

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

The Teton County Board of Commissioners met in regular session on **February 25, 2019** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:05am.

Commission present: Natalia Macker Chair, Greg Epstein Vice Chair, Mark Barron, and Luther Propst. Mark Newcomb was absent.

ADOPT AGENDA

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

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

1. Consideration of Payment of County Vouchers

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the February 25, 2019 county voucher run in the amount of \$1,140,851.12. Chair Macker 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 – There were none.
 - d. Human Service/Community Development Contracts for Service – There were none.
 - e. Special Events Permits – Applications Pending *(for informational purposes, no action taken)*
 - i. Cornerstone Church Quarter Cookout, March 23rd, 2019, Stilson Lot, 50-70 attendees
 - ii. Jackson Hole Half Marathon, June 8th, 2019, Phil Baux Park, 300 attendees
 - iii. 11th Annual Darby Dash, March 9th, 2019, Alta Ski Track, 50-60 attendees

3. Consideration of Proposed Outgoing Commissioner Correspondence

There was no outgoing correspondence.

DISCUSSION ITEMS

1. Known Matters for Discussion

A. Parks & Recreation Updates

Steve Ashworth, Director of Parks and Recreation, gave updates on closing the Rec Center on March 25 and move in timeline. He also gave updates on the Park Housing/Shop – two weeks behind schedule, wood framing on first floor will begin next week. Some challenges on the project include costs – real vs. internal, permitting process problems with Building Officials at Town of Jackson – interpretation of use of code causing significant redesign of residential housing types, Fire/EMS is having the same problems with the Station 1 remodel, stormwater requirements, equipment/elevator lift pricing for basement,

B. Attorney Updates

Keith Gingery, Chief Deputy Attorney - The Attorney's Office gave updates through a confidential and privileged letter.

C. Planning Updates

Steve Westbay, Interim Director of Planning and Building, gave updates on staffing, Transportation Planner position, Long Range Planner position, Kristie Malone has been promoted to Senior Long Range Planner, Reagan Kohlhart resigned, Senior Current Planner and Associate Planner openings, joint meeting with Town Planning regarding Munger Mountain residential development, Snake River Canyon Ranch Area 3 Development Plan, Teton Village Development Plan, Comprehensive plan updates are moving forward, BBC retreat goals, Natural Resource LDRs, variance plan for private schools in rural zones.

D. Human Resources Updates

Julianne Fries, Director of Human Resources, gave updates on new hires/terminations, Transportation Planner and Long Range Planner interviews this week, 3 new positions created – 2 in Public Health and 1 at Fire/EMS, Benefit workshop on March 18, Planning Director position.

EXECUTIVE SESSION

At 9:36am a motion was made by Commissioner Epstein and seconded by Commissioner Barron to enter executive session pursuant to W.S. §16-4-405(a) (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 Macker called for a vote. The vote showed all in favor and the motion carried.

Commissioners present: Natalia Macker, Greg Epstein, Mark Barron, and Luther Propst.

Others present: Keith Gingery, Erin Weisman, Alyssa Watkins, Sherry Daigle, Steve Westbay, and Kristi Malone.

At 10:24am a motion was made by Commissioner Epstein and seconded by Commissioner Barron to adjourn from executive session. Chair 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 Propst to direct staff based on the discussion in executive session about litigation. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting was recessed at 10:24am and reconvened at 10:30am.

WORKSHOP

RFP to Construct Workforce Housing at 105 Mercill Avenue

April Norton, Housing Director, presented to the Board a Requests for Proposals (RFP) to develop Housing at 105 Mercill Avenue. The Housing Supply Plan identifies 105 Mercill Avenue for workforce housing development this year. A draft RFP is attached to this staff report and represents the Housing Director and Housing Supply Board recommendations for the project.

This staff report is broken out into two parts: 1) contextualizing how this project fits in with other housing developments – both public and private – and achieves the goals set forth in the Housing Action Plan, Comprehensive Plan, and Supply Plan; and 2) key components of the RFP.

How does this project fit in with other developments?

Based on information gathered through the Intake Form and American Community Survey, the demand for housing is highest for smaller households at the lower end of the income spectrum. However, there remains demand across all income ranges and for a range of household sizes.

ACS & Intake Form Data Comparison		
HH Size	ACS % Total	Intake Form % Total
1	23.82%	40.36%
2	37.29%	27.00%
3	20.55%	13.50%
4+	18.34%	19.14%
Income Range	ACS % Total	Intake Form % Total
0-50	20.00%	16.91%
50-80	15.00%	35.16%
80-120	35.00%	32.64%
Workforce	30.00%	15.28%

Over the next 24 months, we anticipate that 205 deed restricted rental units, including 23 dorm beds, will come online along with another 95 market multifamily units. The bulk of those units are in two projects: Hidden Hollow Phase 1 and Phase 2 (110 units) and Sagebrush Apartments (90 units). Over that same timeframe, we anticipate 39 deed restricted ownership units will come online from three projects: Grove Phase 3 (8 units), Westview Townhomes (16 units), and 440 West Kelly Avenue (minimum of 15 units).

Restriction	# units	%	Dorm Beds	Studio	1 Bed	2 Bed	3 Bed	Size Unknown
Affordable Rentals	102	30.09%	23	21	45	9	2	6
Workforce Rentals	103	30.38%	0	4	23	39	4	33
Market Rentals	95	28.02%	0	0	48	20	7	16
Affordable Ownership	8	2.36%	0	0	0	0	8	0
Workforce Ownership	31	9.14%	0	0	0	16	0	15
Total	339	100.00%	23	25	116	84	21	70

Comparing the demand with the nearer and longer-term pipeline and existing restricted housing stock helps us determine the highest priority for the public projects we partner to construct.

The pipeline indicates that about 90% of new units we expect to be built over the next two years are rental units and that most of those units are 1 and 2-bedrooms.

Our existing deed restricted housing stock is about 57% ownership and 43% rental.

Existing Deed Restricted Ownership Units by Affordability & Size								
Bedrooms	0-50	50-80	0-120	80-120	Workforce	Attainable	Total	% Total
1	7	20	18	8	4	1	58	10.84%
2	13	43	53	58	23	24	214	40.00%
3	36	21	44	73	29	46	249	46.54%
4	0	2	0	2	1	9	14	2.62%
Total	56	86	115	141	57	80	535	100.00%
% Total	10.47%	16.07%	21.50%	26.36%	10.65%	14.95%	100.00%	

Existing Deed Restricted Units by Affordability & Size			
Bedrooms	0-120	Total	% Total
Studio	55	55	0.16224189
1	66	66	19.47%
2	45	45	13.27%
3	8	8	2.36%
4	0	0	0.00%
Dorm Beds	165	165	48.67%
Total	339	339	35.10%
% Total	100.00%	100.00%	

Missing: 55 ARUs, 5 Employment Rentals

Key components for the 105 Mercill Ave RFP include:

- **Minimum number of units, unit sizes**
- **Parking requirements**
- **Unit restrictions (affordability)**
- **County option units**
- **Inclusion of non-residential space**
- **Timeline for release**

Key Component One: Development Program

Number of Units, Unit Sizes

The RFP currently requires a minimum of 22 units. Based on preliminary analysis, staff believes that at least 27,000 square feet can be built on site, depending on configuration and circulation.

Example Unit Breakdown Based on Minimum Requirements				
# units	Livable SF	NonRes SF	SF/Unit	Parking @ 1.5/Unit
22	27,000	7,000	909	33
26	27,000	7,000	769	39
30	27,000	7,000	666	45

As with the 440 W. Kelly Avenue RFP, one should assume that respondents will maximize the floor area they can build. The Board could refine the number of unit requirements by providing a minimum and maximum number of units. However, providing a maximum number of units could limit a developer's ability to maximize the site, thus limiting the number of households served and potentially increasing the sales price.

- Staff and the Housing Supply Board recommend a minimum number of units only.

Parking Requirements

The RFP currently states that respondents must provide at least one parking space per unit. This does not align with the LDRs which require one parking space per dwelling unit that is 500 square feet max and 0-1 bedrooms. For all other units, the LDRs require 1.5 parking spaces per dwelling unit.

Based on preliminary analysis, staff believes respondents could easily provide 30 parking spaces on site. After initial conversations with the Children's Learning Center, staff believed an opportunity to share 8 to 15 parking spaces existed. However, after discussing a shared parking program with the CLC board and staff, CLC administration does not believe a shared parking program is a viable option. An email from Patti Boyd outlining the reasons why they do not believe shared parking is an option is attached to this staff report.

The lack of a shared parking program leaves the Board with a decision related to a reduced parking requirement, which is necessary to maximize the amount of deed restricted housing built on this site. If the Board wishes to allow for a reduced parking requirement the Town Council will need to approve the request. Based on the 174 N. King Street project where the Council did reduce the parking requirement, a strong argument can be made to provide a similar reduction for restricted housing that is located at a START Bus stop and centrally located downtown close to jobs, schools, recreation, and local convenience. This request will need to be made once the developer has been chosen and a site plan approved by the Board.

- Staff and the Housing Supply Board recommended meeting the LDR requirements for parking when a shared parking program was a possibility. Now that the shared parking program is no longer an option, staff recommends providing a reduced parking requirement of one parking space per restricted unit with some additional visitor parking and directing the housing director to continue working with CLC to vet other possible shared parking scenarios. If market residential units are allowed, staff recommends requiring respondents to provide parking that meets the LDR requirements. The Housing Supply Board did not have time to consider the revised parking program based on the timing of the information from CLC but has generally supported reduced parking that results in more deed restricted housing.

Discussion between the Board and staff included parking requirements, shared parking, current parking on site, units for childcare workers, pooled rental housing in community, timeline of moving forward.

Unit Restrictions

The RFP currently states that the project must be 100% deed restricted and that the developer must utilize either the Affordable Ownership or Workforce Ownership restrictions. There is no stated preference between the two. The Affordable restriction does have a maximum sales price while the Workforce restriction allows the developer to set the sales price for each unit. Appreciation is set for both restriction types (CPI capped at 3%). The RFP states that units produced under deed restricted programs administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area will also be accepted.

Affordable units are income and asset restricted; Workforce units require that 75% of the household income is earned locally. Both programs require owners to work locally full time and prohibit owners from owning land within 150 miles of Teton County.

The Board could allow a developer the option of developing market units in return for greater affordability for the deed restricted units. For example, for every 100 square feet of market space developed, a developer must provide one of the following: 50 square feet of residential space that is deed restricted Affordable for income range 50-80% MFI or 75 square feet of residential space that is deed restricted Affordable for income range 80-120% MFI.

For example, the housing component could read:

The housing component of the project may include any combination of Market Ownership, Affordable Ownership, and Workforce Ownership restricted units but must meet the minimum criteria defined in this RFP. Units produced under deed restricted programs administered by the Jackson Hole Community Housing Trust or Habitat for Humanity of the Greater Teton Area will also be accepted. Short-term rental units will not be allowed.

Specific criteria for the housing program include:

- 80% of residential units developed must be deed restricted.
 - A minimum of 22 units must be built.
 - 5 units must be reserved for Teton County employee "first option" units. These units must be offered for sale to Teton County employees first before being offered to other qualified households.
 - All units must meet the livability standards set forth in the Housing Rules and Regulations.
- Staff and the Housing Supply Board recommend requiring a 100% deed restricted project. However, if the Board decides to allow for some market units, the Housing Supply Board recommends removing the option to build nonresidential (commercial) units.

Discussion between the Board and staff included mitigation rate and developer mitigate on site, non-residential use should be defined by the respondent, timeline for commercial space and impact on parking, developer will be responsible for filling the commercial space, commercial space proposed for sale,

County Option Units

The RFP as drafted requires the developer to provide five "first option" units to County employees. These units would be reserved for qualified County employees and the options would remain with the development. The qualified County employee would be expected to purchase the unit for whatever price set by the developer and the employee would be chosen through a drawing process held by the Housing Department.

For the 174 North King Street project, which is similar in size, the Town required 5 first options.

Discussion between the Board and staff included county employee units would be for sale, how did the number of 5 units for county employees come about.

- Staff recommends requiring five first options for County employees.

Key Component Two: Nonresidential space

The project is in the CR-2 zone and approximately 8,000 square-feet of nonresidential space is available onsite. Requiring ground floor nonresidential space ensures an active streetscape, could provide a revenue stream that allows for greater affordability for the residential units, and may make it easier for a developer to meet the parking requirements.

- Staff and the Housing Supply Board recommend requiring ground floor nonresidential space and requiring the developer to provide Teton County with a first right to purchase the space. However, if the Board chooses to allow for market rate residential units, then the board and staff do not recommend allowing for nonresidential space.

Discussion between the Board and staff included feasibility study on developer, should county own the non-residential space, make available to partners in the short-term, advantages, disadvantages, and risks on residential vs residential/non-residential development, clarification on county purchasing development, RFP with option of residential vs residential/non-residential development left up to developer, non-residential space use, define deed restricted units.

Key Component Three: Timeline for Release

The RFP is scheduled for release March 6th. If this timeline is kept, staff anticipates that a development partner will be chosen by the end of June. However, staff seeks direction on two issues, both of which will change the release date and therefore change the date a development partner is chosen.

First, does the Board want staff to hold a pre-application conference with Town staff prior to releasing the RFP?

The advantages of doing this include clarity on any unforeseen complications arising from other Town projects (i.e. – Cache Creek tube replacement, other street projects, etc.), clear feedback from all departments about site constraints (not just planning), and removal of a pre-application conference requirement for the developer. If staff is directed to do this, the RFP release is likely to be delayed by a month or so. In this scenario, staff would anticipate selecting a development partner by mid-August.

- Staff can see advantages to moving forward with the set timeline but can also see advantages to holding the pre-application conference prior to releasing the RFP to a) avoid any complications with the development plan, and b) speed up the timeline for the developer once s/he has been chosen. If the Board decides to wait to release the RFP for other reasons, then staff would look for direction to go ahead and hold the pre-application conference prior to releasing the RFP. The Housing Supply Board did not consider this timing issue at their most recent board meeting.

Second, does the Board want staff to wait to see what type of responses we receive from the 440 W. Kelly Avenue RFP?

Responses for that RFP are due April 5, 2019. Assuming viable responses are received, staff anticipates bringing a recommendation to the Council and Board at the May joint meeting. The Board could release this RFP after the April 5 deadline or after the May meeting and in doing so could tweak the RFP if new information is learned through the 440 W. Kelly project.

The Jackson Hole Historical Society & Museum has a lease that runs until the end of March 2020, so no developer can break ground until that lease has expired and the historic structures have been moved. If the RFP release is pushed until mid-May, staff would anticipate choosing a development partner by mid-September, giving the developer about 6.5 months until s/he could break ground.

- While there will certainly be items to learn from each RFP, staff and the Housing Supply Board both agree that the 105 Mercill Ave project is different enough from the 440 W. Kelly Ave project that releasing the RFP prior to receiving responses is unlikely to result in missed opportunities for the 105 Mercill RFP.

Discussion between the Board and staff included pre-application conference when developer is chosen, building season in Teton County, decision needed on timeline and pre-application conference, clarify parking, spring 2020 groundbreaking for the Historical Society, limit non-residential use, March 6 release for RFP.

MATTERS FROM DISCUSSION CONTINUED

E. Review of Joint Retreat Agenda

Discussion included priorities discussion through the Lens of the Comp Plan, regional transportation planning, START services, updates on commuter runs, increase tax received from Lodging Tax, SPET Tax election timing, water quality, and LDR updates.

2. Other Matters for Discussion

- A. Discussion on a plastic bag ban resolution included encouraging businesses within the County to support the Town of Jackson's ban ordinance.
- B. Discussion on requesting WYDOT to discuss Snake River Bridge Hwy 390 project, in a workshop.
- C. Discussion on Human Service Plan regarding what entities should be on the contract, and timeline.
- D. Discussion regarding updates on BLM parcels along Snake River Corridor from County Staff and stakeholders in a workshop.

MATTERS FROM COMMISSIONERS

Calendar Review. The Board reviewed their weekly calendars.

Commission updates

- A. Luther Propst updated on the Teton Conservation District, Natural Resource Plan, and the Hoback Water Quality project.
- B. Mark Barron updated on increasing public parking at the airport.
- C. Greg Epstein had no updates.
- D. Natalia Macker updated on holding public volunteer board open house and choosing an exemplary volunteer for their service.

County Commissioner Administrator Updates. Alyssa Watkins, Board of County Commissioners Administrator, gave updates on water quality, housing, transportation, Culture of Leadership, LDR's, and other: new director of General Services, Sarah Mann, began work on 2/19, first round of interviews for Director of Public Works happening this week, Director of Planning and Building Services advertisement closes today at 4pm

Clerk Daigle gave updates on Board of Equalization hearing dates.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Chair Macker called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:57am.

Respectfully submitted: sdf

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chair

Greg Epstein, Vice-Chair

Mark Barron

Mark Newcomb

Luther Propst

ATTEST:

Sherry L. Daigle, County Clerk

**TETON COUNTY CLERK'S OFFICE
02-25-19 WARRANTS**

Warrant Number	Name	Amount
371051	ACTION EXCAVATION LLC	19,247.65
371052	ACE HARDWARE	279.10
371053	ALLEGIANCE BENEFIT PLAN MGMT	57,962.48
371054	ALBERTSONS/SAFEWAY	184.58
371055	ALEXANDRA HARPER	130.29

371056	ALLERGAN USA, INC	500.00
371057	AMAZON CAPITAL SERVICES, INC.	7,941.19
371058	AMERICAN RED CROSS	420.00
371059	ANDREW ERSKINE	257.41
371060	ANK CORPORATION	14,004.02
371061	ASPEN AUTOMOTIVE/NAPA	8.99
371062	BATTERY SOLUTIONS INC.	1,603.24
371063	BEN THURSTON	260.20
371064	BOUNDTREE MEDICAL	178.25
371065	BRADY HANSEN	147.14
371066	BUCHKO STRUCTURAL ENGINEERING LLC	18,370.00
371067	CAMBRIDGE SYSTEMATICS INC.	21,580.00
371068	cbm MANAGED SERVICES	6,624.58
371069	CENTURYLINK	3,289.66
371070	CHANCE ABEL	140.87
371071	COUGAR FUND	540.00
371072	COPRO EFP LLC	4,669.21
371073	COPY WORKS LLC	77.00
371074	DAVID & ANNE PALMER	22,500.00
371075	DBR, INC.	963.70
371076	DAKOTA JAY BLEDSOE	4,865.76
371077	ELECTION CENTER CONFERENCE OFFICE	938.00
371078	ERIKSEN-MEIER CONSULTING LLC	2,337.50
371079	E.R. OFFICE EXPRESS INC.	843.20
371080	EVANS CONSTRUCTION,INC.	26.19
371081	FAIRBANKS SCALES, INC	5,109.00
371082	FC EXCAVATION LLC	5,280.64
371083	FERGUSON ENTERPRISES, INC. #3007	820.41
371085	FLAT CREEK SADDLE SHOP	7.00
371086	GOVTEMPSUSA LLC	7,161.00
371087	GREAT AMERICA FINANCIAL SERVICES	115.00
371088	GREENWOOD MAPPING,INC	175.00
371089	GRUBBS PAINTING LLC	4,656.78
371090	HILLSBORO AVIATION INC.	51,136.50
371091	HIGH COUNTRY LINEN SUPPLY LLC	2,928.95
371092	HOLIDAY INN OF ROCK SPRINGS	150.00
371093	IDAHO ABATEMENT & INSULATION LLC	2,600.00
371094	IDAHO COMMUNICATIONS LLC	130.00
371095	INFINITY SOFTWARE INC.	1,199.70
371096	INTERMOUNTAIN AQUATICS, INC.	708.75
371097	JACKSON CURBSIDE, INC	630.00
371098	JENNIFER SIMMERS	52.5
371099	JH20 WATER CONDITIONING & FILTRATIO	85.00
371100	JACKSON HOLE CHILDREN'S MUSEUM INC.	960.00
371101	JH MOUNTAIN RESORT	300.00
371102	JH TITLE AND ESCROW	575,340.02
371103	JORGENSEN ASSOCIATES PC	1,788.88
371104	KEVIN GUIDO	300.00
371105	KIMBERLY ANN MELLICK	870.00
371106	LESLIE RYAN	52.50
371107	LILY SULLIVAN	275.92
371108	L.N. CURTIS & SONS	287.15
371109	LONG BUILDING TECHNOLOGIES, INC.	4,032.25
371110	MCKESSON MEDICAL SURGICAL	428.63
371111	NAVITUS HEALTH SOLUTIONS, LLC	17,194.37
371112	NATALIA D. MACKER	1,160.60
371113	NATIONAL RECREATION AND PARK ASSOC.	345.00
371114	NATIONAL BUSINESS SYSTEMS INC.	1,586.54
371115	NORCO, INC.	21.08
371116	ONE22 COMMUNITY RESOURCE CENTER	2,144.18
371117	ON GRADE BLADE SERVICE, LLC	8,184.70
371118	PAUL COTE	12.53
371119	PINE COVE CONSULTING LLC	540.00
371120	PRIORITY HEALTHCARE DIST	1,303.65

371121	QUILL CORPORATION	254.45
371122	RAINMAKER COACHING LLC	2,335.00
371123	RICLYN BETSINGER	95.00
371124	RICOH USA, INC.	159.00
371125	RIDGELINE EXCAVATION INC.	20,511.07
371126	RTR SERVICES LLC	125.00
371127	SARA BUDGE	175.98
371128	SIGN IT NOW INC.	266.86
371129	SMITHS CUSTOMER CHARGES	198.65
371130	STAPLES ADVANTAGE	32.30
371131	STINKY PRINTS, INC.	58.42
371132	STACY STOKER	127.17
371133	STATE OF WY ENTERPRISE TECH SERVICE	11.23
371134	TETON COUNTY 4-H COUNCIL	139.78
371135	TETON COUNTY BAR ASSOCIATION	6,750.00
371136	TETON COUNTY CLERK	129.00
371137	TETON COUNTY CLERK'S OFFICE	72.00
371138	TETON COUNTY TREASURER	66,526.64
371139	TETON COUNTY TREASURER	42,000.00
371140	TETON MEDIA WORKS INC.	183.39
371141	THE LOCKSMITHS	175.00
371142	THE SUNDANCE TIMES	79.00
371143	TIAA COMMERCIAL FINANCE INC	230.63
371144	TOWN OF JACKSON	2,524.65
371145	UNITED PARCEL SERVICE	13.15
371146	VISA	567.75
371147	WATSABAUGH EXCAVATION, INC.	14,410.85
371148	WATCHGUARD SECURITY SYSTEMS	99.00
371149	WYOMING COUNTY COMMISSIONERS ASSOC.	600.00
371150	WEST BANK SANITATION	905.15
371151	WESTERN STATES EQUIPMENT	387.45
371152	WESTERN TRANSPORT INC.	1,904.00
371153	WILSON HARDWARE	95.97
371154	WILLIAM HARTNETT & CATHERINE FOLEY	22,500.00
371155	WY. DEPARTMENT OF TRANSPORTATION	42,231.78
371156	WYOMING STAR GAZING	360.00
371157	XEROX CORPORATION	1,238.16
371158	YELLOW IRON EXCAVATING, LLC	19,062.67
371159	TOWN OF JACKSON	2,350.53