



Board of County Commissioners - Staff Report

Meeting Date: September 20, 2022 **Presenter:** Sarah Mann
Submitting Dept: General Services **Subject:** Approval to Proceed with Public Noticing for Possible Adoption of Revisions to Title 1- Facilities Rules and Regulations

Statement / Purpose: Approval to proceed with 45-day public noticing for possible adoption of revisions to Teton County Rules & Regulations Title 1- Facilities

Background / Description (Pros & Cons): The Title 1- Facilities Rules and Regulations was approved by the Board of County Commissioners in December 2018 and revised in 2020. Revisions currently proposed include the following:

- Chapter 1- Clarification of office hours and animals in buildings
- Exhibit A- Updates to limited use, fee basis and leasable space

Stakeholder Analysis & Involvement: Stakeholders include Teton County Staff, Elected Officials and Teton County Residents who would like to utilize the facilities.

Fiscal Impact: None

Staff Impact: This revision will have little no impact on staff. Staff will need to post the public notice and update the policy once approved.

Legal Review: Gingery

Staff Input / Recommendation: Staff recommends the approval of the comment period.

Attachments: Title 1- Facilities Rules and Regulations

Suggested Motion: I move to approve proceeding with the 45-day public comment period for revisions to the Title 1-Facilities of the Teton County Rules and Regulations.

TITLE 1

FACILITIES

ADOPTED AND APPROVED ON DECEMBER 4, 2018

**BY THE TETON COUNTY BOARD OF COUNTY
COMMISSIONERS**

EFFECTIVE AS OF JANUARY 1, 2019

Amended September 1, 2020

Amended- XX-XX-2022

CHAPTER 1 – GENERAL POLICIES

1-1-1 HOURS OF OPERATION

- a. County offices will generally be open to the public between 8:00 a.m. and 5:00 p.m., Monday through Friday. Teton County reserves the right for each Elected Official or Department Director to determine office schedules. Please check websites for individual hours of operation.

1-1-2 INCLEMENT WEATHER

- a. In cases of inclement weather, the Board of County Commissioners may authorize early closure of County offices.

1-1-3 COUNTY FACILITIES

- a. County facilities include all buildings owned or operated by Teton County, including county facilities located on leased land.

1-1-4 SMOKE AND TOBACCO FREE ENVIRONMENT

- a. The use of all tobacco products, including but not limited to cigarettes, cigars, pipes, electronic smoking devices, and smokeless tobacco is prohibited in all County Buildings and in County vehicles. This policy applies to both County employees and guests.
- b. The use of all tobacco products, including but not limited to cigarettes, cigars, pipes, electronic smoking devices, and smokeless tobacco is prohibited within 25 feet of any County building.

1-1-4 ANIMALS

With the exception of service animals, animals may not accompany the public into County buildings.

1-1-5 ALCOHOL

- a. The use of alcoholic beverages is not permitted in county buildings or facilities with the exception of the Old Wilson Schoolhouse, Teton County Library if authorized by the Teton County Library Board for a specific event (limited to no more than two (2), after-hours events per year), the Teton County Fairgrounds, the Teton County Fair Exhibit Hall, and the Search and Rescue facility if authorized by the Teton County Sheriff for a specific event (limited to no more than two (2) events per year).

CHAPTER 2 – FACILITIES USE AND LEASE POLICY

1-2-1 PURPOSE

- a. To assure that facilities owned or managed by Teton County are utilized in a manner that has a public purpose that meets the needs and best interest of the governmental entity and the community.

1-2-2 POLICY

- a. County Facilities as described in Exhibit A- Facilities available on a limited use and fee basis are available for use by Non-Affiliated and Affiliated Groups on a Limited Use & Fee Basis as long as such use does not; infringe upon the use of the facility for which it was originally intended and as long as such use is lawful, and as long as all applicable rules, regulations, and policies are followed.
- b. County Facilities as described in Exhibit B – Facilities with leasable/excess space as of 9/1/2022 are available for use by Affiliated Groups for purposes of Leasing of Excess Space in Teton County facilities or on Teton County owned or managed property is permitted for agricultural uses, communications tower sites, and other purposes deemed to be in the best interest of Teton County.

It is expressly understood that any facility used by Fire/EMS, the Sheriff's Office to include Search & Rescue, and the Emergency Operations Center will not be available for lease unless a lease agreement for such use is approved by the Board of County Commissioners and Elected Official, as applicable. Additionally, any facility used by Fire/EMS, the Sheriff's Office to include Search & Rescue, and the Emergency Operations Center may be made available on a Limited Use & Fee basis to other governmental entities for the purpose of meeting and/or trainings.

- c. The following Guidelines shall apply:
 - i. The majority of Teton County facilities are designed primarily for Teton County staff use and it is intended that these facilities be used to the fullest extent for these primary purposes. Teton County acknowledges some facilities such as the Recreation Center and Library are intended to directly serve public usage and this policy is designed to support such uses.
 - ii. Requests for usage shall be submitted via Teton County's Official website or County agency's office as outlined in Exhibit A. When not in use by Staff, Facilities are available for use by Affiliated or Non-Affiliated groups of at least (7) people. Facilities are not intended for group's regular weekly meetings. Monthly meetings are permitted.
 - iii. Users are required to give Teton County adequate notice (notice requirements vary based on County Department and facility) of their intentions to request the

- use of the facility. Notice is required to ensure that the facility will be available, and all necessary arrangements and conditions can be met.
- iv. Teton County reserves the right to review each prospective use and determine whether it falls within the requirements of these rules. Use of the Facility may be terminated at any time if the conduct of the group or any individual within the group is in violation of any County policy. Teton County may cancel confirmed reservations to accommodate County-sponsored activities.
 - v. Facilities listed in Exhibit A may be available to users on a Limited Use & Fee basis for events that support a public purpose, benefit, service, training or interest to Teton County residents.
 - vi. All fees as outlined in Exhibit A must be paid to Teton County prior to the event commencing.
 - vii. Comprehensive liability insurance may be required as determined by Teton County's Insurance carrier. Where required, the user shall buy and maintain insurance coverage as specified throughout the duration of occupancy and shall name Teton County Government as co-insured and shall indemnify and hold harmless Teton County Government from all claims arising out of the use of the facility.
 - viii. Security officers, police officers, or guards may be required at the discretion of the Elected Official or Department Director.
 - ix. Access to Facilities will be permitted through the Elected Official, Department Director, or Division Manager. Should keys or access cards be provided, user is responsible for returning to Teton County designee. If user fails to return keys or cards, the user is responsible for the expense to re-keying and/or replacement, if needed. Hours and holiday availability of each facility is outlined in Exhibit A.
 - x. Users must abide by all parking ordinances, rules, and regulations governing such parking.
 - xi. The use of alcoholic beverages is not permitted in county buildings or facilities. with the exception of the Teton County Library if authorized by the Teton County Library Board (limited to no more than two (2), after hours-hours event per year), or, the Teton County Fairgrounds, the Teton County Fair Exhibit Hall, and the Search and Rescue facility if authorized by the Teton County Sheriff for a specific event (limited to no more than two (2) events per year). The use of all tobacco products, including but not limited to cigarettes, cigars, pipes, electronic smoking devices, and smokeless tobacco is prohibited in all County Buildings and in County vehicles. This policy applies to both County employees and guests.
 - xii. The use of all tobacco products, including but not limited to cigarettes, cigars, pipes, electronic smoking devices, and smokeless tobacco is prohibited within 25 feet of any County building.
 - xiii. Any violation of any part or parts of the policy by a user may result in prohibition or further uses of Teton County facilities.

- d. The following additional guidelines shall apply to leases (Exhibit B):
 - i. Teton County may enter leases with Affiliated Groups for excess space in facilities listed on Exhibit B. The Board of County Commissioners' reserves the right to revise Exhibit B.
 - ii. Teton County may enter leases for communications towers when space is available, equipment will not hinder County operations, or the lease is in the best interest of the County.
 - iii. Fair Market Value Rental Rate shall be determined and approved by the Board of County Commissioners at the beginning of each fiscal year for excess space and communication towers, as applicable.
 - iv. The Board of County Commissioners reserves the right to allow in-kind donations in lieu of annual rent. The in-kind donation amount shall be determined using the annually established Fair Market Value Rental Rate.
 - v. Leases are intended for the premises only and do not imply authorization for use of County resources such equipment, personnel, and materials. Such usage shall be permitted only under the terms of a separate agreement approved by the Board of County Commissioners.
 - vi. Comprehensive liability insurance may be required as determined by Teton County General Services Director. Where required, the user shall buy and maintain insurance coverage as specified throughout the duration of occupancy and shall name Teton County as co-insured and shall indemnify and hold harmless Teton County from all claims arising out of the use of the facility.
 - vii. Teton County prefers to limit lease terms to no longer than 1 year. The Board of County Commissioners may elect to extend lease terms when deemed to be in the best interest of the County.

- e. In such cases where groups have a pre-existing written agreement with Teton County that precedes the adoption of this policy and addresses use of specific facilities or lands the written agreement shall stand.

1-2-3 DEFINITIONS

- a. **Limited Use and Fee Basis:** Intended to serve occasional or intermittent needs for space in an area that is otherwise regularly used for County operations. Users may rent a space or facility per outlined guidelines and established fee rate.
- b. **Excess Space:** Space that is not currently necessary for intended and regular operations of Teton County and thus is available for long-term lease.
- c. **Affiliated Groups:** A group consisting primarily of Teton County Residents with a public purpose which either receives more than 50% of the operating funding from the County or has a purpose that is deemed to be in the best interest of Teton County.
- d. **Non-Affiliated Groups:** Any public purpose group not meeting the definition of Affiliated Group.
- e. **Fair Market Rental Rate:** Estimated amount of money a property would lease for at a current time to be calculated as an annual cost per square foot.
- f. **Public Purpose:** An activity in which the actions or affects are deemed to benefit Teton County or the community, not just those affiliated with the group.

EXHIBIT A – Facilities available on a Limited Use and Fee Basis

FACILITY	ADDRESS	CATEGORY	FEE	HOURS	HOW TO SCHEDULE
Administration Building: BCC Chambers	200 S. Willow St.	Meeting Room			Teton County Website Form
Teton County Library	125 Virginian Lane	Auditorium and Learning Lab Individual & Small Group Study Rooms	Fee Schedule available at: www.tclib.org	Availability Varies	www.tclib.org or TC Library Staff
Exhibit Hall	350 West Snow King Ave	Meeting/Training Room, Kitchen, Full Facility, Receptions	Fee Schedule available at: https://www.tetoncountyfair.com/27/Fairgrounds-Facilities	Monday - Sunday, 8:00 AM - 11:00 PM.	Teton County Fair & Fairgrounds Website
Stalls, Short-Term Staging and Special Event Camping	305 West Snow King Ave	Stalls, Staging, Long-Term Parking	Fee Schedule available at: https://www.tetoncountyfair.com/27/Fairgrounds-Facilities	Available 365, 24/7	Teton County Fair & Fairgrounds Website
Fairgrounds Community Building	305 West Snow King Ave	Community Room Meeting Room Kitchen	Fee Schedule available at: https://www.tetoncountyfair.com/27/Fairgrounds-Facilities	Monday - Sunday, 8:00 AM - 11:00 PM.	Teton County Fair & Fairgrounds Website
Grassy Arena	305 West Snow King Ave	Outdoor grassy area	Fee Schedule available at: https://www.tetoncountyfair.com/27/Fairgrounds-Facilities	Hours change seasonally	Teton County Fair & Fairgrounds Website
Outdoor Arena	305 West Snow King Ave	Outdoor arena	Fee Schedule available at: https://www.tetoncountyfair.com/27/Fairgrounds-Facilities	Hours change seasonally	Teton County Fair & Fairgrounds Website
Alta Branch Library	50 Alta School Road	Community Room	Fee schedule available at www.tclib.org	Availability Varies	www.tclib.org or TC Library Staff
Fire Station 1	40 E. Pearl	Meeting Room			Fire/EMS Staff
Emergency Operations Center	3240 S. Adams Canyon	Meeting Room			Fire/EMS Staff

EXHIBIT A – Facilities available on a Limited Use and Fee Basis

ACILITY	ADDRESS	CATEGORY	FEE	HOURS	HOW TO SCHEDULE
Recreation Center	155 East Gill Avenue	Multi-purpose room	Fee schedule available at www.tetonparksandrec.org	Availability Varies	TC Parks & Rec Website
Heritage Arena	447 West Snow King Ave	Large meeting Room and Receptions	Fee Schedule available at http://www.tetoncountyfair.com/27/Fairgrounds-Facilities	Hours change seasonally	Teton County Fair and Fairgrounds Website
Old Wilson Schoolhouse	5655 Main Street	Meeting/Training Room Dining Room, Kitchen Full Facility	Rates set through Old Wilson Schoolhouse Community Center (OWSCC)	Hours set by OWSCC	OWSCC Staff

EXHIBIT B – Facilities with Leasable/Excess Space as of 9/1/2022

FACILITY	ADDRESS
Teton County Library	125 Virginian Lane
Old Wilson Schoolhouse	5655 Main Street
Public Health Department	460 E. Pearl Ave
Road & Levee	3190 S. Adam Canyon Dr.
General Services Building	185 S. Willow Street
Rafter J Day Care	3105 West Big Trail Drive
Mercill Day Care	105 Mercill Ave.
Clifford P Hansen Courthouse	175 E. Simpson
Mercill Commercial Space	105 Mercill Ave.
Search & Rescue Building	300 S. Batch Plant Rd.
Animal Shelter*	3150 S. Adams Canyon Drive
Owen Bircher Park*	5650 W Main Street

*Denotes cell tower location