

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

The Teton County Board of Commissioners met in regular meeting on **March 21, 2023** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:02 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

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

ADOPTION OF AGENDA

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

MINUTES

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the 2-27-2023, 3-6-2023, 3-7-2023 (Regular) and 3-7-2023 (Special). 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 Newcomb and seconded by Commissioner Epstein to place the following Matters from Staff on a Consent Agenda:

1. Consideration of Fair Concert Contracts
2. Consideration of an Agreement Between Voices JH and Teton County for an Annual Membership for Community Engagement Services from March 2023 through February 2024
3. Consideration of 1-year Subscription for Streetlight Data for Location-Based Services Data
4. Consideration of Contract for Landfill Environmental Monitoring
5. Consideration of the Purchase of Cardboard Bins for the Recycling Center
6. Consideration of the Purchase of Sort System Bins for the Recycling Center
7. Consideration of Recreation Center-Perkins & Will Add Services
8. Consideration of Recreation Center Public Art Contract
9. Consideration of Recreation Center - GE Johnson Change Order
13. Consideration of Contract for HVAC Design at General Services
14. Consideration of Contract for HVAC Design at Public Health
15. Consideration of New Ambulance Contract
16. Consideration of Sale of Fire Truck
17. Consideration of Wild Animal Feeding Video Contract Work Order #2
20. Consideration of Temporary Construction Easement for Wilson School Pathway Underpass – JH Land Trust
23. Consideration of Approval of Motorola Contract for a New Communications Site
24. Consideration of Approval of Order Granting Motion to Intervene
25. Consideration of Approval of Order Regarding Standing
26. Consideration of Easements for Wilson to Stilson Pathway – Jackson Hole Mountain Resort

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

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the items on the Consent Agenda with the motion as stated in their respective staff report. Chair Propst called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Fair Concert Contracts

To approve the voucher for payments for the deposits in the amounts of \$30,000 to William Morris Endeavor Entertainment, LLC, \$3,750 to William Morris Endeavor Entertainment, LLC and \$10,000 to Odyssey Touring, LLC.

2. Consideration of an Agreement Between Voices JH and Teton County for an Annual Membership for Community Engagement Services from March 2023 through February 2024

To approve the agreement between Voices JH and Teton County Health Department for the Full Annual Membership for Voices JH Community Engagement Spectrum Services: Inform from March 2023 through February 2024.

3. Consideration of 1-year Subscription for Streetlight Data for Location-Based Services Data

To approve the Teton County Subscription Order Form for 1-year sole source subscription with Streetlight Data

4. Consideration of Contract for Landfill Environmental Monitoring

To approve the Contract with Trihydro Corporation to perform WDEQ-required environmental monitoring, analysis, and reporting at the Horsethief Canyon Landfill from March 2023 to December 2024 in the amount of \$81,572 for an initial contract term of two years.

5. Consideration of the Purchase of Cardboard Bins for the Recycling Center

To approve the purchase of cardboard collection bins from Wastequip Manufacturing Company, LLC, in the amount of \$11,686.08, utilizing funds from ISWR Fund 30.

6. Consideration of the Purchase of Sort System Bins for the Recycling Center

To approve the purchase of eight metal storage bins from Kois Brothers Equipment Co., Inc., in the amount of \$32,648.66, utilizing funds from the Brinson Foundation and ISWR Fund 30.

7. Consideration of Recreation Center-Perkins & Will Add Services

To approve the Add Services Contract Agreement #2 with Perkins & Will Architects for the Recreation Center Expansion Project in the amount of \$31,220.

8. Consideration of Recreation Center Public Art Contract

To approve the contract with Stacia Goodman in a fixed fee of \$95,000 for the design, execution, fabrication, and installation of artwork at the Recreation Center

9. Consideration of Recreation Center - GE Johnson Change Order

To approve change order number #3 in the amount of \$48,232.00 with GE Johnson Construction, Inc. for the Recreation Center Expansion Project.

To withdraw from consideration the February 6, 2023 draft FY24/25 Recreation Center fee schedule and authorize staff to re-issue a new 45-day public comment period utilizing the revised draft FY24/25 Recreation Center fee schedule attached hereto.

13. Consideration of Contract for HVAC Design at General Services

To approve the General Services HVAC Upgrades Design contract with Cator Ruma and Associates in the amount of \$28,250.00.

14. Consideration of Contract for HVAC Design at Public Health

To approve the Health Department HVAC Upgrades Design contract with Cator Ruma and Associates on a time and materials basis with a not-to-exceed price of \$78,000.00.

15. Consideration of New Ambulance Contract

To rescind the contract approved in November 2021 with Braun Northwest, Inc for the purchase of a refurbished ambulance in the amount of \$183,059.00 and I move to approve the contract with Braun Northwest, Inc. for the purchase of a new ambulance in the amount of \$254,304.00.

16. Consideration of Sale of Fire Truck

To approve the application and request for transfer of (1) surplus WUI apparatus to Crook County, WY.

17. Consideration of Wild Animal Feeding Video Contract Work Order #2

To approve contract work order #2 with Orijin Creative for the completion of three, 30-second social media cuts of the completed public information video on Teton County's wild animal feeding regulations.

20. Consideration of Temporary Construction Easement for Wilson School Pathway Underpass – JH Land Trust

To approve the temporary construction easement from the Jackson Hole Land Trust for the Wilson School Pathway Underpass project.

23. Consideration of Approval of Motorola Contract for a New Communications Site

To approve the contract with Motorola to install an 800 Mhz RF site at Grand Targhee in the amount of \$413, 858 with the State ARP portion being \$327,239.25 and the County ARP portion being \$88,615.65.

24. Consideration of Approval of Order to Granting Motion to Intervene

To approve the attached Order Granting the Motion to Intervene on behalf of Stage Stop Inc in the Docket Number 2022-003.

25. Consideration of Approval of Order Regarding Standing

To approve the attached Order Regarding Standing regarding Docket 2022-003.

26. Consideration of Easements for Wilson to Stilson Pathway – Jackson Hole Mountain Resort

To approve the temporary construction easement and the permanent pathway easement with the Jackson Hole Mountain Resort for the construction of the Wilson to Stilson Pathway.

DIRECT CORRESPONDENCE

1. Jeannine Logie 2/28/2023 email regarding Targhee Cabins
2. Ida Greenwell 2/28/2023 email regarding Targhee Expansion
3. Anne Callison 3/1/2023 email regarding Grand Targhee Expansion
4. Carla Corum 3/1/2023 email regarding Grand Targhee Expansion
5. Patrick Doyle 3/1/2023 email regarding Grand Targhee Expansion
6. Miranda Jacobsen 3/1/2023 email regarding Alta Tennis courts
7. Joe Albright 3/1/2023 email regarding Wind River Air Agenda Request
8. Amie Bissen 3/2/2023 email regarding Targhee Expansion
9. Amy Kuszak 3/2/2023 email regarding Grand Targhee Expansion
10. Chris Swan 3/2/2023 email regarding Snake River Sporting Club ISD Letter

11. Stephen Houmes 3/2/2023 email regarding Grand Targhee Expansion
12. Karen Parent 3/3/2023 email regarding Sage Meadow Letter: Kilmain Zoning Map Amendment
13. Vicki Wren 3/3/2023 email regarding Expansion
14. Lisa Johnson 3/3/2023 email regarding Targhee Expansion
15. Benjamin Hammond 3/3/2023 email regarding Targhee Expansion
16. William Sellay 3/3/2023 email regarding Airport Parking
17. Robert Frodeman 3/4/2023 email regarding Recreation Center
18. Abbi Mountain 3/4/2023 email regarding Targhee Expansion
19. Rayma Cates 3/4/2023 email regarding Targhee Expansion
20. Nancy Thornton 3/4/2023 email regarding Targhee Expansion
21. Sarah Knobe 3/6/2023 email regarding Fire in the Mountains Support
22. Bruce Simon 3/6/2023 email regarding Targhee Expansion
23. Richard Max 3/6/2023 email regarding Targhee Expansion
24. Tim Young 3/6/2023 email regarding Regional Transportation Administration Work Plan
25. Natalie Schachar 3/6/2023 email regarding Targhee Expansion
26. Kristen Mayo 3/6/2023 email regarding Recreation Center Fees
27. John Sherwood 3/6/2023 email regarding South Park Industrial Area
28. Bureau of Land Management 3/6/2023 email regarding Economic Impact Study
29. Chris Peck 3/6/2023 email regarding Dogs on Pathways
30. Jay Wright 3/6/2023 email regarding Recreation Center Fees
31. Claire vitucci 3/6/2023 email regarding Targhee Expansion
32. Jake Vosika 3/6/2023 email regarding ZMA2022-0005
33. Linda Williams 3/7/2023 email regarding Rec. Center Fees
34. Orion Hatch 3/7/2023 email regarding Snake River Sporting Club DEV
35. Bobbie C Dailey 3/7/2023 email regarding Rafter J Lot 333
36. Andrea Lyon 3/7/2023 email regarding Targhee Expansion
37. Sandy Webster 3/7/2023 email regarding Targhee Expansion
38. Marylee White 3/8/2023 email regarding Wilson to Snake River Pathway
39. Deb Mackenzie 3/8/2023 email regarding Alta Parks
40. Jayne Ottman 3/8/2023 email regarding Rec. Center Fees
41. Marlene Griffin 3/9/2023 email regarding Targhee Expansion
42. Dana Mackenzie 3/9/2023 email regarding Alta Parks/Tennis Courts
43. Ann Goodell 3/10/2023 email regarding Alta Courts
44. Adam Chilcote 3/11/2023 email regarding Fire in the Mountains
45. Georgia Auch 3/13/2023 email regarding FANF CPI Grant
46. Jaclyn Knori 3/13/2023 email regarding Rec. Center Fees
47. Orion Hatch 3/13/2023 email regarding Snake River Sporting Club Applications
48. Michael Scheller 3/13/2023 email regarding Grand Targhee Cabins
49. Dana Mackenzie 3/14/2023 email regarding Alta Park

PUBLIC COMMENT

Public comment was given by Tyler Davis regarding the 105 Mercill affordable housing project.

MATTERS FROM COMMISSION AND STAFF

10. Consideration of Pathways Snow Plowing Change Order- Yellow Iron

Alyssa Watkins, Board of County Commissioners Administrator, for Parks & Recreation Director Steve Ashworth, presented to the Board for consideration of approval a Change Order to the Pathway Snow Removal Contract with Yellow Iron for continued plowing of west and east bank pathways. Andrew Erskine, Parks Manager, answered questions from the Board.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to approve the contract change order with Yellow Iron Excavation to increase the West/East Bank Pathway Snowplowing contract amount by \$5,000 with a new total not-to-exceed amount of \$21,000. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

11. Consideration of Pathways Snow Plowing Change Order- Fish Creek

A request to consider a Change Order to the Pathway Snow Removal Contract with Yellow Iron for continued plowing of south area pathways.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to approve the contract change order with Fish Creek Excavation to increase the South Area Pathway Snowplowing contract amount by \$3,000 with a new total not-to-exceed amount of \$11,000. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

12. Consideration of Recreation Center Fee Current Public Comment Suspension/New 45-day Comment Public Starting March 29, 2023

Alyssa Watkins, Board of County Commissioners Administrator, for Steve Ashworth, presented to the Board for consideration of approval a request to withdraw of the February 6, 2023 proposal of Recreation Center fee adjustment, and consider the re-issuance of a new 45-day public comment period with modified fee schedule.

Andrew Erskine, Parks Manager, answered questions from the Board.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to withdraw from consideration the February 6, 2023 draft FY24/25 Recreation Center fee schedule. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

18. Consideration of Geographic Information Systems (GIS) Contract

Keith Murley, Teton County IT Manager, presented to the Board for consideration of approval the Dewberry GIS Platform and Migration Services Contract to transition the legacy County GIS platform to a new standard platform.

Maureen Murphy, Teton County Clerk, answered questions from the Board.

There was no public comment.

A motion was made by Commissioner Macker and seconded by Commissioner Newcomb to approve the Dewberry GIS Platform and Migration Services contract in the amount of \$181,810, to be paid with the excess in the GIS General Projects account and the remainder from General Fund Balance. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

19. Consideration of Cooperative Agreement with WYDOT for Tribal Trail Connector

Heather Overholser, Director of Public Works, and Amy Ramage, Teton County Engineer, presented to the Board for consideration of approval a cooperative agreement with the Wyoming Department of Transportation (WYDOT) that would integrate the Tribal Trail Connector study in the Wyoming Highway 22 Jackson to Wilson Corridor project.

Tribal Trail Road, a Teton County road, accesses the Indian Trails subdivision off of South Park Loop Road. It is currently a dead end. As platted, TTC is a long-planned, unfinished connection between South Park Loop Road and WYO 22. WYDOT is interested in cooperating with Teton County on this project to achieve a solution that will most safely and effectively serve the travelling public on both WYO 22 and the TTC (to remain a county road). As proposed by WYDOT, merging all or specific elements of the TTC project into the WYO 22 Jackson to Wilson Corridor planning would allow for the TTC project to be planned concurrently with the larger WYO 22 Jackson to Wilson Corridor improvements.

Jeff Brown, WYDOT's Teton County Liaison, and Dustin Woods, Federal Highway Administration, answered questions from the Board.

The meeting recessed at 10:09 a.m. and reconvened at 10:15 a.m.

Public comment was given in-person by Pete Halpin, David Sollitt, Jeoff Gottlieb, and Tom Hogan. Via Zoom, public comment was given by Christine Watkins, Ralph Haberfeld, and Meghan Quinn.

Nick Hines with WYDOT answered questions from the Board.

A motion was made by Commissioner Epstein and seconded by Commissioner Macker to approve the Agreement with WYDOT to include Tribal Trail Connector in the WYO 22 Jackson to Wilson Corridor project.

Commissioner Macker proposed a friendly amendment to the motion to include: "to direct staff to provide feedback to WYDOT on the stakeholder and public outreach plan as it relates to the Tribal Trail Connector."

Commissioner Epstein accepted the friendly amendment and the motion read: To approve the Agreement with WYDOT to include Tribal Trail Connector in the WYO 22 Jackson to Wilson Corridor project. Furthermore, to direct staff to provide feedback to WYDOT on the stakeholder and public outreach plan as it relates to the Tribal Trail Connector.

Chair Propst called for a vote on the motion as amended. The vote showed four in favor and the motion carried 4-1 with Commissioner Propst opposed.

EXECUTIVE SESSION - REAL ESTATE

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to enter executive session pursuant to Wyoming Statute 16-4-405(a)(vii) To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price. Chair Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting entered executive session at 11:49 a.m.

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

Others: Brett McPeak, Realtor, Sarah Mann, Director of General Services, Maureen Murphy, Clerk, and Chalice Weichman, Deputy Clerk.

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

The meeting exited executive session at 11:55 a.m.

A motion was made by Commissioner Macker and seconded by Commissioner Epstein to direct staff and the Realtor to proceed as discussed in executive session.

The meeting recessed at 11:56 a.m. and reconvened at 1:30 p.m. with Chair Propst absent, and Vice-Chair Macker chairing the meeting.

MATTERS FROM COMMISSION AND STAFF (CONTINUED)

21. Consideration of 45-Day Public Notice for Solid Waste and Recycling Fees

Alyssa Watkins, Board of County Commissioners Administrator, for ISWR Superintendent Brenda Ashworth, presented to the Board for consideration of approval a request to proceed with the public notice for the adoption of fees for the Teton County Transfer Station, Recycling Center, and Household Hazardous Waste Facilities.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve proceeding with the 45-day public comment period for the user fee schedule for the Teton County Trash Transfer Station, Recycling Center, and Household Hazardous Waste Facility. Vice-Chair Macker called for a vote. The vote showed four in favor and the motion carried 4-0.

22. Consideration of a Contract with Lori Tillemans for Plan Review Services

Chris Neubecker, Director of Planning and Building Services, presented to the Board for Consideration of approval an agreement for Professional Services with Lori Tillemans for Building Plan Reviews for the Planning & Building Services Department.

The Planning & Building Services Department has been without a full-time Plans Examiner since December 30, 2021. The County is currently under contract with West Coast Code Consulting (WC-3) to provide these services. A local retired architect, Lori Tillemans, has expressed interest in performing plan review services on a part-time basis.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the agreement with Lori Tillemans for building plan review services, on a time and materials basis, not to exceed \$18,750 in FY23, and to strike "commercial projects" from the contract's scope of work. Vice-Chair Macker called for a vote. The vote showed four in favor and the motion carried 4-0.

MATTERS FROM PLANNING AND DEVELOPMENT

Findings of Fact, Conclusions of Law, and Order:

1. CUP2022-0005 – SRSC Golf Course Maintenance Building

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact and Conclusions of Law for CUP2022-0005. This matter was heard on March 7, 2023, upon the application of Ron Levy of Jorgensen Associates, Inc. on behalf of SRS Club, LLC for approval of a Conditional Use Permit, pursuant to Section 8.4.2., Conditional Use Permit of the Teton County Land Development Regulations, to amend an existing Outdoor Recreation Use permit for a Golf Course (CUP2015-0003).

Comments were made by Brendan Schulte, for SRS Club, the Applicant.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the Findings of Fact and Conclusions of Law for CUP2022-0005. Vice-Chair Macker called for a vote. The vote showed four in favor and the motion carried 4-0.

2. DEV2022-0004 – SRSC Golf Course Maintenance Building

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact and Conclusions of Law for DEV2022-0004. This item was heard on March 7, 2023, upon the application of Ron Levy representing Jorgensen Associates, Inc. on behalf of SRS Club, LLC for approval of a Development Permit for construction of a 15,000 square foot golf course maintenance facility on Lot 116, Snake River Sporting Club 4th Filing.

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 DEV2022-0004. Vice-Chair Macker called for a vote. The vote showed four in favor and the motion carried 4-0.

NEW BUSINESS:

- 1. Permit:** CUP2022-0007 - **CONTINUE TO MAY 16, 2023**
Applicant: HH Land Strategies
Presenter: Chandler Windom
Request: A Conditional Use Permit pursuant to Section 8.4.2 and 1.9.3.C of the Land Development Regulations to change a non-conforming campground use to a non-conforming mobile home use.
Location: 10755 S Highway 89 is Lots 8-12 of the Rogers Point Subdivision in Hoback Junction. The property is on the east bank of the Snake River, is zoned Auto-Urban Commercial and is in the Natural Resources Overlay.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to continue CUP2022-0007 to the May 16th, 2023 Board of County Commissioners Meeting. Vice-Chair Macker called for a vote. The vote showed four in favor and the motion carried 4-0.

MATTERS FROM COMMISSION - none

ADJOURN

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to adjourn. Vice-Chair Macker called for a vote. The vote showed four in favor and the motion carried 4-0. The meeting adjourned at 2:01 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Luther Propst, Chair

ATTEST:

Maureen E. Murphy, County Clerk

TETON COUNTY CLERK'S OFFICE
03-21-2023 WARRANTS FOR ITEM #1, FAIR CONCERTS

Warrant Number	Name	Amount
410573	ODYSSEY TOURING LLC	10,000.00
410574	WILLIAM MORRIS ENDEAVOR	3,750.00
410575	WILLIAM MORRIS ENDEAVOR	30,000.00