

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

The Teton County Board of Commissioners met in regular meeting on **January 24, 2023** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:03 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

County Commission: Luther Propst, Chair, Natalia Macker, Vice-Chair, Mark Newcomb, Greg Epstein, and Wes Gardner were present.

ADOPTION OF AGENDA

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

MINUTES

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the 1-3-2023, and 1-9-2023 minutes. Chair Propst called for the vote. The vote showed all in favor and the motion carried.

CONSENT AGENDA

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

2. Consideration of Contract with Knights of Valour for 2023 Teton County Fair
 3. Consideration of Adoption of Fair Fee Changes
 4. Consideration of Lease Agreement with JH Paragliding and JHFFC
 5. Consideration of Contract Change Order for GSB Addition Architect
 7. Consideration of TCCH Phase 7 Contract Amendment
 8. Consideration of Adoption of Revisions to Title 1 Rules and Regulations
 9. Consideration of Adoption of Revisions to Title 2 Rules and Regulations
 10. Consideration of a Real Estate Purchase and Sale Contract for Workforce Rental Unit 215 of the Mercill Condominiums
 11. Consideration of a Real Estate Purchase and Sale Contract for Workforce Rental Unit 314 of the Mercill Condominiums
 12. Consideration of LVE Power Upgrade Agreement for Recreation Center
 13. Consideration of Treatment Court Grant Approval from the State of Wyoming
 14. Consideration of Amendment #2 to the MOU with the Wyoming Department of Health and Teton County for COVID-19 Vaccination Clinics and Outreach Activities
 15. Consideration of Approval of Grant Application for Historic Survey of Wilson, Wyoming Project
 16. Consideration of Consideration of a Graphic Design Service Contract with Sparks and Sullivan
- Chair Propst 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 items on the Consent Agenda with the motion as stated in their respective staff report. Chair Propst called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION AND STAFF:

2. Consideration of Contract with Knights of Valour for 2023 Teton County Fair

To approve the contract with Knights of Valour in the amount of \$16,500 to perform at the 2023 Teton County Fair.

3. Consideration of Adoption of Fair Fee Changes

To approve the revised Fairgrounds Facility Fees.

4. Consideration of Lease Agreement with JH Paragliding and JHFFC

To approve the attached lease agreements for the use of Teton County's property as a landing zone by Jackson Hole Free Flight Club and Jackson Hole Paragliding, LLC.

5. Consideration of Contract Change Order for GSB Addition Architect

To approve Change Order #1 for the General Services Building Facilities Addition architectural design to CoRRnice Architecture in the amount of \$10,843.00.

7. Consideration of TCCH Phase 7 Contract Amendment

To approve the Phase 7 Contract Amendment with AMD in the amount of \$226,800.00.

8. Consideration of Adoption of Revisions to Title 1 Rules and Regulations

To adopt the Title 1-Facilities of the Teton County Rules and Regulations as presented.

9. Consideration of Adoption of Revisions to Title 2 Rules and Regulations

To adopt the Title 2- Procurement of the Teton County Rules and Regulations as presented.

10. Consideration of a Real Estate Purchase and Sale Contract for Workforce Rental Unit 215 of the Mercill Condominiums

To approve the Real Estate Purchase and Sale Contract for Workforce Rental Unit 215 of the Mercill Condominiums, in the amount of \$725,000.

11. Consideration of a Real Estate Purchase and Sale Contract for Workforce Rental Unit 314 of the Mercill Condominiums

To approve the Real Estate Purchase and Sale Contract for Workforce Rental Unit 314 of the Mercill Condominiums, in the amount of \$550,000.

12. Consideration of LVE Power Upgrade Agreement for Recreation Center

To approve the contract with Lower Valley Energy for electrical service upgrades in the amount of \$31,607.03

13. Consideration of Treatment Court Grant Approval from the State of Wyoming

To approve a resolution authorizing the submission of a grant application to the Wyoming Behavioral Health Division for FY2024 Treatment Court funding.

14. Consideration of Amendment #2 to the MOU with the Wyoming Department of Health and Teton County for COVID-19 Vaccination Clinics and Outreach Activities

To approve Amendment #2 to the MOU with the Wyoming Department of Health, for COVID-19 vaccination clinics and outreach activities for the period December 16, 2021 – June 30, 2024, in the amount of six hundred twenty-one thousand, five hundred dollars (\$621,500.00) for a total amount of one million, two hundred eleven thousand, two hundred sixty dollars (\$1,211,260.00).

