

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

The Teton County Board of Commissioners met in regular meeting on **August 2, 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: Natalia Macker, Chairwoman, Luther Propst, Vice-Chairman, Mark Barron, and Greg Epstein were present. Mark Newcomb was absent.

ADOPTION OF AGENDA

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to adopt today's agenda as presented. 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 7-11-2022, 7-18-2022, and 7-19-2022 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 Propst and seconded by Commissioner Epstein to place the following Matters from Staff on a Consent Agenda:

1. Consideration of Changes to the 2022/2023 Salary Plan, County and Prosecuting Attorney Group
2. Consideration of a Contract Amendment for Prudential Group
3. Consideration of a Contract for Executive Coaching Services
4. Consideration of Contract for Health Department Entry Door Project
6. Consideration of a Contract With Y2 for E Simpson Demolition Plan & Permit
7. Consideration of Airport Grant Approval for Design Work on Taxiway A
8. Consideration of a Sole Source Bid Award and an Agreement for Suicide Prevention Training
10. Consideration of an Amendment to the Contract with the Wyoming Department of Health and Teton County for the Community Health Worker Program
11. Consideration of a Contract with WSP/Golder for Trash Transfer Facility WDEQ permitting
15. Consideration of Perkins & Will Add Services Agreement- Recreation Center Expansion
16. Consideration of Materials Testing Services Contract with Nelson Engineering for the Recreation Center Expansion
17. Consideration of Long Mechanical Annual Service Contract for Recreation Center

Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

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

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Changes to the 2022/2023 Salary Plan, County and Prosecuting Attorney Group

To approve the amended 2022/2023 Teton County Salary Plan as presented.

2. Consideration of a Contract Amendment for Prudential Group

To approve the 2023 Contract amendment with Prudential Group.

3. Consideration of a Contract for Executive Coaching Services

To approve the Professional Services Agreement for Executive Coaching Services with ViDL Solutions, Inc.

4. Consideration of Contract for Health Department Entry Door Project

To approve the contract with ABS to replace the main entry doors at the Health Department for the amount of \$26,107.81.

6. Consideration of a Contract With Y2 for E Simpson Demolition Plan & Permit

To approve the contract with Y2 Consultants to develop the demolition plan and permit application with related construction services in the amount of \$4,875.00.

7. Consideration of Airport Grant Approval for Design Work on Taxiway A

To Adopt the proposed Resolution, and approval of the FAA Grant Agreement to Rehabilitate Taxiway A and Construct Deicing Pad Access Taxiway (Phase I – Design) at the Jackson Hole Airport, with the FAA obligation under the grant being a maximum of \$839,052.

8. Consideration of a Sole Source Bid Award and an Agreement for Suicide Prevention Training

To award the sole source bid and approve the Agreement with NCR Behavioral Health to provide Suicide Prevention training.

10. Consideration of an Amendment to the Contract with the Wyoming Department of Health and Teton County for the Community Health Worker Program

To approve Amendment # 1 with the Wyoming Department of Health, Public Health Division and Teton County for a community health worker program for the period of the effective date through May 31, 2023.

11. Consideration of a Contract with WSP/Golder for Trash Transfer Facility WDEQ permitting

To approve the contract with WSP/Golder Associates, in the amount of \$19,500, for the development of a WDEQ Chapter 6 Solid Waste Management Permit Renewal for the Teton County Trash Transfer, plus a 2.5% contingency, for a total project cost of \$19,988.

15. Consideration of Perkins & Will Add Services Agreement- Recreation Center Expansion

To approve the Add Services Contract Agreement with Perkins & Will Architects for the Recreation Center Expansion Project in the amount of \$285,063.00.

16. Consideration of Materials Testing Services Contract with Nelson Engineering for the Recreation Center Expansion

To approve the Materials Testing and Inspection Contract Agreement with Nelson Engineers for the Recreation Center Expansion Project in the amount of \$148,323.00.

17. Consideration of Long Mechanical Annual Service Contract for Recreation Center

To approve the Mechanical Service Agreement with Long Mechanical Solutions in the amount of \$11,485.00 annually.

DIRECT CORRESPONDENCE

1. Penny Vasquez 7/14/2022 email regarding Request for Reconsideration
2. James Case 7/14/2022 email regarding Earthquake Potential in Teton County
3. Kevin Cochary 7/14/2022 email regarding Senior Center of Jackson Hole/SPET
4. Community Foundation of Jackson Hole 7/14/2022 email regarding Letter of Appreciation
5. Sandy Shuptrine 7/14/2022 email regarding SPET/Fish Creek
6. Denise Storck 7/15/2022 email regarding Grizzly 1057
7. Jayne Ottman 7/15/2022 email regarding Wildfire Mitigation
8. Brandon Ryan 7/15/2022 email regarding Aspens Commercial District Club Permit
9. Elizabeth Carlin 7/16/2022 email regarding Construction and PRD at base of Phillip's Ridge
10. John Doe 7/16/2022 email regarding Staffing in the Parks Department
11. Mary Shabbott 7/16/2022 email regarding Grizzly Bear 1057
12. Michelle MacKenzie 7/17/2022 email regarding Grizzly Bear 1057
13. Spencer Nurse 7/18/2022 email regarding Airport and Night Noise
14. Laura Bonich 7/18/2022 email regarding Language for SPET Ballot
15. Kevin Cochary 7/18/2022 email regarding SPET Ballot Language
16. Patty Ewing 7/18/2022 email regarding SPET Ballot
17. Matt Faupel 7/18/2022 email regarding SPET Ballot Language
18. Ethan Lobdell 7/18/2022 email regarding JH Children's Museum, SPET
19. Rich Sugden 7/18/2022 email regarding Fish Creek Road
20. Valerie Conger 7/18/2022 email regarding Fire in the Mountains
21. Ann Goodell 7/18/2022 email regarding Alta Recreation
22. Richard Hobbins 7/18/2022 email regarding Fish Creek Road
23. Jim Elwood 7/18/2022 email regarding JH Airport
24. Friends of Rafter J 7/18/2022 email regarding Rafter J Lot 333 and Housing Zoning
25. Spencer Nurse 7/18/2022 email regarding JH Airport
26. Rebecca 7/18/2022 email regarding Future of Rodeo/Fairgrounds
27. Catherine Rose 7/18/2022 email regarding Wilson Truck Arrestor
28. Maury Jones 7/18/2022 email regarding Future of Fairgrounds
29. Pam Polejewski 7/18/2022 email regarding Wolf Management
30. Jason Woodward 7/18/2022 email regarding BDC2022-0004
31. Becky Cloetta 7/19/2022 email regarding Future of Fairgrounds
32. Joseph Larrow 7/19/2022 email regarding Helicopter Rescues
33. Lisa Potzernitz 7/19/2022 email regarding Fire in the Mountains
34. LeeAnn InbergSchuff 7/19/2022 email regarding Fish Creek Road
35. Kathryn Sobieski 7/19/2022 email regarding Future of Fairgrounds
36. Office of Homeland Security 7/20/2022 email regarding SHSP Grant
37. Elisabeth Collins 7/21/2022 email regarding Budgets for Special Districts
38. Kelsey Brehm 7/21/2022 email regarding Future of Fairgrounds
39. Elisabeth Collins 7/21/2022 email regarding TVISD Assessment Request FY23
40. Jared Baecker 7/22/2022 email regarding South Park Landing
41. Connie Cordill 7/23/2022 email regarding Future of Fairgrounds
42. Diana Osuna 7/25/2022 email regarding South Squaw Creek Rd Budget
43. Bill Schreiber 7/25/2022 email regarding Teton Pass Truck Arrestor

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

5. Consideration of Consideration of Fire Station 1 Architect Fee Settlement

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval settlement of billing issues with Dubbe Moulder Architects (DMA) in regards to Fire Station #1 in the amount of \$295,000.00

Teton County entered into a contract on April 3, 2015 regarding the design of Fire Station #1 located on Pearl Street in Jackson, Wyoming. Different billing issues have arisen regarding, primarily dealing with construction administration. Fire Station #1 is now complete. All 3 rd parties have been paid in full. The 2015 contract stated that DMA would accomplish all tasks including construction administration for an amount not to exceed \$200,000. The project changed substantially from 2015 to 2022. DMA never amended their original 2015 contract to account for the change in the project, specifically in regards to construction administration. The parties have agreed that \$295,000.00 is the appropriate amount for the payment for the services performed by DMA.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Settlement Agreement and Mutual Release of all Claims with Dubbe-Moulder Architects in the amount of \$295,000.00. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

9. Consideration of an Amendment to the MOU with the Wyoming Department of Health and Teton County for COVID-19 Vaccination Outreach Activities

Janet Garland, Nurse Manager for Public Health, presented to the Board for consideration of approval a contract amendment for the COVID-19 Vaccine Grant. The purpose of this amendment is to increase the total Agreement dollar amount by one hundred ninety-two thousand, one hundred and thirty-two dollars (\$192,132.00) to five hundred eighty-nine thousand, seven hundred sixty dollars (\$589,760.00). The responsibilities of the Agency and the County have not changed. These funds will continue to allow the Health Department to provide vaccine clinics and outreach activities.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Propst to approve Amendment #1 to the MOU with the Wyoming Department of Health, for COVID-19 vaccination clinics and outreach activities for the period July 1, 2021 – June 30, 2024, in the amount of five hundred eighty-nine thousand, seven hundred, sixty dollars (\$589,760.00). Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

12. Consideration of Contract Amendment for Courthouse Architect

Paul Cote, Facilities Maintenance Manager, presented to the Board for consideration of approval Phase 8 contract amendment to the architectural design contract for the Teton County Courthouse (TCCH).

The Facilities Maintenance Division has been managing the design process of the TCCH. As a result of earlier phases of design and investigation, it has been determined that renovation for long-term use of the existing facility is not viable. Seismic deficiencies as well as ADA access issues and space planning needs, indicate the need for replacement of the facility. However, constraints posed by the time needed for design and construction of a replacement facility suggest that the facility will need to remain in service for some years yet. This phase of the design contract would include short term remedies to allow the courthouse to continue to be used while a larger plan was formulated for rebuilding the courthouse. Prior to spending funds on the design for short term remedies there were questions about the long range options.

Public comment was given by Sheriff Matt Carr.

There was discussion of having a workshop including the Circuit Court Judge, the District Court Judge, Clerk of the District Court, County Sheriff, and the County and Prosecuting Attorney, to fully discuss all options available and formulate a plan together with all the current occupants of the Courthouse.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue this item to the August 22, 2022 Board of County Commissioners meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

13. Consideration of BUILD Partner Subrecipient Agreements

Heather Overholser, Director of Public Works, presented to the Board for consideration of approval FTA-required Subrecipient Agreements with the Idaho BUILD Grant partners, Idaho Transportation Department (ITD), City of Driggs and Teton County, Idaho.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the BUILD Subrecipient Agreements with the City of Driggs, Teton County, Idaho and the Idaho Transportation Department. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

14. Consideration of MOA with WYDOT and ROW and Deer Fence Easements for WY22/WY390 Wildlife Crossings Project

Amy Ramage, County Engineer, presented to the Board for consideration of approval a Memorandum of Agreement and easements to allow for the placement of wildlife fence and ramps along the Jackson Hole Scenic Preserve Trust land along Highway 22 between Wenzel Lane and Hardeman Lane as part of the larger WYDOT Snake River Bridge project.

WYDOT is finalizing the plans and agreements for the Snake River Bridge replacement project, which includes wildlife crossings and associated deer fence and ramps. These agreement and easement documents are needed to allow WYDOT and their contractors ingress and egress to install and maintain the fence, which will go along the south side of the Jackson Hole Scenic Preserve Trust (JHSPT) parcel, which is owned by Teton County in fee simple. There is active negotiation by the County's consultant for the BUILD project to receive a potential additional easement from the adjacent landowner to the south as part of the Wilson to Stilson Pathway project to further offset the fence from the pathway. In that scenario, WYDOT would then have an overlaying agreement with the landowner. However, that is a separate negotiation, and these easements are still necessary for this process to advance.

There was discussion with Commissioner Propst regarding the option of granting a license rather than an easement to WYDOT.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to convene as the Scenic Preserve Trust. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The Board convened as the Scenic Preserve Trust at 9:35 a.m.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the Memorandum of Agreement, the Deer Fence & Deer Ramp Easement, and the Right of Way Easement to allow installation of deer fence and deer ramps along the Teton County Scenic Preserve Trust Easement on Highway 22 between Wenzel Lane and Hardemen Lane. Chairwoman Macker called for a vote. The vote showed three in favor and the motion carried 3-1 with Commissioner Propst opposed.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to exit Scenic Preserve Trust. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting exited Scenic Preserve Trust at 9:36 a.m.

MATTERS FROM PLANNING AND DEVELOPMENT

Findings of Fact, Conclusions of Law, and Order:

1. BDC2022-0004 – ASPENS PROPERTIES 1, LLC

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact and Conclusions of Law for an application of Prospect Studios on behalf of Aspens Properties I, LLC. for a Building Permit, pursuant to Section 8.3.3. of the Teton County Land Development Regulations, for a commercial remodel and addition in the Aspens Commercial District. This application was considered and approved by the Board of County Commissioners on July 19, 2022.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the findings of fact and conclusions of law granting of approval for BDC2022-0004. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 9:38 a.m. and reconvened at 9:44 a.m.

- 2. Permit:** ZMA2022-0002
Applicant: JHHR HOLDINGS I LLC
Presenter: Ryan Hostetter
Request: Amend the Official Zoning Map, pursuant to Teton County Land Development Regulations Section 8.7.2, Zoning Map Amendment, to rezone two areas within Northern South Park: 1) rezone 25.67-acres of Rural (R-1) to Suburban, and 2) concurrently rezone 25.67 acres of Suburban area to Rural (R-1). The properties are owned by JHHR Holdings I LLC and are located on the southeast corner of High School Road and South Park Loop Road.
Location: 1500 South Park Loop Road

Ryan Hostetter, Senior Long Range Planner, Amend the Official Zoning Map, pursuant to Teton County Land Development Regulations Section 8.7.2, Zoning Map Amendment, to rezone two areas within Northern South Park: 1) rezone 25.67-acres of Rural (R-1) to Suburban, and 2) concurrently rezone 25.67 acres of Suburban area (which includes approximately 2 acres of the existing 3 acre Suburban homestead at the corner of High School Road and South Park Loop Road) to Rural (R-1). The properties are owned by JHHR Holdings I LLC and are located on the southeast corner of High School Road and South Park Loop Road.

Susan Johnson of SJ Planning Solutions, for the Applicant, commented on the application.

Public comment was given by Robbin Levy Mommsen, Attorney for the Trust for Public Land.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron approve ZMA2022-0002, application received May 6, 2022, to rezone 25.67 acres of Suburban (S-TC) to Rural (R-1) and concurrently rezone 25.67 acres of Rural (R-1) to Suburban (S-TC), being able to make the findings of LDR Section 8.7.2. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

- 3. Permit:** CUP2021-0001 - CONTINUED FROM JULY 20, 2021
Applicant: McGregor, Ian
Presenter: Hamilton Smith
Request: Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations (LDRS) for approval of an Accessory Use, Home Business Cidery, as described in LDR Sec. 6.1.11.E.
Location: 1910 South Park Ranch Road South Fork, approximately .7 mile from the junction with South Park Loop Road. The property is zoned Rural 3 (R-3), and is not within any Zoning Overlays.

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations for a Home Business Winery. The request is to locate a commercial cider production facility on a private, unplatted parcel of 2.54 acres in the Rural 3 (R-3) zone. Cider making facilities (i.e. cidery) are treated the same as wineries by the Wyoming Liquor Division. The applicant currently has a permit from Teton County to produce cider at a leased site in the Business Park zone. In the event the applicable Planning permits are obtained, the applicant will be required to apply for a transfer of their existing Teton County Winery License.

Ian McGregor, the Applicant, commented on the application.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve CUP2021-0001, for a Conditional Use Permit for a Home Business Cidery, as set forth in the application dated February 23, 2021, as amended on June 13, 2022, being able to make all eight (8) findings of Section 8.4.2 of the Land Development Regulations, with one recommended Condition of Approval, as follows:

1. Daily vehicle trips shall not exceed twice [19] the estimated average residential daily trips [9.5] as described in the Street and Road Standards in the Land Development Regulations.

Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION

- a. Housing Project Noise: The Board discussed public comment received at yesterday's Board of County Commissioners' voucher meeting regarding traffic and noise disturbance caused by the housing project located on Jackson Street. Staff will discuss with the developer and their contractor the possibility of trucks moving via a different route.

ADJOURN

A motion was made by Commissioner Barron and seconded by Commissioner Propst to adjourn. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 10:18 a.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk