

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

The Teton County Board of Commissioners met in regular meeting on **May 3, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:01 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

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

ADOPTION OF AGENDA

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to adopt today's agenda with the addition of items 19 and 20; an Order Determining that Contestant has Standing and an Order Appointing Hearing Officer. 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 4-11-2022, 4-12-2022, 4-18-2022 and 4-19-2022 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 Barron to place the following Matters from Staff on a Consent Agenda:

2. Consideration of a Bid Award and Contract for Epidemiology Services for COVID-19 Response
3. Consideration of Approval of Biennial Child Support Cooperative Agreement between Clerk of District Court and Department of Family Services
4. Consideration of Contract Amendment for Jail Retrocommissioning
5. Consideration of Contract Amendment for Admin Retrocommissioning
7. Consideration of the Purchase of Signage for ISWR Recycling Bins
8. Consideration of Notice of Award and Contract for the Dead Animal Pit Closure Project
9. Consideration of Resolution for Change Orders up to 2.5% - Dead Animal Pit Closure Project
10. Consideration of MOU with Jackson Hole Public Art for Recreation Center
- ~~11. Consideration of Approval of Contract for Skatepark Construction and Acceptance of Donation—CANCELLED~~
12. Consideration of Approval of Contract for South Park Landing Engineering Professional Services
13. Consideration of State Forestry Grant Acceptance
16. Consideration of Old Bill's Fun Run Grant Applications
17. Consideration of Contract for Professional Services for Transportation Baseline Indicators and Suggested Monitoring
19. Consideration of Approval of Order Determining that Contestant has Standing
20. Consideration of Approval of Order Appointing Hearing Officer

Vice-Chairman 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 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

2. Consideration of a Bid Award and Contract for Epidemiology Services for COVID-19 Response

To award and approve the contract for epidemiology services for the COVID-19 response beginning April 25, 2022, through June 2024 to Shane Yu for the amount of \$158,895.

3. Consideration of Approval of Biennial Child Support Cooperative Agreement between Clerk of District Court and Department of Family Services

To approve the Cooperative Agreement for Responsibilities Between the Wyoming Department of Family Services Child Support Enforcement and Teton County Clerk of District Court for Fiscal Years 2023-2024

4. Consideration of Contract Amendment for Jail Retrocommissioning

To approve Contract Amendment 1 to the Jail RCx contract to Cator Ruma & Associates in the amount of \$69,250.00.

5. Consideration of Contract Amendment for Admin Retrocommissioning

To approve Contract Amendment 1 to the Admin RCx contract to Cator Ruma & Associates in the amount of \$98,000.00.

7. Consideration of the Purchase of Signage for ISWR Recycling Bins

To approve the purchase of recycle bin signs for the Recycling Center and Community Sites in the amount of \$17,146.69.

8. Consideration of Notice of Award and Contract for the Dead Animal Pit Closure Project

To approve the Notice of Award and Contract with MD Nursery and Excavation, Inc. for the Dead Animal Pit Closure construction project, for a lump sum and unit cost not-to-exceed \$172,071, as well as 10% contingency in the amount of \$17,207, resulting in a total project amount of \$189,278

9. Consideration of Resolution for Change Orders up to 2.5% - Dead Animal Pit Closure Project

To approve the Resolution Granting Certain Authorities and Powers to the Superintendent of Solid Waste and Recycling for the Dead Animal Pit Closure at the Recycling Center.

10. Consideration of MOU with Jackson Hole Public Art for Recreation Center

To approve the Memorandum of Understanding with Jackson Hole Public Art to provide consultation Service in the amount not to exceed \$20,000 for the administration and oversight of the public art component for the Recreation Center Renovation/Expansion Project.

12. Consideration of Approval of Contract for South Park Landing Engineering Professional Services

To approve award of bid and approval of contract with Y2 Consultants for South Park Landing- West survey and engineering in the amount not to exceed \$17,280.

13. Consideration of State Forestry Grant Acceptance

To approve acceptance of \$4500 in grant funding from the Wyoming State Forestry Division for the 2022 Community Forestry Grant with signature of the Sub-Recipient Agreement for Community Cost Share Assistance.