15. Consideration of Approval of Grant Application for Historic Survey of Wilson, Wyoming Project

To approve the CLG Grant Application by the Teton County Historic Preservation Board for the Historic Survey of Wilson, Wyoming

16. Consideration of Consideration of a Graphic Design Service Contract with Sparks and Sullivan

To approve the contract with Sparks and Sullivan in the amount not to exceed \$25,000 for the development of an electronic template for the Parks and Recreation Program Book.

DIRECT CORRESPONDENCE

1. Vernon Nagel 12/27/2022 email regarding Sporting Club Bridge
2. Carlo Cannell 12/27/2022 email regarding Alta Indebtedness to Teton County
3. Susan Johnson 12/29/2022 email regarding Biennial LDR Updates
4. Julien Hass 12/30/2022 email regarding Concerns
5. Matt Bowers 12/30/2022 email regarding Pedestrian Safety Issue
6. Bill Hiser 12/30/2022 email regarding Copper Bar Liquor License
7. Michael Gumpport 12/31/2022 email regarding JAC Purchase of FBO Operations - GTNP Impact
8. Karen Parent 1/1/2023 email regarding LDR Updates: ARUs
9. Jared Baecker 1/5/2023 email regarding Wilson Boat Ramp
10. Esther Judge-Lennox 1/5/2023 email regarding Shacks on Racks
11. Jordan Gootnick 1/6/2023 email regarding Alta Tennis Courts Request
12. Kathy Tompkins 1/6/2023 email regarding Tribal Trails
13. Anne Callison 1/6/2023 email regarding GTR Cabin Comments
14. Orion Hatch 1/10/2023 email regarding BLM Parcel 26 Transfer
15. Mark Eddins 1/11/2023 email regarding Astoria Bridge
16. Kathy Spitzer 1/12/2023 email regarding Comment re: Teton Pines Boundary Adjustment
17. Andrea Dombroski 1/12/2023 email regarding Wilson Wetlands Parcel
18. Holli Quintana 1/12/2023 email regarding Alta Recreation Courts
19. Stacey Zurell 1/13/2023 email regarding Indian Paintbrush ISD
20. Mike Brennan 1/14/2023 email regarding Snake River Sporting Club
21. Anne Sutton 1/17/2023 email regarding HB0014 Request for Support
22. Liz Storer 1/17/2023 email regarding Teton County Fairgrounds

PUBLIC COMMENT

Public comment was given by Claire Stumpf, Advocacy Director for Shelter JH, regarding the Northern South Park planning process and support for affordable housing and deed restricted housing.

Public comment was given by Zach Vosika regarding planning for the 2023 Fair and the future of the Fairgrounds.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Six-Month Budget Amendment

Maureen Murphy, County Clerk, presented to the Board for consideration of approval a request to amend the budget with the FY23 changes approved by the BCC for the fiscal year. These amendments have been approved throughout the last six months by the Board of County Commissioners or have been.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to adopt the proposed six-month budget amendment for FY23 as noticed on the Teton County Website as presented today. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

6. Consideration of Contract for IT Network Management Software

Keith Murley, Information Technology Manager, presented to the Board for consideration of approval the Annual Agreement for Network Management Software from NinjaOne (www.ninjaone.com), a component of the County's preventative maintenance and cybersecurity program for workstations, servers, network appliances, and cloud applications.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to approve the Annual Agreement for Network Management Software from NinjaOne. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

- 1. Permit:** VAR2022-0003 – **CONTINUE TO THE FEBRUARY 21, 2023 MEETING**
Applicant: Declan Murphy
Presenter: Hamilton Smith
Request: A Variance pursuant to Section 8.8.2. of the LDRs to vary the dimensional limitations of the Teton Village Master Plan to allow the expansion of an existing rooftop wireless utility that will exceed the 66.5-foot height restriction in the Teton Village Commercial Core by 4 feet.
Location: 3335 Village Drive, Teton Village, WY 83025, the rooftop of Terra Condominiums in the Teton Village Commercial Core. The lot is zoned Planned Resort (PR) and is not within any zoning overlays.

A motion was made by Commissioner Macker and seconded by Commissioner Newcomb to continue VAR2022-0003 to the February 21st, 2023 Board of County Commissioners meeting. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

- 2. Permit:** VAR2022-0002
Applicant: Field House, LLC
Presenter: Hamilton Smith
Request: A Variance to the plant unit requirements as described in Division 5.5 Landscaping Standards, pursuant to Section 8.8.2. of the LDRs. The requested variance is such that the existing requirement of 13 plant units be met by the installation of 5-1/2 plant units.
Location: The subject property is located on 3580 South Park Drive and accessed from South Highway 89, approximately 2.3 miles south of the Town of Jackson. The lot is zoned Business Park (BP-TC) and located within the Natural Resources Overlay.

