King Development

Discussion among the Board included asking the Town to potentially wait to make a decision until after the Forest Service draft EIS process is complete, do we want to advise the Town to review schedule without knowing their time limits and LDRs which may be different than the County, timeline for review based on application date, questions for County Planning staff before approving letter.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Rhea to continue this item to later in the meeting. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:04am and reconvened at 10:12am.

Susan Johnson, Interim Planning Director, discussed with the Board about the EIS process and the Town process. The Town process will conclude before the federal process is complete. Discussion also included slowing down the process to match the EIS process, must have applicant's approval.

At 10:15am, a motion was made by Commissioner Macker and seconded by Commissioner Rhea to convene an executive session Pursuant to Wyoming Statute (iii) on matters concerning **litigation** to which the governing body is a party or proposed litigation to which the governing body may be a party. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

EXECUTIVE SESSION

Commission present: Mark Newcomb Chair, Natalia Macker Vice-Chair, Greg Epstein, Paul Vogelheim, and Smokey Rhea.

Others present Sherry Daigle, Keith Gingery, and Alyssa Watkins.

At 10:25am, a motion was made by Commissioner Macker and seconded by Commissioner Epstein to adjourn from executive session. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

No action was taken.

DISCUSSION ITEMS

1. Known Matters for Discussion

A. Fire/EMS Station 1 Remodel Updates

Chief Brady Hansen, Fire Chief, gave updates on the enclosing of the pavilion, payouts have been paid out roughly half of the cost and is approximately halfway done, Station 1 permit applications are in for construction and demolition, demo will start in November, January 2, 2019 is the anticipated move in date to the pavilion, no change orders as of this time, right on budget, no open house planned for temporary fire station.

B. Parks & Recreation Updates

Steve Ashworth, Director of Parks and Recreation, gave updates on the park shop – foundation work is continuing, completion of footing and foundation by November 20th, one change order to date in addition to removal of storage building on Public Works, accommodations on separating trash; Rec Center – previous offices are gone, entire rec center is on pier system, nothing substantial to build on, on schedule and anticipate May 29 move in date, working with consultant for energy audits, opportunities to increase building envelope, modification of windows, mechanical systems; after school program – 5 day/week program servicing those with the greatest need at Davey Jackson and Munger Mountain Elementary Schools, session 1 had 50% occupancy at Jackson and 25% occupancy at Munger; session 2 registration just opened up with a sign up of what days were needed, registration has increased somewhat, will evaluate after registration closes, possible move from Munger to Colter, transportation from Colter to Jackson/Munger, and from Munger to Jackson/Colter, Children's Museum is contracted to P&R to do programs.

C. Attorney Updates

Keith Gingery, Chief Deputy County Attorney, gave updates on housing templates on the JIM agenda, November 14 Wyoming Supreme Court – Coroner case, Board of Health is working with the Teton Conservation District working on the Hoback water issue, cell tower at the Pines – letter of authorization (as land owners) allowing AT&T to go through the planning process to apply for a CUP to place a tower on county land.

D. Planning Updates

Susan Johnson, Interim Planning Director, gave updates on special restrictions on Parcel I (Teton Thai and employee housing), staffing – new Administrative Coordinator, Building Official – 5 applicants, records of appeal, Owl Happenings application text amendment (November 13 – postponed to December 18th), public comment and public record.

E. Human Resources Updates

Julianne Fries, Director of Human Resources, gave updates on October open positions, turnover rate, employee benefits – open enrollment, wellness benefits, stop-loss hits currently at 2 anticipating 2 more which will be a budget impact for 2019, workers compensation claims, communications training, positivity in the workforce training in November, chili cook-off on October 31, December cookie swap.

F. Public Works Updates

There were no updates given.

G. START Updates

There were no updates given.

MATTERS FROM COMMISSIONERS

County Commissioner Administrator Updates. Alyssa Watkins, Board of County Commissioners Administrator, gave updates on the Joint Agriculture, State and Public Lands & Water Resources meeting on November 7th in Casper. The agenda includes a discussion of legislation regarding lawful fence standards. Ms. Watkins gave a written memo with updates on Health and Human Services, Housing, Transportation, Public Engagement, LDRs, Town/County Relations, and Other: LGLP Board vacancies, CIP review workshop this afternoon.

2. Other Matters for Discussion (continued)

A. Commissioner Epstein asked for follow-up on the Wilson workshop and letter to WYDOT, MOU with Jon Mobeck at JH Wildlife Foundation for radar signs, grant dollars for planning, County is the liaison for Wilson group with WYDOT and apply for grant, follow-up with Sean O'Malley to help with letter.

B. Commissioner Epstein asked for follow-up on the stall barn door. Commissioner Rhea expressed that this is a staff level decision. Ms. Watkins stated that this item has not come before the Board yet.

- C. Chair Newcomb gave an update on the WPLI decision and the final draft almost ready to be brought before the Board for approval.
- D. Commissioner Rhea brought up cell towers and can the County get information out to the public, the possibility of a workshop, be proactive and support the planning staff, LDRs and jurisdiction, press release on county process (K.Gingery, S.Johnson, and B.Kirk) – Mr. Sinclair compiled information last January, concerns on health – have Board of Health compile information, possible public forum that BCC can participate in without it being a BCC meeting, reach out to NACo for information.
- E. Wilson Advisory Group – Sean O'Malley, Director of Public Works, discussed with the Board the collaborative planning effort with WYDOT, planning money available through WYDOT (similar to TDM request), support for radar signs, increase safety and quality of life in Wilson while a greater process is moving forward, prioritize lowest to highest to get things done.
- F. Discussion between the Board and Mr. O'Malley included an update on Squaw Creek Road, road restrictions based on statutes.

ACTION ITEMS (continued)

- 5. Consideration of Letter to Town of Jackson Regarding Snow King Development

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the letter from the County to the Town Council regarding the Snow King Master Plan improvements. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSIONERS (continued)

- 1. **Calendar Review.** The Board reviewed their weekly calendars.

Commission updates

- A. Smokey Rhea had no updates.
- B. Paul Vogelheim gave updates on the Interagency Breakfast: dead animal carcasses, Greater Yellowstone Coalition regarding migration; Weed & Pest: working down debt, investment strategy, state discussions regarding animals eradicated from county; WYDOT: exploring site for incinerator for dead animal carcasses.
- C. Natalia Macker had no updates.
- D. Greg Epstein had no updates.
- E. Mark Newcomb had no updates.

At 11:50am, a motion was made by Commissioner Macker and seconded by Commissioner Epstein to convene an executive session Pursuant to Wyoming Statute §16-4-405(a)(x) To consider accepting or tendering offers concerning wages, salaries, benefits and **terms of employment** during all negotiations. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

EXECUTIVE SESSION

Commission present: Mark Newcomb Chair, Natalia Macker Vice-Chair, Greg Epstein, Paul Vogelheim, and Smokey Rhea.

Others present Sherry Daigle, Julianne Fries, and Keith Gingery.

At 12:47pm, a motion was made by Commissioner Macker and seconded by Commissioner Epstein to adjourn from executive session. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

No action was taken.

A motion was made by Commissioner Macker and seconded by Commissioner Vogelheim to direct staff as discussed in executive session. Chair Newcomb called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 12:47pm and reconvened at 1:30pm.

Workshop – CIP Discussion

Commission present: Mark Newcomb-Chair (arrived at 1:37pm), Natalia Macker-Vice-Chair, Greg Epstein, Smokey Rhea, and Paul Vogelheim
 County Commissioners Administrator: Alyssa Watkins

CIP UPDATE DISCUSSION WITH THE FOLLOWING AGENCIES:

The Board met with the following the following agencies/employees to discuss CIP updates for fiscal year 2017-18. The scheduled times are approximate.

1:30-1:35 – CIP Introduction and Overview
 Alyssa Watkins - County Commissioners Administrator

Mark Newcomb arrived at 1:37pm.

1:35-1:40 – Sheriff’s Office (005, 007, 015, E911)
Jim Whalen - Sheriff, Matt Carr - Lieutenant, Marvin Arriola

1:40-1:45 – Administration
Alyssa Watkins - County Commissioners Administrator

1:45-1:50: Health Department
Jodie Pond, Health Department Director

1:50-2:05: Fire/EMS (Funds 11 & 13)
Brady Hansen, Fire Chief

2:05 – 2:15: Emergency Management
Rich Ochs, Emergency Management Coordinator

2:15 – 2:25: Planning & Building
Susan Johnson – Interim Planning Director

The meeting recessed at 2:25pm and reconvened at 2:35pm.

2:35 – 2:45: ISWR
Sean O’Malley, Director of Public Works, Heather Overholser, Solid Waste and Recycling Superintendent, and Caroline Sheahan, Financial Accountant

2:45 – 2:50 Facilities
Lauren Long, Director of General Services and Paul Cote, Facilities Manager

2:50 – 2:55: Fairgrounds
Lauren Long, Director of General Services and Rachel Grimes, Fair Manager

2:55 – 3:00: IT
Lauren Long, Director of General Services and Todd Fletcher, IT Manager

3:00 – 3:20: Parks & Rec
Steve Ashworth, Director of Parks and Recreation

3:20 – 3:30: Pathways
Sean O’Malley, Director of Public Works

3:30 – 3:50: Engineering and Road & Levee
Sean O’Malley, Director of Public Works, Amy Ramage, Engineering Manager, and Dave Gustafson, Road & Levee Manager

The meeting recessed at 3:50pm and reconvened at 3:57pm.

4:00 – 4:05: Housing
April Norton, Housing Director

ADJOURN

A motion was made by Commissioner Rhea and seconded by Commissioner Vogelheim to adjourn. Chair Newcomb called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 4:04pm.

Respectfully submitted: sdf

TETON COUNTY BOARD OF COMMISSIONERS

Mark Newcomb, Chair

Natalia D. Macker, Vice-Chair

Greg Epstein

Paul Vogelheim

Kathleen "Smokey" Rhea

ATTEST:

**TETON COUNTY CLERK'S OFFICE
10-29-2018 WARRANTS**

Warrant Number	Name	Amount
365881	ABI ATTACHMENTS INC.	19,250.00
365882	ABF PROFESSIONAL CLEANING INC.	7,982.80
365883	ACTION EXCAVATION LLC	17,447.64
365884	ACE HARDWARE	1,990.45
365885	AIRGAS USA LLC	166.09
365886	ALBERTSONS/SAFEWAY	149.56
365887	AMAZON CAPITAL SERVICES, INC.	9,450.12
365888	ANK CORPORATION	14,004.02
365889	ANNE SUTTON	685.11
365890	APRIL CORWIN	996.40
365891	ARNOLD MACHINERY COMPANY	1,533.91
365892	AT&T MOBILITY	1,758.51
365893	BRIAN CARR	1,200.00
365894	cbm MANAGED SERVICES	6,626.74
365895	CENTURYLINK	1,595.79
365896	CHARITY BRUNNER	785.89
365897	CHARTER COMMUNICATIONS	57.19
365898	CIVIL AIR PATROL MAGAZINE	195.00
365899	CLARKS' BROADWAY AUTO PARTS, LLC	1,251.07
365900	COUGAR FUND	500.00
365901	CSK APPLIANCE REPAIR & SERVICE INC.	932.67
365902	CURRAN-SEELEY FOUNDATION	3,608.48
365903	CUTTERS EDGE	113.27
365904	DBR, INC.	1,002.75
365905	DELTA DENTAL	1,125.60
365906	DEPARTMENT OF FAMILY SERVICES	10.00
365907	ELECTION SYSTEMS & SOFTWARE	3,914.22
365908	EMERGENCY MEDICAL PRODUCTS, INC.	65.98
365909	E.R. OFFICE EXPRESS INC.	26.50
365910	FAO USAED, WALLA WALLA DISTRICT	82,776.35
365911	GOLDER ASSOCIATES INC	76,440.48
365912	GRITTON ASSOCIATES	139.00
365913	GREAT AMERICA FINANCIAL SERVICES	134.98
365914	GREENWAY PAINTING LLC	4,865.00
365915	HENRY CADWALADER	1,200.00
365916	HIGH COUNTRY LINEN SUPPLY LLC	1,242.07
365917	IDAHO TRAFFIC SAFETY, INC.	351.00
365918	INDEPENDENT STATIONERS INC.	656.94
365919	I.S.C. INC	586.25
365920	JACKSON LUMBER	227.54
365921	JACKSON RANCH LLC	22,500.00
365922	JB MECHANICAL, INC.	1,000.00
365923	JENNY KRUGER	361.19
365924	JH20 WATER CONDITIONING & FILTRATIO	473.00
365925	JACKSON HOLE CHILDREN'S MUSEUM INC.	1,000.00
365926	JH HIST.SOCIETY AND MUSEUM	1,150.00
365927	JIRDON	1,631.20
365928	JORGENSEN ASSOCIATES PC	1,802.95
365929	JONES & BARTLETT LEARNING LLC	272.74
365930	KAREN MAROLF	21.00
365931	L.N. CURTIS & SONS	228.91
365932	LONG BUILDING TECHNOLOGIES, INC.	7,801.66
365933	LORIS & ASSOCIATES	938.75
365934	LOWER VALLEY ENERGY	19,832.86
365935	LSE, INC.	9,960.29
365936	MATTHEW BENDER & CO.,INC.	343.61
365937	MAILFINANCE	244.83