16. Consideration of Old Bill's Fun Run Grant Applications

To approve and affirm JH Fire/EMS, ISWR, Health Department, Jackson/Teton County Affordable Housing Department, and Teton County/Jackson Parks and Recreation applications to the 2022 Old Bill's Fundraising and Grant program.

17. Consideration of Contract for Professional Services for Transportation Baseline Indicators and Suggested Monitoring

To approve the contract with Jorgensen Associates, Inc. in the amount of \$85,720 for Professional Services for Transportation Baseline Indicators and Suggested Monitoring.

DIRECT CORRESPONDENCE

1. Sara Carroll 4/12/2022 email regarding FITM
2. Gina Stovall 4/12/2022 email regarding Bearproof Trash
3. Frances H Clark 4/12/2022 email regarding Bearproof Trash
4. Ann Smith 4/12/2022 email regarding Bearproof Trash
5. Ann Smith 4/12/2022 email regarding Bearproof Trash
6. Gina Sonaglia 4/12/2022 email regarding Bearproof Trash
7. David Yoder 4/12/2022 email regarding FITM
8. Cerelda De Heus 4/12/2022 email regarding Bearproof Trash
9. Erin Abel 4/12/2022 email regarding FITM
10. Rob Kingwill 4/12/2022 email regarding FITM
11. Valerie Conger 4/12/2022 email regarding FITM
12. Chuck Harris 4/12/2022 email regarding Rafter J Lot 333
13. Bobbie Dailey 4/12/2022 email regarding Rafter J Lot 333
14. Michelle Kretzer 4/12/2022 email regarding Bearproof Trash
15. Beverly Boynton 4/12/2022 email regarding FITM
16. Karen Jerger 4/12/2022 email regarding Rafter J Lot 333
17. Regina Milione 4/13/2022 email regarding Bearproof Trash
18. Teri Lydigsen 4/13/2022 email regarding Bearproof Trash
19. Mary Shabbott 4/13/2022 email regarding Bearproof Trash
20. Jamila Viandier 4/13/2022 email regarding Bearproof Trash
21. Denise Motta 4/13/2022 email regarding Bearproof Trash
22. Rod Teel 4/13/2022 email regarding Bearproof Trash
23. Kathy Mabry 4/13/2022 email regarding Bearproof Trash
24. Gloria Polis 4/13/2022 email regarding Bearproof Trash
25. Deborah Palmer 4/13/2022 email regarding Bearproof Trash
26. Steve Price 4/13/2022 email regarding Bearproof Trash
27. Cathy Light 4/13/2022 email regarding Bearproof Trash
28. Celia Dillon 4/13/2022 email regarding Rafter J Lot 333
29. Ramona Blankinship 4/13/2022 email regarding Bearproof Trash
30. Anna Olson 4/13/2022 email regarding Business Over Breakfast
31. Gillian Chapman 4/13/2022 email regarding School Lunch Invite
32. Paul Murphy 4/14/2022 email regarding Bearproof Trash
33. Calliope Skoumbourdi 4/14/2022 email regarding Bearproof Trash
34. Jenifer D'Angelo 4/14/2022 email regarding Bearproof Trash
35. Margaret Creel 4/14/2022 email regarding Rafter J Lot 333
36. Melissa Turley 4/14/2022 email regarding Transportation Indicator Data
37. Rhonda Robles 4/14/2022 email regarding Heli-Tours
38. Rachelle Ihrig 4/15/2022 email regarding Bearproof Trash
39. Stoney Fritz 4/15/2022 email regarding Rafter J Lot 333
40. Alex Hillinger 4/15/2022 email regarding FITM
41. Keith Gingery 4/15/2022 email regarding School Lunch Invite Explanation
42. Emily Cohen 4/15/2022 email regarding FITM
43. Daniel Smith 4/15/2022 email regarding Transportation Baseline Indicators
44. Maggie Kavan 4/15/2022 email regarding Economic Recovery

45. Hilary Cantu 4/15/2022 email regarding FITM
46. Damian Quigley 4/15/2022 email regarding FITM
47. Ethan Oxman 4/15/2022 email regarding FITM
48. Matt Lancaster 4/15/2022 email regarding FITM
49. Paul Mango 4/15/2022 email regarding Property Tax
50. Ann Dixon 4/16/2022 email regarding Bearproof Trash
51. Nathaniel Hagood 4/16/2022 email regarding FITM
52. Dan Janjigian 4/16/2022 email regarding FITM
53. Russell Scott 4/16/2022 email regarding FITM
54. Mike Werner 4/16/2022 email regarding FITM
55. Matthew Wiener 4/17/2022 email regarding FITM
56. Sharif Zawaideh 4/17/2022 email regarding FITM
57. Lindsay Schafer 4/17/2022 email regarding FITM
58. Tim Rieser 4/17/2022 email regarding Septic Sytems at Flat Creek Ranch
59. Carla Shaffer 4/17/2022 email regarding Teton Pines DEV
60. Joe Albright 4/17/2022 email regarding Flat Creek Waterway
61. Brian Collins 4/17/2022 email regarding FITM
62. Dave Walters 4/17/2022 email regarding FITM
63. Stephen Kussner 4/17/2022 email regarding Teton Pines DEV
64. Nathan Ross 4/17/2022 email regarding FITM
65. Jonathan Schechter 4/17/2022 email regarding Sales Tax Projections for FY23
66. Matt Donovan 4/17/2022 email regarding FITM
67. Phil Marshall 4/18/2022 email regarding FITM
68. Tom Byrne 4/18/2022 email regarding FITM
69. Chris Elsey 4/18/2022 email regarding Northern South Park
70. Scott Steen 4/18/2022 email regarding Slow Food Support
71. Hunter Singleton 4/18/2022 email regarding FITM
72. Noah Robertson 4/18/2022 email regarding FITM
73. Wendy Cook 4/18/2022 email regarding Property Tax
74. James Stuart 4/18/2022 email regarding FITM
75. Tim Rieser 4/18/2022 email regarding Flat Creek Waterway
76. Inanna Reistad 4/18/2022 email regarding FITM
77. Zach Isler 4/18/2022 email regarding FITM
78. Neil Loomis 4/18/2022 email regarding FITM
79. Greg Mattiko 4/18/2022 email regarding FITM
80. Tom Haigh 4/18/2022 email regarding FITM
81. Chas Marsh 4/18/2022 email regarding FITM
82. Dane Corry 4/18/2022 email regarding FITM
83. Sara Carroll 4/18/2022 email regarding FITM
84. Gillian Chapman 4/18/2022 email regarding TCSD SPPET Application
85. Olaus Linn 4/18/2022 email regarding FITM
86. Sara Carroll 4/18/2022 email regarding Video Promo: FITM
87. Jenelle Linn 4/18/2022 email regarding FITM
88. Karilyn Brodell 4/19/2022 email regarding Rafter J Lot 333
89. Dan Hady 4/18/2022 email regarding FITM
90. Alexis Adams 4/19/2022 email regarding FITM
91. Sarah Dewey 4/19/2022 email regarding FITM
92. Dom Garliardi 4/19/2022 email regarding FITM
93. Louise Sanseau 4/19/2022 email regarding FITM
94. Carla Shaffer 4/19/2022 email regarding Alta Tennis Courts
95. Tim Rieser 4/19/2022 email regarding Flat Creek Ranch SWF Permit
96. Daryl Katz 4/19/2022 email regarding FITM
97. Jaclyn Neumann 4/19/2022 email regarding Hoop Houses
98. Steve Sobolik 4/20/2022 email regarding Bears
99. Laura Fox 4/20/2022 email regarding Energy Corridors
100. Renee Seidler 4/20/2022 email regarding Bearwise Funding
101. Jeremy Barnum 4/20/2022 email regarding Bighorn Sheep Public Comment Open
102. Kelvin Stirn 4/20/2022 email regarding Dumping of Dirt into the Snake River
103. Ashley DiPrisco 4/20/2022 email regarding Bronc Achievement Center
104. Ben Musser 4/21/2022 email regarding State Lands
105. Kelsey Gootnick 4/22/2022 email regarding Property Taxes
106. Andrew Salter 4/22/2022 email regarding Tribal Trails Connector
107. Indian Paintbrush Water District 4/22/2022 email regarding Mill Notice
108. Katherine Dowson 4/22/2022 email regarding FY23 Pathways Budget
109. Stephen Kussner 4/22/2022 email regarding Alta Tennis Courts
110. Diane Coggin 4/22/2022 email regarding Northern South Park
111. Theresa Lundquist 4/22/2022 email regarding Northern South Park
112. Debra Mackenzie 4/22/2022 email regarding Alta Property Tax
113. Libby Hall 4/22/2022 email regarding Pathway Funding Support
114. Karen Jerger 4/22/2022 email regarding Rafter J Lot 333
115. Colleen Valenstein 4/24/2022 email regarding FY23 Pathways Budget
116. Katie Wilson 4/25/2022 email regarding FY23 Pathways Budget
117. Melissa Turley 4/25/2022 email regarding FY23 Budgets
118. Lucas Ayoub 4/25/2022 email regarding FITM
119. Russell Scott 4/25/2022 email regarding FITM
120. Geneva Chong 4/26/2022 email regarding Rezone Request
121. William Aepli 4/26/2022 email regarding Senior Project