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a variance for landscaping, pursuant to Section 8.8.2. Variance, of the Teton County Land Development Regulations (LDRs), to vary the Required Plant Unit standards (LDR Section 5.5.3.) pursuant to Section 8.8.2. of the LDRs.

The applicant requests a variance to the plant unit requirements as described in Division 5.5 Landscaping Standards, pursuant to Section 8.8.2. of the LDRs, to vary the Required Plant Unit standards (LDR Section 5.5.3.), to reduce the plant unit requirement from 13 to 5.5.

The meeting recessed at 10:53 a.m. and reconvened at 10:01 a.m.

Cornelius Kinsey, and Ted Staryk, Applicants, gave a presentation and commented on the application.

The Board recessed from discussion of this item to accommodate the 11:00 a.m. workshop. Discussion of VAR2022-0002 continued at 1:30 p.m.

The meeting recessed at 11:01 a.m. and reconvened at 11:09 a.m.

WORKSHOPS

A. Auditor's Presentation

Jason Sleight, Auditor from Jones Simkins LLC, guided the Board through the Financial Statements from FY2022.

Commissioner Epstein left the meeting at 11:51 p.m.

The meeting recessed at 11:56 a.m. and reconvened at 1:31 p.m. with all Commissioners present.

MATTERS FROM PLANNING AND DEVELOPMENT (CONTINUED)

2. VAR2022-0002

The Board continued discussion of VAR2022-0002.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to approve VAR2022-0002, dated September 20, 2022, for a variance to the Required Plant Unit standards (LDR Section 5.5.3.) pursuant to Section 8.8.2. of the LDRs, being able to make the findings of Section 8.8.2. Chair Propst called for a vote. The vote showed three in favor and the motion carried 3-2 with Commissioners Newcomb and Macker opposed.

- 3. Permit:** BDJ2022-0005
Applicant: Agrostis, Inc.
Presenter: Chandler Windom

Request: A request pursuant to Section 8.5.5 of the Land Development Regulations for a Boundary Adjustment between two platted parcels, Lots 1 and 2 of the Jackson Hole Racquet Club Resort Commercial Area 3rd Filing

Location: Lots 1 & 2 of the Jackson Hole Racquet Club Resort Commercial Area are located within Teton Pines, at 3450 Clubhouse Drive. Both lots are zoned Planned Unit Development-Neighborhood Conservation (PUD-NC) and are partially within the Natural Resources Overlay.

Chandler Windom, Senior Planner, 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 reconfigure two platted lots of the Jackson Hole Racquet Club Resort Commercial Area 3rd Amendment. The purpose of the adjustment is to remedy an encroachment of the existing gate house structure adjacent to the shared property line and clarify existing maintenance responsibilities. Both lots are subject to the JHRCR, now called Teton Pines, Planned Unit Development (PUD).

Heath Kuszak, the Applicant, commented on the application.

Public comment was given by Kathy Spitzer.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to approve BDJ2022-0005, submitted September 20, 2022 and updated December 2, 2022 to adjust lot lines between Lots 1 and 2 of the Jackson Hole Racquet Club Resort Commercial Area Third Amendment, based on the findings in Section 8.5.5, and the standards of Section 8.2.13.C of the Teton County Land Development Regulations as recommended by the Planning Director, and being able to make the finding pursuant to Wyoming Statute §34-12-108, that such partial vacation does not abridge or destroy any of the rights and privileges of other proprietors in Plat No. 741, and request the Teton County Clerk write "Vacate" on Lot 1 and Lot 2 of Plat No. 741 upon filing of a new plat. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION – none.

EXECUTIVE SESSION – Pursuant to Wyoming Statute §16-4-405(a)(ii) Concerning Personnel *(To consider the appointment, employment, right to practice or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer, unless the employee, professional person or officer requests a public hearing. The governing body may exclude from any public or private hearing during the examination of a witness, any or all other witnesses in the matter being investigated. Following the hearing or executive session, the governing body may deliberate on its decision in executive sessions).*

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to enter executive session pursuant to Wyoming Statute §16-4-405(a)(ii) Concerning Personnel. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting entered executive session at 2:17 p.m.

Commission Present: Luther Propst, Natalia Macker, Wes Gardner, Greg Epstein, and Mark Newcomb.

Others: Sheriff Matt Carr, County Clerk Maureen Murphy, Board of County Commissioners Administrator Alyssa Watkins, Human Resources Director Scott Miller, and Deputy County Clerk Chalice Weichman.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to exit executive session. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting exited executive session at 2:34 p.m.

A motion was Made by Commissioner Macker and seconded by Commissioner Epstein to authorize the request as presented in executive session. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

ADJOURN

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to adjourn. Chair Propst called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 2:35 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