365938	MD NURSERY & LANDSCAPING INC.	760.00
365939	MERIDIAN ENGINEERING P.C.	5,172.98
365940	MELANIE WATERHOUSE	459.98
365941	MIKE HAZLETT	1,200.00
365942	MIKE KIRBY	304.25
365943	NEOPOST USA INC	80.85
365944	ON GRADE BLADE SERVICE, LLC	11,879.70
365945	OPEN CREATIVE & CO	785.00
365946	OWENS LAW OFFICE, PC	150.00
365947	PINE NEEDLE EMBROIDERY	1,988.74
365948	PORTERS OFFICE PRODUCTS	234.77
365949	R & S CONSTRUCTION COMPANY, INC.	14,410.85
365950	RIDGELINE EXCAVATION INC.	20,511.07
365951	RIPLEY'S VACUUM CENTER, INC.	184.85
365952	SANOFI PASTEUR INC.	3,208.00
365953	SHAYNE SCOTT BURGESS	940.00
365954	SHERVIN'S INDEP. OIL	129.55
365955	SILVER STAR COMMUNICATIONS	2,643.00
365956	SKO BRENNER AMERICAN INC.	75.04
365957	SNAKE RIVER MEP COMPLETE INC	660.35
365958	SPORTS RESOURCE GROUP INC.	33,990.00
365959	STAPLES ADVANTAGE	244.90
365960	STEVE ASHWORTH	11.23
365961	STERICYCLE, INC.	262.83
365962	ST. JOHN'S MEDICAL CENTER	1,199.00
365963	ST. JOHN'S MEDICAL CENTER	415.08
365964	STEPHEN WEICHMAN	174.40
365965	STATE OF WY ENTERPRISE TECH SERVICE	11.39
365966	SUNRISE ENVIRONMENTAL SCIENTIFIC	129.45
365967	SUBURBAN PROPANE	58.30
365968	TETON CO. SCHOOL DISTRICT #1	16,971.09
365969	TETON COUNTY TRANSFER STATION	753.00
365970	TETON COUNTY TREASURER	57,960.71
365971	TETON COUNTY TREASURER	38,900.00
365972	TETON MOTORS	132.07
365973	TRC INC.	81.98
365974	TETON WATER WORKS LLC	825.00
365975	TIAA COMMERCIAL FINANCE INC	230.63
365976	TOWN OF JACKSON	211.32
365977	TOWN OF JACKSON	307,783.52
365978	TOWN OF JACKSON	2,160.23
365979	TURF EQUIP. & IRRIGATION,INC	804.83
365980	UNIFORMS 2 GEAR	163.20
365981	VERIZON WIRELESS	40.01
365982	VISA	1,006.16
365983	WEST BANK SANITATION	16,078.48
365984	WESTERN TRANSPORT INC.	2,695.80
365985	WY DEPT OF HLTH, COMMUNITY & RURAL	3,470.25
365986	WYOMING STATE FIRE MARSHAL'S OFFICE	1,579.55
365987	WYOMING STATE BAR	2,200.00
365988	WYOMING STAR GAZING	650.00
365989	XEROX CORPORATION	1,065.47
365990	YELLOW IRON EXCAVATING, LLC	14,318.91
365991	ZUERCHER TECHNOLOGIES LLC	83,487.00
365992	JH TITLE AND ESCROW	581,986.74