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

1. Consideration for Purchase of Fire Engine Clean Exhaust Filter – Continued from April 19, 2022

A motion was made by Commissioner Barron and seconded by Commissioner to Epstein to continue this item to a date uncertain. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

6. Consideration of North Spring Gulch Road Paving Contract

Amy Ramage, County Engineer, presented to the Board for consideration of approval the North Spring Gulch Road Paving Project award and contract.

North Spring Gulch Road, County Road 22-3, includes 2 miles of asphalt paved road between East Sage Brush Drive and Trap Club Drive/JAC Airport west construction entrance. Knife River Construction is currently performing a full runway reconstruction project (RW 1/9 Project) at the Jackson Hole Airport, directly northeast of North Spring Gulch Road. The project requires Knife River to mobilize and operate an asphalt hot plant onsite at JAC. Based on discussions with Dustin Havel with JAC, their consultant Stuart Schiff with Jviation, and Knife River, opportunity exists to utilize Knife River’s hot plant for paving North Spring Gulch Road with JAC as a cost share participant.

Dave Gustafson, Road and Levee Manager, answered questions from the Board.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the North Spring Gulch Road Paving Project contract to Knife River Construction, not to exceed \$700,000.00, contingent on Knife River Construction’s availability and FAA funding concurrence. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

14. Consideration of an Amended and Restated Swinging Bridge Cooperative Agreement with WYDOT and Associated Memorandum of Agreement Among Cooperating Parties

Amy Ramage, County Engineer, presented to the Board for consideration of approval two separate documents related to planning for the replacement of Swinging Bridge: 1) Amended cooperative agreement with WYDOT to allow Teton County to study options for final disposition of the existing Swinging Bridge and to set forth the terms and conditions by which the County will reimburse WYDOT for expenditures, specifically for the sidewalk portion of the new bridge, and, 2) Memorandum of Agreement among the Federal Highway Administration, WYDOT, the Wyoming State Historic Preservation Office, Teton County Historic Preservation Board, and Teton County regarding mitigation of adverse effects related to Swinging Bridge

A cooperative agreement between Teton County and WYDOT was executed in January 2019 for the design and construction of a new bridge at the current Swinging Bridge location, as well as to outline the participation of project costs for the bridge replacement. This project is funded through the WYDOT Bridge Off System (BROS) program. This is a program for counties to fund large bridge projects as the local match percentage is 9.51%.

