

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

The Teton County Board of Commissioners met in regular meeting on **March 7, 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 Macker and seconded by Commissioner Epstein to adopt today's agenda with the addition of a Letter of Authorization naming Happy Kidz Daycare as agent to apply for a building permit in the Town of Jackson. Chair Propst 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 Macker to approve the 02-06-2023, 02-07-2023, 02-13-2023 and 02-21-2023 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 Fair Cleaning Contract
3. Consideration of Fair Construction Contract
4. Consideration of Fair Electrical Contract
5. Consideration of Fair Rodeo Stock Contract
6. Consideration of Fair Parking Contract
7. Consideration of Fair Security Contract
8. Consideration of Fair Trash Contract
9. Consideration of Harmony Design- Add Services Agreement for Wilson Boat Ramp Construction Management
10. Consideration of Amendment No. 3 to the Funds Transfer Agreement for the Federal Lands Access Program (Teton Pass Centennial Trail)
12. Consideration of Approval of Grant Agreement with the State of Wyoming for the Wilson History Study
13. Consideration of Agreement with Bridger Teton National Forest for Law Enforcement Patrol
14. Consideration of Order determining the Hoback Water & Sewer District
15. Consideration of Sewer Easement to the Town of Jackson for Mercill Building

Chair Propst 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 Gardner 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 Fair Cleaning Contract

To award TM Commercial Cleaning, LLC the 2023 Fair Cleaning Contract in the amount of \$30,818.

3. Consideration of Fair Construction Contract

To award Todd Taylor the 2023 Fair Cleaning Contract in the amount of \$76,940

4. Consideration of Fair Electrical Contract

To award Dave Truax – TLC Electric, Inc. the 2023 Fair Electrical Contract in the amount of \$20,825.

5. Consideration of Fair Rodeo Stock Contract

To award WW Productions, LLC dba. JH Rodeo the 2023 Fair Rodeo Stock Contract in the amount of \$23,000

6. Consideration of Fair Parking Contract

To award Friends of Citizens Mounted Unit the 2023 Fair Parking Contract in the amount of \$12,000

7. Consideration of Fair Security Contract

To award JH Security the 2023 Fair Security Contract in the amount of \$40,950.

8. Consideration of Fair Trash Contract

to award Westbank Sanitation the 2023 Fair Trash Removal Contract in the amount of \$12,100.19

9. Consideration of Harmony Design- Add Services Agreement for Wilson Boat Ramp Construction Management

To approve Additional Service Request #4 with Harmony Design & Engineering for the Wilson Boat Ramp Project for Construction Services in the amount of \$10,144.50.

10. Consideration of Amendment No. 3 to the Funds Transfer Agreement for the Federal Lands Access Program (Teton Pass Centennial Trail)

To approve Amendment No. 3 to the Funds Transfer Agreement with the Federal Highway Administration for the Wyoming Teton Pass Centennial Trail Project.

12. Consideration of Approval of Grant Agreement with the State of Wyoming for the Wilson History Study

To approve the Grant Agreement in the amount of \$14,000 with the State of Wyoming for the Historic Survey of Wilson, Wyoming

13. Consideration of Agreement with Bridger Teton National Forest for Law Enforcement Patrol

To approve Cooperative Law Enforcement Annual Operating Plan and Financial Plan between the Teton County Sheriff's Office and the Bridger Teton National Forest.

14. Consideration of Order determining the Hoback Water & Sewer District

To approve the order establishing the formation of the Hoback Junction Water and Sewer District.

15. Consideration of Sewer Easement to the Town of Jackson for Mercill Building

To approve the granting of the Sanitary Sewer Easement to the Town of Jackson at 145 and 1055 Mercill Ave., Jackson, Wyoming.

DIRECT CORRESPONDENCE

1. Michael Stern 2/15/2023 email regarding 250 E Simpson
2. Julien Hass 2/21/2023 email regarding Shacks on Racks Move Contract
3. WYDOT 2/21/2023 email regarding Request for Permit to Investigate
4. Mike Adams 2/23/2023 email regarding TC Park and Rec Fee Increase
5. Megan Lyons Bogle 2/23/2023 email regarding Alta Pickleball Courts
6. Rebecca Bextel 2/23/2023 email regarding Future of Fairgrounds
7. Lea Bonnecaze 2/24/2023 email regarding Rec Center Fee Increase
8. Geneva Chong 2/24/2023 email regarding Snow King Walkways
9. Fred Peightal 2/24/2023 email regarding ARU Policy
10. Brooks Jacobsen 2/25/2023 email regarding Alta Park
11. Sandy Shuptrine 2/26/2023 email regarding Courthouse Project
12. Margie Lynch 2/26/2023 email regarding Courthouse Redesign Project
13. Geneva Chong 2/26/2023 email regarding Ice Challenges
14. Sharifa Suniga 2/27/2023 email regarding Rec Center Fees
15. Howie Garber 2/28/2023 email regarding Targhee Cabins
16. Matt Guido 2/28/2023 email regarding Targhee Expansion

PUBLIC COMMENT

A member of the public wanted to comment on CUP2022-0005 and DEV2022-0004, Snake River Sporting Club applications, but he will not be present when those items will be considered. Since the Snake River Sporting Club items are on the agenda, the Chair asked that comments on agenda items be made during the hearing of the items, or submitted by email.

There was no other public comment.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Red Cross Month Proclamation Resolution

Dee Buckstaff, American Red Cross representative for Teton County, read the resolution:

BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY RESOLUTION # ____ American Red Cross Month 2023 WHEREAS, in times of crisis, people in Teton County come together to care for one another. The humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors; and WHEREAS, Clara Barton founded the American Red Cross in 1881, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering; WHEREAS, Today, more than 140 years later, we honor the kindness and generosity of Red Cross volunteers here in Teton County, who continue to carry out Clara's lifesaving legacy while joining millions of people across the United States who volunteer, give blood, donate financially, or learn vital life-preserving skills through the Red Cross; and WHEREAS, In Teton County, the contributions of local Red Cross volunteers give home to the most vulnerable in their darkest hours – whether it is providing emergency shelter, food, and comfort for families devastated by local disasters like home fires, supporting service members and veterans navigate unique challenges of military life, helping to save the lives of others with first aid, CPR and other skills, or delivering international humanitarian aid; and WHEREAS, Red Cross volunteers' work to prevent and alleviate human suffering is vital to strengthening our community's resilience FURTHER, the Teton County Board of County Commissioners dedicate this month of March to all those who continue to advance the noble legacy of American Red Cross founder Clara Barton, who lived by her words, "You must never think of anything except the need and how to meet it." We ask others to join in this commitment to give back in our community NOW, THEREFORE, the Teton County Board of County Commissioners does hereby recognize and proclaim March 2023 as Red Cross Month and encourage all citizens of Teton County to reach out and support its humanitarian mission.

ADOPTED ON THE 7th DAY OF March 2023

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Luther Propst, Chair

Attest: Maureen E. Murphy, Teton County Clerk

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the resolution recognizing and proclaiming March 2023 as American Red Cross Month Chair Propst called for a vote. The vote showed all in favor and the motion carried.

11. Consideration of Temporary Construction Easement for Wilson to Stilson Pathway – Jackson Hole Land Trust

Heather Overholser, Director of Public Works, presented to the Board for consideration of approval a Temporary Construction Easement for the Wilson to Stilson Pathway.

Teton County, Wyoming is the direct recipient of the federal BUILD (Better Utilizing Investments to Leverage Development) transportation grant from the U.S. Department of Transportation (USDOT) for the upcoming Teton Mobility Corridor Improvements (TMCI) project. The TMCI project is composed of 13 project components located in the Greater Yellowstone Region of Idaho and Wyoming, spanning over 30 miles from Driggs, ID to Jackson, WY through the Teton Mountain range.

Public comment was given by Camille Obering and Tim Young.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the temporary construction easement with the Jackson Hole Land Trust for the construction of the Wilson to Stilson Pathway, including the payment of just compensation to the landowner in the amount of \$250.00. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

16. Consideration of Letter of Authorization Naming Happy Kidz Daycare as Agent

Alyssa Watkins, Board of County Commissioners Administrator, presented to the Board for consideration of approval a Letter of Authorization naming Happy Kidz Daycare as Agent to apply for a building permit.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the letter of authorization for Happy Kidz Daycare. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

Findings of Fact and Conclusions of Law:

A. VAR2022-0003

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact and Conclusions of Law for VAR2022-0023.

The Board heard this item on February 21, 2023, upon the application of Declan Murphy of Coal Creek Consulting on behalf of TMobile, on lands leased by Westgroup Terra, LLC, for a Variance to vary the dimensional limitations in the Teton Village Master Plan to allow a new cellular communication antennae array to exceed height restrictions in the commercial core to a maximum height of seventy (70) feet and eight (8) inches.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the Findings of Fact and Conclusions of Law for VAR2022-0003 with the correction as stated. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

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| 1. Permit: | SD2022-0008 |
| Applicant: | JHHR DEVELOPMENT II INC |
| Presenter: | Hamilton Smith |
| Request: | A Final Subdivision Plat Request pursuant to LDR Section 8.5.3 for JHHR South, a 1-Lot Subdivision of 25.67 acres in the Suburban Zone of Northern South Park. |
| Location: | The subject property is the western portion of Revised Hereford Ranch Tract 10, located approximately 1/4 mile south of the corner of South Park Loop Road and High School Road. The project area is zoned Suburban and lies within the Scenic Resources Overlay. |

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a Subdivision Plat for the JHHR South 1-lot subdivision.

The proposal is to complete the final platting of JHHR South, prior to development of a 79-lot subdivision, in accordance with the approved development plan (DEV2022-0006). The one-lot subdivision establishes the ownership of the 25.67-acre Lot under JHHR Development II Inc, which will oversee future development. This application was before the Board on March 2, 2021 as a Sketch Plan (SKC2020-0001) and December 6, 2022 as a Development Plan (DEV2022-0006). Subsequent to Sketch Plan approval, the applicant requested an amendment to Sketch Plan Condition of Approval #7 (MSC2022-0026) to allow the approved Sketch Plan to remain in place along with the approved conditions if the Suburban zone were moved approximately 300 feet to the south on the site, as ultimately happened through a Zoning Map Amendment (ZMA2022-0002). This application is consistent with the Development Plan approved in December of 2022. No Subdivision Improvements Agreement is required as no subdivision improvements are being proposed at this time. A Subdivision Improvements Agreement will occur at the time of the Final Plat for the 79 residential lots.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve SD2022-0008, dated November 23, 2022, for the final plat of JHHR South, based on the recommended findings. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

2. Permit: CUP2022-0005
Applicant: SRS CLUB, LLC
Presenter: Hamilton Smith
Request: Conditional Use Permit (CUP) pursuant to Section 8.4.2. of the Teton County Land Development Regulations (LDRS) for an amendment of a CUP (CUP2015-0003) to relocate the Snake River Sporting Club golf course maintenance facilities from the current location on Snake River Bend Ranch Parcel 11 to the Golf Course Lot 116.
Location: Lot 116, Snake River Sporting Club Fourth Filing, Plat No 1373. The property is zoned Rural-1 and is within the Natural Resources Overlay and the Scenic Resources Overlay.

And,

3. Permit: DEV2022-0004
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: A Development Plan pursuant to Section 8.3.2. of the Teton County Land Development Regulations to construct a golf course maintenance facility.
Location: Lot 116, Snake River Sporting Club Fourth Filing, Plat No 1373. The property is zoned Rural-1 and is within the Natural Resources Overlay and the Scenic Resources Overlay.

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a Conditional Use Permit (CUP2022-0005) to amend an existing Outdoor Recreation Use permit for a golf course (CUP2001- 0016/CUP2015-0003), to relocate the golf course maintenance facility to Lot 116, Snake River Sporting Club 4th Filing. A concurrent application (DEV2022-0004) to amend an existing Development Plan permit pursuant to Section 8.3.2. of the LDRs for construction of a golf course maintenance facility on Lot 116, Snake River Sporting Club 4th Filing.

What is today known as the Snake River Sporting Club development was originally known as the Canyon Club project. Canyon Club was submitted to the County as an application for a Sketch Plan and Conditional Use Permit (CUP) to allow a golf course and associated residential development on approximately 360 acres of Rural-zoned property. The residential development was proposed as a Planned Residential Development (PRD), which allows for additional density in exchange for permanently protected open space. The Sketch Plan and CUP for the golf course and residential development were approved by the Board of County Commissioners on March 5, 2002. The CUP was then amended in 2015 to relocate the golf course maintenance area to the Snake River Bend Ranch (SRBR) parcel, concurrently with the relocation of Snake River Canyon Ranch Resort entitlements to eight lots that were within the Snake River Sporting Club development. The Resort relocation had the effect of displacing the original golf course maintenance and operations area. It has only been through the ensuing years of residential development and increasing use in the vicinity of the golf course that the operational shortcomings of the golf course maintenance facility in its present location have become more obvious.

The meeting recessed at 10:06 a.m. and reconvened at 10:12 a.m.

Ron Levy with Jorgensen Associates, for the Applicant, and Gregg Ornowski, Applicant, commented on the Application.

The meeting recessed at 10:52 a.m. and reconvened at 10:58 a.m.

Brendan Schulte with Jorgensen Engineering commented on the application.

MOTION FOR CUP2022-0005

A motion as made by Commissioner Newcomb to approve CUP2022-0005, dated June 17, 2022, to amend an Outdoor Recreation Conditional Use Permit (CUP2001-0016), to relocate the Snake River Sporting Club golf course maintenance facility to Lot 116, Snake River Sporting Club 4th Filing, being able to make all eight (8) findings for approval under Section 8.4.2., with two conditions:

1. No physical development shall be allowed and no building permits shall be issued until the Astoria Bridge is fully functional and can accommodate full vehicle weight loads of highway loading, specifically HL93
2. The timeline for the necessary grading and erosion construction and building permits will be extended to 24 months.

The Ron Levy commented on the condition regarding physical development and grading permits.

Commissioner Newcomb withdrew his motion.

Amy Ramage, County Engineer, answered questions from the Board regarding physical development and grading permits.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve CUP2022-0005, dated June 17, 2022, to amend an Outdoor Recreation Conditional Use Permit (CUP2001-0016), to relocate the Snake River Sporting Club golf course maintenance facility to Lot 116, Snake River Sporting Club 4th Filing, being able to make all eight (8) findings for approval under Section 8.4.2., with two conditions:

1. No physical development in association with the construction of the building shall be allowed and no building permit shall be issued until the Astoria bridge is fully functional and can accommodate vehicle weight loads of highway loading designation, specifically HL93.
2. The timeline for associated permits be extended to 24 months.

Chris Neubecker, Director of Planning and Building Services, requested a friendly amendment to the motion to change second condition to read "the timeline for expiration of Conditional Use permit CUP2022-0005 is extended to 24 months."

Commissioner Newcomb, the motion maker, and Commissioner Epstein, the second accepted the friendly amendment.

The two conditions read as follows:

1. No physical development in association with the construction of the building shall be allowed and no building permit shall be issued until the Astoria bridge is fully functional and can accommodate vehicle weight loads of highway loading designation, specifically HL93.
2. The timeline for expiration of Conditional Use permit CUP2022-0005 is extended to 24 months.

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

MOTION FOR DEV2022-0004

A motion as made by Commissioner Newcomb and seconded by Commissioner Epstein to approve DEV2022-0004, dated June 17, 2022, for construction of a golf course maintenance facility on Lot 116, Snake River Sporting Club 4th Filing, being able to make all five (5) findings for approval under Section 8.3.2., with two conditions:

1. No physical development in association with the construction of the building shall be allowed and no building permit shall be issued until the Astoria bridge is fully functional and can accommodate vehicle weight loads of highway loading designation, specifically HL93.
2. The timeline for expiration of Development Permit DEV2022-0004 shall be extended to 24 months.

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

- 4. Permit:** ADJ2022-0013 - **CONTINUE TO APRIL 18, 2023**
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: Request for Administrative Adjustment pursuant to Section 8.8.1. of the Land Development Regulations to allow development on Steep Slopes of up to 36%.
Location: 3300 East Alta Ski Hill Road, Grand Targhee Resort, west of the Resort Center in the Residential and Accommodation Plan Area (RAPA West). The property is zoned Planned Resort (PR) and is not within any Zoning Overlays.
- 5. Permit:** DEV2022-0008 - **CONTINUE TO APRIL 18, 2023**
Applicant: Jorgensen Associates, PC
Presenter: Hamilton Smith
Request: A Development Plan request pursuant to Section 8.3.2. of the Teton County Land Development Regulations, for a 28 lodging cabin unit subdivision.
Location: 3300 East Alta Ski Hill Road, Grand Targhee Resort, west of the Resort Center in the Residential and Accommodation Plan Area (RAPA West). The property is zoned Planned Resort (PR) and is not within any Zoning Overlays.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to continue ADJ2022-0013 and DEV2022-0008 to April 18, 2023. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION – none.

ADJOURN

A motion was made by Commissioner Epstein and seconded by Commissioner Gardner to adjourn. Chair Propst called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:23 a.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Luther Propst, Chair

ATTEST:

Maureen E. Murphy, County Clerk