

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

The Teton County Board of Commissioners met in regular meeting on **February 1, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:00 a.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

County Commission: Natalia Macker, Chairwoman, Luther Propst, Vice-Chairman, Mark Barron, and Greg Epstein were present. Mark Newcomb was absent.

**ADOPTION OF AGENDA**

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adopt today's agenda with the addition of agenda item number 17: an Amendment to Forsgren Agreement for Fire Station 1. Chairwoman 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 1-10-2022 and 1-18-2022 minutes. Chairwoman 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 Propst to place the following Matters from Staff on a Consent Agenda:

1. Consideration of Teton County Historic Preservation Board Report Approval
4. Consideration of Change Orders for Fire Station 1
6. Consideration of Change Order #1 with Ecoverse Industries for Food De-Packager Installation
7. Consideration of Purchase Award for Recycling Center Sort System
8. Consideration of Video Licensing Contract for Wildlife Feeding Outreach Campaign
9. Consideration of Recipient Agreement for Stilson Transit Center Planning Funds
10. Consideration of Lease Agreement with Jackson Free Flight Club and Jackson Hole Paragliding
12. Consideration of MOA and Funds Transfer Agreement for the Sagebrush Connector Pathway
15. Consideration of Administrative Services Agreement for Allegiance to Continue Service as Third-Party Administrator for '22

Chairwoman 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 Barron to approve the items on the Consent Agenda with the motion as stated in their respective staff report. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

**MATTERS FROM COMMISSION AND STAFF**

**1. Consideration of Teton County Historic Preservation Board Report Approval**

To approve to the 2021 Annual Report of the Teton County Historic Preservation Board.

**4. Consideration of Change Orders for Fire Station 1**

To approve change orders #45, #50, #53, #54

**6. Consideration of Change Order #1 with Ecoverse Industries for Food De-Packager Installation**

To approve Change Order #1 with Ecoverse Industries for additional electrical equipment installation necessary for the food waste de-packager, in the amount of \$52,805.00, for a total project cost of \$546,236.00.

**7. Consideration of Purchase Award for Recycling Center Sort System**

To approve a Purchase Agreement with Revolution Systems for the purchase and installation of a recycling sort system, as bid on October 27, 2021, in the not-to-exceed amount of \$659,500.00.

**8. Consideration of Video Licensing Contract for Wildlife Feeding Outreach Campaign**

To approve the licensing contract with four Jackson Wild videographers (Charine Gonzales, Austin Meyer, Sonya Lee, and Connel Bradwell) for the purposes of a public awareness campaign on Wildlife Feeding in Teton County.

**9. Consideration of Recipient Agreement for Stilson Transit Center Planning Funds**

To approve the Recipient Agreement with WYDOT for a transit planning grant from the WYDOT Wyoming Rural Public Transit Program FY2022 in the amount of \$255,824.00 for the Stilson Transit Center.

**10. Consideration of Lease Agreement with Jackson Free Flight Club and Jackson Hole Paragliding**

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.

**12. Consideration of MOA and Funds Transfer Agreement for the Sagebrush Connector Pathway**

To approve the Funds Transfer Agreement with the Federal Highway Administration for the Sagebrush Connector Pathway for \$365,000.

## 15. Consideration of Administrative Services Agreement for Allegiance to Continue Service as Third Party Administrator for '22

To approve the Administrative Services Agreement with Allegiance Benefit Plan Management, Inc. for the 2022 Calendar Year.

### DIRECT CORRESPONDENCE

1. Gloria Courser 1/11/2022 email regarding COVID-19 Data
2. Andy Zimmerman 1/11/2022 email regarding Fire/EMS Salaries
3. Thomas Sneed 1/11/2022 email regarding Alta Tennis Courts
4. Michael Gumport 1/12/2022 email regarding Airport Board
5. Jonathan Schechter 1/12/2022 email regarding SPET Forecast
6. Nancy Shanik 1/12/2022 email regarding Airport Board
7. Jackie Cecil 1/12/2022 email regarding JH Airport Board
8. James Kewley 1/12/2022 email regarding Airport Board
9. Barbara Wells 1/12/2022 email regarding Airport Board
10. Bob Skaggs 1/12/2022 email regarding Airport Board
11. Greg Taylor 1/12/2022 email regarding Airport Board
12. Dave Worley 1/12/2022 email regarding Airport Board
13. Sherry Smith 1/12/2022 email regarding Airport Board
14. Cathy Kulkun 1/12/2022 email regarding Airport Board
15. Carrie Howe 1/12/2022 email regarding Airport Board
16. Pamela Gumport 1/12/2022 email regarding Airport Board
17. Olivia Tanner 1/12/2022 email regarding Airport Board
18. Gloria Courser 1/12/2022 email regarding Letter to Health Officer Re: COVID
19. Lori Moffett 1/13/2022 email regarding Airport Board
20. Barb Lindquist 1/13/2022 email regarding Alta Community Park Funding Request
21. Jennifer Zung 1/13/2022 email regarding Alta Tennis Courts
22. Rose Strand 1/13/2022 email regarding Rafter J Lot 333
23. Travis Gay 1/13/2022 email regarding Alta Tennis Courts
24. Chris Leigh 1/13/2022 email regarding Airport Board
25. Susan Watts 1/13/2022 email regarding Airport Board
26. Joan Daddario 1/13/2022 email regarding Airport Board
27. Randy Blough 1/13/2022 email regarding Alta Tennis Courts
28. Bryce Clinton 1/14/2022 letter regarding Rafter J Lot 333
29. Elise Marks 1/14/2022 letter regarding Rafter J Lot 333
30. Bureau of Land Management 1/14/2022 email regarding Environmental Impact Study
31. WYDOT 1/14/2022 email regarding HWY22 Speeds
32. Chad Strand 1/14/2022 email regarding Rafter J Lot 333
33. Tina Schwartz 1/14/2022 email regarding Airport Board
34. Chi Melville 1/14/2022 email regarding Bighorn Sheep vs. Targhee Expansion
35. Scott Guenther 1/14/2022 email regarding Jackson Hole Airport Board
36. Camille Thomas 1/14/2022 email regarding Airport Board
37. Carol Flick 1/14/2022 email regarding Airport Board
38. Michael Lynch 1/15/2022 email regarding Rodeo/Fairgrounds
39. Sharon Parrott 1/15/2022 email regarding Rodeo/Fairgrounds
40. Daniel Ewert 1/14/2022 email regarding Rodeo/Fairgrounds
41. Kathy Farbod 1/15/2022 email regarding Rodeo/Fairgrounds
42. Heather Hansen 1/15/2022 email regarding Rodeo/Fairgrounds
43. Corky Crozier 1/15/2022 email regarding Rodeo/Fairgrounds
44. Karen Miller 1/15/2022 email regarding Rodeo/Fairgrounds
45. Nancy Erwin 1/15/2022 email regarding Rodeo/Fairgrounds
46. Susie Breen 1/15/2022 email regarding Rodeo/Fairgrounds
47. Karen Saner 1/15/2022 email regarding Rodeo/Fairgrounds
48. William Rigsby 1/15/2022 email regarding Rodeo/Fairgrounds
49. Hort Spitzer 1/15/2022 email regarding Rodeo/Fairgrounds
50. Burns MacLeod 1/15/2022 email regarding Rafter J Lot 333
51. Ann Smith 1/15/2022 email regarding Bear-Smart Living Article
52. Mary Schmitt 1/15/2022 email regarding Rodeo/Fairgrounds
53. Virginia March 1/15/2022 email regarding Rodeo/Fairgrounds
54. Brooke Bullinger 1/15/2022 email regarding Rodeo/Fairgrounds
55. M Delgado 1/18/2022 email regarding Rodeo/Fairgrounds
56. Ben Read 1/18/2022 email regarding Climate Change
57. Della Drews 1/18/2022 email regarding Rodeo/Fairgrounds
58. Olaus Linn 1/18/2022 email regarding High Tunnel Exemption Ag Amendment
59. Mary Kate Buckley 1/18/2022 email regarding Stilson Park Development
60. Marcus Olson 1/18/2022 email regarding Rodeo/Fairgrounds
61. Bonnie Pockat 1/18/2022 email regarding Rafter J Lot 333
62. Carma Miller 1/18/2022 email regarding Rodeo/Fairgrounds
63. Sally Maher 1/18/2022 email regarding Rodeo/Fairgrounds
64. Pam Barlow 1/18/2022 email regarding Rodeo/Fairgrounds
65. Chad Budge 1/18/2022 email regarding Rodeo/Fairgrounds
66. Richard Albrecht 1/18/2022 email regarding Rodeo/Fairgrounds
67. Lee FitzPatrick 1/18/2022 letter regarding Rafter J Lot 333
68. Karyn Schiller 1/18/2022 letter regarding Rafter J Lot 333
69. Rick Holding 1/18/2022 letter regarding Rafter J Lot 333
70. Nancy StClair 1/18/2022 email regarding Rodeo/Fairgrounds
71. Loren Nelson 1/18/2022 email regarding Rodeo/Fairgrounds
72. Celia Dillon 1/18/2022 email regarding Rodeo/Fairgrounds
73. Jarrod Gosnell 1/18/2022 email regarding Rodeo/Fairgrounds
74. Kayla McPherson 1/18/2022 email regarding Rodeo/Fairgrounds
75. Sherry Smith 1/18/2022 email regarding Rodeo/Fairgrounds

76. Sharleen Kominsky 1/18/2022 email regarding Rodeo/Fairgrounds
77. Sabine Kallas 1/18/2022 email regarding Rodeo/Fairgrounds
78. Jennifer Miazga 1/19/2022 email regarding Rodeo/Fairgrounds
79. Stacy Thorkildsen 1/19/2022 email regarding Rodeo/Fairgrounds
80. John Thorkildsen 1/19/2022 email regarding Rodeo/Fairgrounds
81. Dan Brophy 1/19/2022 email regarding Rodeo/Fairgrounds
82. Tressa Allen 1/19/2022 email regarding Rodeo/Fairgrounds
83. Maury Jones 1/19/2022 email regarding Rodeo/Fairgrounds
84. Chi Melville 1/19/2022 email regarding Teton Bighorn Sheep
85. Hal Hutchinson 1/19/2022 letter regarding Zone Change Proposal: Hitching Post Lodge
86. Department of Revenue 1/19/2022 letter regarding Property Tax appraiser Certificate Notice
87. Janita Tuthill 1/19/2022 email regarding Rafter J Lot 333
88. Don Tyrrel 1/19/2022 email regarding Rodeo/Fairgrounds
89. Gina Lipp 1/19/2022 email regarding Rafter J Lot 333
90. Janelle Petrow 1/19/2022 email regarding Alta Recreation Project
91. Rachael Miller 1/19/2022 email regarding Rodeo/Fairgrounds
92. Ainslie Mintz 1/19/2022 email regarding Firefighter Salaries
93. Christa Haussler 1/19/2022 email regarding JH Airport Board
94. Jeff Jung 1/19/2022 email regarding Alta Recreation Plan
95. Joe Rice 1/20/2022 email regarding Mask Order
96. Corrina Dorman 1/20/2022 email regarding Step Increase Appreciation
97. Maury Jones 1/20/2022 email regarding Mask Order/Kids
98. Maury Jones 1/20/2022 email regarding Mask Order/Kids
99. Karen Kemmerer 1/20/2022 email regarding Rodeo/Fairgrounds
100. Geneva Chong 1/20/2022 email regarding Mask Order/Kids
101. Margaret Creel 1/20/2022 email regarding Rafter J Lot 333
102. Penny Asbell 1/21/2022 email regarding Rodeo/Fairgrounds
103. Stephanie Kiser 1/21/2022 email regarding Fire/EMS Salaries
104. Ian McGregor 1/21/2022 email regarding High Tunnels
105. Jared Baecker 1/21/2022 email regarding BLM Parcels 9/10
106. David Ellerstein 1/22/2022 email regarding BLM Parcels 9/10
107. Jesse Glick 1/22/2022 email regarding Mask Order
108. Brook Nelson 1/22/2022 email regarding Alta Recreation
109. Joe Rice 1/22/2022 email regarding Video of School Board Comments
110. Jackson Hole Rodeo 1/23/2022 email regarding Rodeo Concessionair Comments on Fair Rodeo
111. Deidre Norman 1/23/2022 email regarding BLM Parcels 9/10
112. Karen Cummings 1/23/2022 email regarding Wilson Ranch Events
113. Tim Young 1/23/2022 email regarding BLM Parcels 9/10
114. Connie Wieneke 1/23/2022 email regarding BLM Parcels 9/10
115. Lexey Wauters 1/23/2022 email regarding BLM Parcels 9/10
116. Reynolds Pomeroy 1/23/2022 email regarding BLM Parcels 9/10
117. Mary Kaufmann 1/23/2022 email regarding Airport Board
118. Erik Kramer 1/24/2022 email regarding BLM Parcels 9/10
119. Ali Young 1/24/2022 email regarding BLM Parcels 9/10
120. Clay Moorhead 1/24/2022 email regarding BLM Parcels 9/10
121. Kelly Bettner 1/24/2022 email regarding Alta Recreation
122. Lorna Miller 1/24/2022 email regarding BLM Parcels 9/10
123. Stine Richvoldsen 1/24/2022 email regarding BLM Parcels 9/10
124. Justin Tatosian 1/24/2022 email regarding BLM Parcels 9/10
125. Connor Liljestrom 1/24/2022 email regarding BLM Parcels 9/10
126. Chi Melville 1/24/2022 email regarding Wildlife Feeding and Bear Conflicts
127. Laura Bonich 1/24/2022 email regarding Letter to Ryan Hostetter Re: NSP
128. Patty Ewing 1/24/2022 email regarding BLM Parcel 9/10
129. Ruby Milligan 1/24/2022 email regarding BLM Parcels 9/10

#### **PUBLIC COMMENT**

Public comment was given by Jessie Aufderheide regarding funding for COVID-19 contact tracing and testing.

#### **MATTERS FROM COMMISSION AND STAFF**

##### **2. Consideration of an MOU with WY Department of Health for COVID-19 Disease Surveillance and Testing Activities**

Jodie Pond, Health Director, presented to the Board for Consideration of approval an MOU between the Wyoming Department of Health, Public Health Division and Teton County for COVID-19 disease surveillance and testing activities.

This MOU will allow County Health Department COVID staff to continue providing contact tracing and testing services to the community through June 30, 2024, through the provision of funding from the Wyoming Department of Health. The MOU will set forth the terms and conditions by which the County shall utilize grant funds for COVID-19 disease surveillance and testing activities.

Public comment was given by Kollin Green and Gloria Courser.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to continue this item to February 7<sup>th</sup>, 2022. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

##### **3. Consideration of Amendment #3 to the Contract with Epi Use for Services for the Purpose of COVID-19 Contact Investigation and Tracing**

Jodie Pond, Health Director, presented to the Board for consideration of approval Addendum #3 to the contract with Epi Use, for maintenance services and web hosting for the purpose of COVID-19 contact investigation and tracing.

The contract tracing orchestrator requires ongoing maintenance and web hosting. This Amendment will cover the following services: 1. Amazon Web Hosting for quarters 2, 3 and 4 of 2022. 2. Ongoing support for the system integration program and future required enhancements. This project has been very successful and has saved staff time when conducting COVID-19 interviews with positive individuals and their close contacts. This project and associated funding have been approved by the Wyoming Department of Health.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue this item to February 7<sup>th</sup>, 2022.

The Chairwoman opposed the motion and suggested that the Board approve this item rather than continue it.

Jodie Pond answered questions from the Board.

Commissioner Barron withdrew his motion of continuance.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve Addendum #3 for COVID-19 technology integration services to Epi Use America in the amount of \$30,600.00. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 9:54 a.m. and reconvened at 10:00 a.m.

#### **5. Consideration of Resolution for Teton County Stockpile Facility Wetland Mitigation**

Dave Gustafson, Road & Levee Manager, presented to the Board for consideration of approval a Resolution for the Teton County Stockpile Facility Wetland Mitigation.

Teton County, through the Road & Levee Division, constructed a levee stockpile facility on public lands administered by the Bureau of Land Management, located on BLM Tract 80 of Section 44, Township 41 North, Range 117 West, north of Emily's Pond. Construction of the Stockpile Facility access road required the discharge of fill material into Waters of the US, and a Pre-Construction Notification was submitted to the U.S. Army Corp. of Engineers. The project was authorized under a Nationwide 14 permit. The impact was greater than 0.1-acre requiring a compensatory mitigation effort.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Resolution for the Teton County Stockpile Facility Wetland Mitigation. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **11. Consideration of Contract for Services with Brookhurst Construction for Relocation and Restoration of Bensen/Brown cabin and Turbines.**

Kristi Malone, Housing Supply Specialist, presented to the Board for consideration of approval the contract for services to relocate the historic Bensen Brown home and turbines located at 445 E. Kelly Avenue.

In June 2020, Teton County purchased 445 E. Kelly Avenue ("Brown Property") for \$2,255,383.49. On January 19, 2021, the Board directed staff to work with Teton Habitat to develop 18 permanently deed restricted Affordable 50-80% MFI homes. That same meeting, the Board awarded a contract for horizontal infrastructure and site design to Y2 Consultants. During a workshop on July 12, 2021, the Board directed staff to draft a Request for Proposals to relocate and restore the historic Bensen/Brown Home and the historic water turbines located in its basement.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Contract for Services with Brookhurst Construction for the Relocation and Restoration of the Bensen Brown Cabin and Turbines as presented here today and authorize the Chair to sign the contract. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **13. Consideration of Redline Changes to the Teton County Health Plan Document/Summary Plan Description**

Victoria Hilgers, Interim Director of Human Resources, presented to the Board for consideration of approval the redline changes to the Teton County Health Plan Document/Summary Plan Description.

Amendment #1 to the Teton County Health Plan makes changes to the benefits provided to Teton County employees. These changes have already been approved as part of the annual vetting process, however our third party administrator is providing the red-lined version for transparency sake and signature for file as is customary.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve Amendment #1 to the Teton County Health Benefit Plan. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **14. Consideration of Corrective Amendment to the Telemedicine Consultation Plan Document/Summary Plan Description**

Victoria Hilgers, Interim Director of Human Resources presented to the Board for consideration of approval Corrective Amendment to the Telemedicine Consultation Plan Document/Summary Plan Description.

Corrective Amendment Telemedicine Consultation Plan Document/Summary Plan Description for telemedicine consultations provides extended coverage for said services. US Department of Health & Human Services assumed the national emergency (COVID-19) would end therefore health plan descriptions were written around that date. Employees continued to use this service although not covered under plan. Covid persists and coverage for telemedicine was reinstated as some doctor's offices are still operating at limited capacity.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adopt the amendment to the Telemedicine Plan. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **16. Consideration of Adoption of 2021 International Building Codes/Fire Codes**

Billy Nunn, Building Official, presented to the Board for consideration of adoption the 2022 Teton County Building Code Resolution, 2022 Teton County Fire Code Resolution, and the 2022 Teton County Fire Protection Resolution for New Subdivisions.

Pursuant to Wyoming Statute §35-9-121, Teton County is allowed by the State Fire Marshal to exercise local enforcement authority for fire, building, existing building standards, and electrical standards. Teton County is required, in order to maintain their local enforcement authority, to adopt minimum standards by resolution that are equivalent to or more stringent than those applicable standards adopted by the State of Wyoming. Teton County presently is operating under the 2018 codes that were adopted by Teton County in 2019 and went into effect on June 1, 2019.

Public comment was given by Robb Sgroi, Nate Fuller, Ben Linn, Roby Hurley, Scott Stein, Janelle Lynn, and Katie Dahlgren.

A motion was made by Commissioner Barron to continue this item to a date uncertain.

Commissioner Epstein suggested a friendly amendment to continue to a specific date of March 1<sup>st</sup>, 2022.

Commissioner Barron accepted the friendly amendment, and Commissioner Epstein seconded the motion to continue the item to March 1<sup>st</sup>, 2022 in order to implement the proposed adjustments. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **17. Consideration of Amendment to Forsgren Agreement – Fire Station 1**

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval an Amendment to the Owner's Representative Agreement with Forsgren Associates, Inc. in regards to the construction of Fire Station #1.

This is a change order to extend the deadline for substantial completion of Fire Station #1. If approved, the Owner's Representative Agreement needs to be extended to correspond to the extension of time for the contractor. The current contract amount is \$484,950.00. The additional time being added through is amendment will add \$45,000.00 to the current contract, totaling a new contract amount of \$529,950.00. The contract extension with Forsgren will be through April 1, 2022. The Substantial Completion date for the contractor, Wapiti, is through March 9, 2022. The additional time allotted to Forsgren in March is to allow for assistance with punch lists and closing out the project through Final Completion.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve Amendment #2 to the Owner's Representative Agreement with Forsgren Associates, LLC to extend the time of service to April 1, 2022. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **MATTERS FROM PLANNING AND DEVELOPMENT**

- 1. Permit:** CUP2021-0005 –**Postpone to March 15, 2022, BCC Hearing**  
**Applicant:** STAGE STOP INC.  
**Presenter:** Chandler Windom  
**Request:** Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations to allow for Workforce Apartments at the Legacy Lodge.  
**Location:** 3000 W Big Trail Drive, or Lot 333, is situated in the northeast corner of the Rafter J Ranch Subdivision. The property is zoned Planned Unit Development Rural-3 and is not within any Overlays.
- 2. Permit:** PUD2021-0001 –**Postpone to March 15, 2022, BCC Hearing**  
**Applicant:** STAGE STOP INC.  
**Presenter:** Chandler Windom  
**Request:** Planned Residential Unit (PUD) Amendment pursuant to Section 8.7.3 of the Teton County Land Development Regulations to amend the Rafter J Ranch PUD, specifically those uses allowed on Lot 333 of the Rafter J Ranch.  
**Location:** 3000 W Big Trail Drive, or Lot 333, is situated in the northeast corner of the Rafter J Ranch Subdivision. The property is zoned Planned Unit Development Rural-3 and is not within any Overlays.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to postpone CUP2021-0005 and PUD2021-0001 to the March 15, 2022 BCC Hearing. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **MATTERS FROM COMMISSION**

The Board took a moment to commend Treasurer Smits and the Teton County Treasurer's Department on achieving the Budget Presentation Award by the Government Finance Officers Association for their presentation of the fiscal year 2022 budget.

#### **MATTERS FROM PLANNING AND DEVELOPMENT (CONTINUED)**

- 3. Permit:** SD2021-0010  
**Applicant:** TETON ALPENGLow, LLC  
**Presenter:** Chandler Windom  
**Request:** Plat Amendment, pursuant to Section 8.2.13 of the Teton County Land Development Regulations (LDRs), to vacate the building envelope and access easement on Plat No. 1240 without replat pursuant to Section 8.5.3 and 8.2.13 of the LDRs.

**Location:** 285 W Calliope Drive is Lot 47 of the Elk Dance Estates 6th Filing in Spring Creek Ranch. The property is zoned Planned Unit Development-Neighborhood Conservation and is in the Scenic Resources Overlay.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Plat Amendment, pursuant to Section 8.2.13 of the Teton County Land Development Regulations (LDRs), to vacate the building envelope and access easement on Lot 47 Elk Dance Estates 6th Filing, Plat No. 1240 without replat pursuant to Section 8.5.3 and 8.2.13 of the LDRs.

The applicant is requesting a plat amendment to vacate the building envelope and access easement on Lot 47 of the Elk Dance Estates 6th Filing Subdivision. The purpose is to relocate the building envelope to preserve the existing aspen stand and provide distance between that new envelope and the driveway easement. The applicant will record an instrument with the Clerk's Office with a new building envelope and access easement. The access easement in question is for a driveway benefitting Lot 36 to the Northeast. That property owner provided their support of this partial vacation.

Susan Johnson, SJ Planning Solutions, and Robbin Levee Mommsen, for the Applicant, commented on the application.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve SD2021-0010, for the partial vacation of the Elk Dance Estates 6th Filing, being able to make the findings of Section 8.5.3., the standards of Section 8.2.13.C., 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 on Plat No. 1240, and request the Teton County Clerk to write "vacate" on the building envelope and access easement on Lot 47 of Plat No. 1240 upon filing of the instrument. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 10:56 a.m. and reconvened at 11:02 a.m.

- 4. Permit:** AMD2021-0009  
**Applicant:** MCGREGOR, ROBERT & KIMBERLY BOHAN TRUSTEES  
**Presenter:** Ryan Hostetter  
**Request:** Teton County is considering adoption of amendments to the Teton County Land Development Regulations (LDRs) to update the home business requirements for wineries by adding cideries and micro-breweries within the home business section, in addition to a winery. This amendment proposal is made by Ian McGregor, owner of Farmstead Cider in an effort to allow a cidery to apply for a Home Business Conditional Use Permit within specific zones. Currently only wineries are allowed under Section 6.1.11.E.1.a.vi Home Business. This proposed amendment will allow for cideries and micro-breweries to be added as well.

**Location:** Applicable Countywide

Ryan Hostetter, Principal Long-Range Planner, presented to the Board for consideration of approval AMD2021-009, a proposal to amend the Teton County Land Development Regulations (LDRs), pursuant to Section 8.7.1, to amend Section 6.1.11.E related to Home Business and allow for the addition of cidery and micro-brewery, including specific use standards. This amendment is made by Ian McGregor in conjunction with Teton County Planning and Building Services Department to allow for a small home cidery or microbrewery on residential properties with a Conditional Use Permit. In addition, the proposed amendments include updated use standards for properties less than 15 acres in size.

This proposed text amendment includes revised LDR language related to Home Business (Sec 6.1.11.E). The update would allow for a cidery or microbrewery similar to the existing winery requirements already in place with approval of a Conditional Use Permit. In addition, the amended LDR text would prohibit on-site consumption (other than tastings), and public tours, and would require a cap on production volume unless the property is at least 15 acres in size.

Ian McGregor, the Applicant, commented on the application.

There was no public comment.

A motion was made by Commissioner Propst and seconded by Commissioner Epstein to approve AMD2021-0009, as presented in the draft dated December 2, 2021, to amend Section 6.1.11.E related to Home Business and allow for the addition of cidery and micro-brewery including specific use standards, being able to make the findings of Section 8.7.1. as recommended by the Planning Director and the Planning Commission. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

- 5. Permit:** MSC2021-0040  
**Applicant:** Ian McGregor  
**Presenter:** Ryan Hostetter  
**Request:** Request to waive all Planning fees for the submittal of a text amendment by Ian McGregor to the Land Development Regulations (LDRs) of Teton County Wyoming for the addition of cideries and micro-breweries as a Home Business pursuant to finding 2.a. of the Teton County Fee Waiver Policy (Resolution 2014-054).  
**Location:** Countywide

Ryan Hostetter, Principal Long-Range Planner, presented to the Board for consideration of approval a request to waive all Planning fees for the AMD2021-0009 LDR text amendment submitted by Ian McGregor related to adding cidery and micro-brewery to the winery section under the Home Business regulations pursuant to finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).

Ian McGregor of Farmstead Cidery is requesting a fee waiver for an LDR text amendment application associated with cideries and micro-breweries in Teton County. The applicant has submitted a request to amend the Land Development Regulations (LDRs) regarding "Home Business" Sec. 6.1.11.E in order to add cideries and microbreweries within the existing winery standards.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve Ian McGregor's Fee Waiver Request MSC2021-0040, received July 30, 2021 for \$1,500.00 of County fees associated with an LDR text amendment, being able to make finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054). Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

**MATTERS FROM COMMISSION** - There were none.

**ADJOURN**

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:17 a.m.

Respectfully submitted,  
Chalice Weichman  
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

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Natalia D. Macker, Chairwoman

ATTEST:

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Maureen E. Murphy, County Clerk