Public comment was given by Michael Stern.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the amended and restated Cooperative Agreement between the Wyoming Department of Transportation and the Teton County Commission, as well as the associated Memorandum of Agreement among the Federal Highway Administration, the Wyoming Department of Transportation, the Wyoming State Historic Preservation Office, Teton County Historic Preservation Board, and Teton County regarding mitigation of adverse effects related to Swinging Bridge. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

9:15 A.M. 2ND QUARTER SERVICE AWARDS

The following County Employees were recognized for their years of service:

1. 5 Year Anniversary:

Shane Flud, Network Specialist (Sheriff’s Office)

Presenting award: Lloyd Funk

Austin Sessions, Fire Captain (Fire/EMS)

Presenting award: Brady Hansen

Bobbi Clauson, Wildland Fire Prevention Specialist (Fire/EMS)

Presenting award: Brady Hansen

Wesley Izzo, Irrigation Technician (Parks and Recreation)

Presenting award: Steve Ashworth

Richard Kussy, Facilities Maintenance Specialist (General Services)

Presenting award: Paul Cote

Clay Platt, Sheriff Sergeant (Sheriff’s Office)

Presenting award: Lloyd Funk

Michelle Robinson, Permit Technician (Planning and Building)

Presenting award: Alyssa Watkins

Jennifer Simmers, Senior Deputy Treasurer (Treasurer’s Office)

Presenting award: Katie Smits

Michael Rudd, Sheriff Sergeant (Sheriff’s Office)

Presenting award: Troy Sutton

Alexandra Harper, Emergency Dispatch Supervisor (Sheriff’s Office)

Presenting award: Riclyn Betsinger

2. 10 Year Anniversary:

Eric Borgeson, Firefighter/EMT-Intermediate
Presenting award: Brady Hansen

3. 15 Year Anniversary:

Brian Coe, Battalion Chief (Fire/EMS)
Presenting award: Brady Hansen

Kathy Clay, Battalion Chief /Fire Marshall (Fire/EMS)
Presenting award: Brady Hansen

Matt Evans, Detention Officer (Sheriff's Office)
Presenting award: Troy Sutton

4. 20 Year Anniversary:

Keith Gingery, Chief Deputy Attorney (Attorney's Office)
Presenting award: Erin Weisman

Jessica Johnson, Senior Library Assistant (TC Library)
-Not Present-

Steve Ashworth, Director (Parks and Recreation)
Presenting award: Alyssa Watkins

Rich Ochs, Emergency Management Coordinator (Fire/EMS)
Presenting award: Brady Hansen

5. 25 Year Anniversary:

Kimberly Mullikin, Emergency Dispatcher (Sheriff's Office)
Presenting award: Riclyn Betsinger

The meeting recessed at 9:44 a.m. and reconvened at 9:51 a.m.

MATTERS FROM COMMISSION AND STAFF - CONTINUED

15. Consideration of a Memorandum of Understanding Regarding the Congressional Tour Initiative

Alyssa Watkins, Board of County Commissioners Administrator, presented to the Board for consideration of approval a memorandum of understanding (MOU) among the Wyoming Boards of County Commissioners regarding a Congressional Tour Initiative.

The Wyoming County Commissioners' Association (WCCA) is helping to coordinate an effort among the Boards of County Commissioners of Wyoming counties for a Wyoming Congressional Tour Initiative, a program under which Wyoming counties would annually host staffers from the United States Congress on a tour of public lands and resources in the state. The tour would provide an opportunity for Wyoming counties to share with politically and geographically diverse staffers the importance of public lands and resources to Wyoming's economy and communities. Under the Initiative, counties would invite U.S. Congressional staffers to Wyoming to tour the state's public lands and resources and discuss natural resource issues important to state and local economies, custom and culture.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the Memorandum of Understanding Among the Boards of County Commissioners of the State of Wyoming Regarding the Congressional Tour Initiative. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

18. Consideration of a Grant Agreement between Teton County Historic Preservation Board and the Certified Local Government Grant Program

Alyssa Watkins, Board of County Commissioners Administrator, presented to the Board for consideration of approval of a grant agreement between Teton County and the State Historic Preservation Office.

On February 14th, 2022, the Board of County Commissioners approved a grant application from the Teton County Historic Preservation Board to the Certified Local Government (CLG) Grant Program for a project entitled "JH Preservation Plan: Moving Forward, GIS Mapping." The Teton County Historic Preservation Board (TCHPB) has subsequently been awarded a grant from the Certified Local Government (CLG) Grant Program for the project. Beginning in July of 2021, staff at Jorgensen & Associates has been mapping the historic property resources. This GIS mapping project is critical to the TCHPB's historic preservation efforts. The board's current data storage system creates a barrier of access to historic property information and prevents property owners from accessing preservation incentives. The pace of the real estate market prevents owners, agents, or planning staff from conducting thorough research of property history. If approved, the monies received through this grant agreement would be used to continue the historic property mapping work, ensuring map accessibility, long-term data integrity, and responsive user formats.

Michael Stern, Historic Preservation Board, answered questions from the Board.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the grant agreement with the Wyoming State Historic Preservation Board for the JH Preservation Plan: Moving Forward, GIS Mapping project. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

Findings of Fact, Conclusions of Law, and Order:

- A. ADJ2021-0009 - GOAT PEN LLC, MV FARMS I, LLC & 1545-1565 BERGER LANE, LLC

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the Findings of Facts and Conclusions of Law for an application made by MV Farm I, LLC, 1545-1565 Berger Lane, LLC, and Goat Pen, LLC, pursuant to Section 8.8.1 of the Teton County Land Development Regulations (LDRs), to review the proposed Administrative Adjustment to adjust the parking requirement pursuant to LDR Section 6.2.2.A.1 for a mini-storage warehouse project at 605 W. Deer Drive within the Business Park zone of Teton County. This matter came before the Teton County Board of County Commissioners for public hearing on April 19, 2022.

A motion was made by Commissioner Newcomb and seconded by Commissioner to approve the findings of fact and conclusions of law and order for ADJ2021-0009. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

B. DEV2021-0005 - GOAT PEN LLC, MV FARMS I, LLC & 1545-1565 BERGER LANE, LLC

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the Findings of Facts and Conclusions of Law for an application made by MV Farm I, LLC, 1545-1565 Berger Lane, LLC, and Goat Pen, LLC, pursuant to Section 8.3.2 of the Teton County Land Development Regulations (LDRs). On April 19, 2022, the Board reviewed and approved the proposed Development Permit for a 44,125 square foot (sf) mini-storage warehouse project at 605 W. Deer Drive within the Business Park zone of Teton County.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the findings of fact and conclusions of law order granting approval of DEV2021-0005. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

- 1. Permit:** EAS2020-0002
Applicant: JACKSON HOLE MOUNTAIN RESORT CORPORATION
Presenter: Rian Rooney
Request: Amendment of Teton County Scenic Preserve Trust easement to remove 3.49 acres from the easement at Lot 1 of Stilson Park Subdivision and to encumber 3.51 acres under easement at Lot 1 of Stilson Ranch Subdivision
Location: Lot 1 of Stilson Park Subdivision does not have a street address, but it is located north of the intersection of Highway 22 and Moose-Wilson Road, immediately adjacent to the Stilson Parking Lot. The property is zoned Rural-2 and is located within the Scenic Resources Overlay and partially within the Natural Resources Overlay.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to convene as the scenic preserve trust. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The Board convened as the Scenic Preserve Trust at 10:03 a.m.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to remand EAS2020-0002 to Planning staff. Vice-Chairman 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 Barron to reconvene as the Teton County Board of County Commissioners. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The Board exited Scenic Preserve Trust at 10:05 a.m. and was reconvened as the Board of County Commissioners.

- 2. Permit:** CUP2021-0007 – **CONTINUED FROM APRIL 19, 2022**
Applicant: BUFFALO VALLEY LAND & CATTLE LLC
Presenter: Hamilton Smith
Request: A Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations to allow an Outdoor Reception Site for a multi-day music and arts festival.
Location: Pt. Lots 1 & 2, Sec. 21, Twp. 45, Rng. 113, being two parcels accessed by Buffalo Valley Rd, being part of the Heart 6 Ranch, 1.2 miles NE of the junction with U.S. Hwy 26/287. The parcels are entirely within the Natural Resources Overlay and the Scenic Resources Overlay.

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a proposal to host a music and arts festival on the Heart 6 Ranch owned by Buffalo Valley Land & Cattle, LLC.

At the April 19, 2022 Board of County Commissioners meeting, the item was presented and public comment was taken. Having closed public comment, the Board then entertained discussion on the item. Based on the discussion, Staff is presenting three possible Conditions of Approval to include with a motion in addition to the original recommended Conditions #1-#4 in the Staff Report dated April 19, 2022. Conditions #5, #6 and #7 are not in the original Staff Report and reflect topics of discussion during the hearing.

Additional CUP2021-0007 Conditions of Approval for consideration:

5. CUP 2021-0007 is only valid to Fire in the Mountains, LLC as the operator of the event and shall not be transferred to any other operator or site.
6. One (1) bonfire is permitted so long as the Teton County Fire Warden approves the bonfire based on fire conditions on the date of the event, the location of the bonfire, and safety measures that must be in place.
7. Pursuant to LDR 8.4.2.D.3, CUP 2021-0007 is only valid through July 31, 2022.

Brady Hansen, Fire Chief, answered questions from the Board.

Jeremy Walker, the Applicant, answered questions from the Board.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve CUP2021-0007, dated December 1, 2021 for the proposed Outdoor Reception site, with the following eight (8) recommended conditions, based on the recommended findings.

1. Prior to event setup (including any parking, stage installation, temporary toilets, or any other structures) the applicant shall hire a qualified environmental professional to demarcate the 150-foot Buffalo Fork River setback with lathe and temporary fencing to a height of 38", such that all use and physical development will avoid the protected waterbody and the associated 150-foot buffer. The fencing shall include signage, placed every 100 feet along the fence, indicating that that area beyond the fence is sensitive wetlands and is prohibited for access from humans and pets. Fencing shall be inspected by Planning Staff at the time of installation.
2. Prior to setup the applicant shall hire a qualified environmental professional to demarcate all 30-foot wetland setbacks with lathe and temporary fencing to a height of 38", such that all use and physical development will avoid protected wetlands and the associated 30-foot buffer. The fencing shall include signage, placed every 100 feet along the fence, indicating that that area beyond the fence is sensitive wetlands and is prohibited for access from humans and pets. Fencing shall be inspected by Planning Staff at the time of installation.
3. Prior to November 1st of each year, a monitoring report shall be submitted by the applicant to the Teton County Planning Director that demonstrates compliance with the Operations Plan and the noise level restrictions of LDR Section 6.4.3. If the monitoring report demonstrates non-compliance, the report shall be elevated to the Board of County Commissioners for review.
4. Attendees holding tickets to the event, not including vendors, staff or volunteers, shall be limited to 2,000 per day.
5. CUP 2021-0007 is only valid to Fire in the Mountains, LLC as the operator of the event and shall not be transferred to any other operator or site.
6. One (1) bonfire is permitted so long as the Teton County Fire Warden approves the bonfire based on fire conditions on the date of the event, the location of the bonfire, and safety measures that must be in place.
7. Pursuant to LDR 8.4.2.D.3, CUP 2021-0007 is only valid through July 31, 2022.
8. Proposed parking is permitted pursuant to section 3.2.3.E.2.f of the LDRs. The County engineer may rescind this permit in the event that environmental conditions leading up to the event such as sustained heavy rainfall results in a parking surface that is not safe and does not conform to Grading or Parking and Loading design standards.

Vice-Chairman Propst called for a vote. The vote showed three in favor and the motion carried 3-1 with Commissioner Newcomb opposed.

The meeting recessed at 10:53 a.m. and reconvened at 11:01 a.m.

- 3. Permit:** PUD2021-0001 –**CONTINUED FROM APRIL 12, 2022**
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.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Planned Unit Development Amendment pursuant to Section 8.7.3 of the Teton County Land Development Regulations (LDRs) to allow for Apartments at the Legacy Lodge (Lot 333), and Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations (LDRs) to allow for Workforce Apartments at the Legacy Lodge.

As part of this application, a Conditional Use Permit proposal to implement this workforce apartment use on Lot 333 (CUP2021-0005) was also submitted, however the CUP would only be presented and voted on if the PUD amendment passed. On April 12, 2022, staff presented PUD2021-0001 and it was continued to this meeting. Therefore, the CUP has not yet been considered.

Ms. Windom presented a review of PUD2021-0001.

The meeting recessed at 11:55 a.m. and reconvened at 1:33 p.m.

Stefan Fodor, for the Applicant, answered questions from the Board.

A Motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve PUD2021-0001, for the proposed Rafter J Planned Unit Development Amendment to add Apartment as a Conditional Use on Lot 333, with the following conditions, based on the recommended findings.

1. Apartment Unit occupants shall be members of the Teton County Workforce. This occupancy restriction shall be enforced in a form that is acceptable to the Jackson/Teton County Affordable Housing Department.
2. No more than 132 individuals may occupy all apartment units combined.
3. Minimum parking requirements for the Apartments shall be 1 parking space per Apartment Unit.
4. Each unit shall include complete kitchen facilities as defined in LDR Division 9.5.
5. A Transportation Demand Management Plan shall be approved by the Board of County Commissioners with the Conditional Use Permit

Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 2:38 p.m. and reconvened at 2:43 p.m.

The Board adjusted the schedule to consider the following plat amendment before item 4; CUP2021-0001:

5. Permit: SD2022-0001
Applicant: BRENDSEL, LELAND C. & BILLE DIANE
Presenter: Chandler Windom
Request: Plat Amendment, pursuant to Section 8.2.13 of the Teton County Land Development Regulations (LDRs), to vacate the Lot 11 platted building envelope on Plat No. 852 and re-plat an amended building envelope pursuant to Section 8.5.3 of the LDRs
Location: Lot 11 Altamont is located at 250 Altamont Road. The lot is 300 feet north of the Alta Community Park. The lot is zoned Rural-County and is not in any Overlays.

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 Lot 23 platted building envelope on Plat No. 852 and re-plat an amended building envelope pursuant to Section 8.5.3 of the LDRs.

The applicant is requesting a plat amendment to vacate the building envelope on Lot 11 and re-plat the new 1.25 acre building envelope. The proposed amended plat will result in the vacated Lot 11 becoming Lot 36 of the 9th Filing of the Altamont Subdivision.

Pete Balderston, the Applicant, commented on the application.

There was no public comment

A motion was made by Commissioner Epstein and seconded by Commissioner Baron to approve SD2022-0001, dated February 14, 2022 and updated March 28, 2022 for the partial vacation and re-plat of a building envelope on Lot 11 of the Altamont Subdivision, being able to make the four (4) findings of Section 8.5.3. and the standards of Section 8.2.13.C., 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 in Plat No. 852, with no conditions, and request the Teton County Clerk to write "vacate" on Lot 11 of Plat No. 852 upon the filing of a new plat.

Vice-Chairman Propst called for a vote. The vote showed one in favor and the motion failed 3-1 with Commissioners Newcomb, Propst, and Epstein opposed.

The Rafter J Lot 333 discussion was continued with item 4:

4. Permit: CUP2021-0005 – **CONTINUED FROM APRIL 12, 2022**
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.

Without the PUD amendment (PUD2021-0002), apartments are not a permitted use on this site. Due to approval of PUD2021-0002, Ms. Windom presented to the Board for consideration of approval CUP2021-0001.

The proposal is to retrofit the vacant assisted living center at 3000 W Big Trail Drive, i.e., the Legacy Lodge, into an Apartment building for members of the Teton County Workforce. The site is Lot 333 of Rafter J Ranch and is subject to the Rafter J Planned Unit Development (PUD).

Stefan Fodor, for the Applicant, and Sadek Darwiche commented on the application.

Public comment was given by Lloyd Dorsey.

A motion was made by Commissioner Newcomb to continue this item to the May 17, 2022 Board of County Commissioner meeting.

A friendly amendment was made by Commissioner Epstein to change the date of continuance to June 7, 2022.

Commissioner Newcomb rejected the friendly amendment.

Commissioner Barron seconded Commissioner Newcomb's original motion to continue this item to the May 17th, 2022 Board of County Commissioners meeting. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

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 3:49 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk