

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

The Teton County Board of Commissioners met virtually in regular meeting on **October 19, 2021** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:00 a.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

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

**ADOPTION OF AGENDA**

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt today's agenda with the exclusion of item 16, which is withdrawn. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

**CENTENNIAL MINUTE** – The Chairwoman read selections from historical 1921 Teton County newspaper publications in celebration of Teton County's 100<sup>th</sup> year.

**MINUTES**

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the 9-27-2021, 10-4-2021, and 10-5-2021 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 Newcomb and seconded by Commissioner Propst to place the following Matters from Staff on a Consent Agenda:

3. Consideration of Rafter J Tract 1 Pathway Easement
5. Consideration of FY2021 EMPG Grant Award Agreement
7. Consideration of Cable TV Right of Way Agreement Extension
8. Consideration of Lower Valley Energy Housing Project Development Deed Restriction
12. Consideration of Contract with EcoConnect Consulting for Natural Resource LDR Consulting
15. Consideration of Fire Station 1 Change Order #36

Chairwoman Macker called for a vote. The vote showed all in favor.

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

**MATTERS FROM COMMISSION AND STAFF**

**3. Consideration of Rafter J Tract 1 Pathway Easement**

To approve the Rafter J Tract 1 Pathway Access Easement and Agreement and direct staff to collect signatures and record the easement at the Clerk's Office.

**5. Consideration of FY2021 EMPG Grant Award Agreement**

To approve the FY2021 Emergency Management Performance Grant Award Agreement.

**7. Consideration of Cable TV Right of Way Agreement Extension**

To approve the Cable Television Service Agreement Extension

**8. Consideration of Lower Valley Energy Housing Project Development Deed Restriction**

To approve the *Deed Restrictions for Allowable use, Density and Intensity of Development – LVE Workforce Housing* presented for LVE's planned workforce housing development on South Highway 89.

**12. Consideration of Contract with EcoConnect Consulting for Natural Resource LDR Consulting**

To approve the sole source Consultant Agreement between Teton County and EcoConnect Consulting LLC for staff and technical support on the Natural Resource LDR updates in an amount not to exceed \$7,500.00.

**15. Consideration of Fire Station 1 Change Order #36**

To approve Change Order #36 with Wapiti Construction.

**DIRECT CORRESPONDENCE**

1. Darren Brugmann 9/28/2021 email regarding Transition Information
2. Mary Wendell 9/28/2021 email regarding Heli Tours
3. Jesse Glick 9/28/2021 email regarding Mask Order
4. Ann Smith 9/29/2021 email regarding Bear Proof Trash
5. Robert Frodeman 9/29/2021 email regarding Future of Hoback
6. Angelica Thompson 9/30/2021 email regarding Mask Order
7. Rebecca Cloetta 9/30/2021 email regarding Driveway on Game Creek Hill
8. Bob Graves 9/30/2021 email regarding Grizzly Bears
9. Jody Garland 9/30/2021 email regarding Road Danger Game Creek
10. Jesse Glick 9/30/2021 email regarding Mask Order

11. Gillian Chapman 10/1/2021 email regarding Safe Passages to Schools
12. Hannah Navarro 10/1/2021 email regarding Comments on Housing and Rules
13. Paul Hansen 10/2/2021 email regarding Small Wastewater Regulations
14. Barb Kaplan 10/2/2021 email regarding Climbing Gym
15. Tim Young 10/2/2021 email regarding Roundabout Studies
16. Ann Smith 10/2/2021 email regarding Hiring of Code Compliance Officer
17. Jesse Glick 10/2/2021 email regarding Mask Order Comments
18. Rachael Zimmerman 10/4/2021 email regarding Climbing Gym
19. Gary Edmonds 10/4/2021 email regarding Cattleman's Bridge Park
20. Gigi Halloran 10/4/2021 email regarding Elk Shooting near Emily's Pond
21. Gigi Halloran 10/4/2021 email regarding Killing of Bears/Bearproof Trash
22. Marylee White 10/4/2021 email regarding Snake River to Wilson Pathway and Underpass
23. Geneva Chong 10/4/2021 email regarding Rec Center Expansion
24. Michael Gumpert 10/4/2021 email regarding Cattleman's Bridge Area Project
25. Brandon Reynolds 10/4/2021 email regarding Small Wastewater Facility Regs
26. Joan Anzelmo 10/4/2021 email regarding Cattleman's Bridge Area Project
27. Dan Leemon 10/4/2021 email regarding Small Wastewater Facility Regs
28. Diane Witcher 10/4/2021 email regarding Cattleman's Bridge Area Project
29. Lisa Tichenor 10/4/2021 email regarding Cattleman's Bridge Area Project
30. Judith Buttala 10/4/2021 email regarding Wildlife Feeding
31. Geoff Gottlieb 10/5/2021 email regarding HWY22 and 390 Traffic
32. Jesse Glick 10/5/2021 email regarding Mask Order
33. Jonathan Schechter 10/5/2021 email regarding Rec Center Expansion Funding
34. Camille Obering 10/5/2021 email regarding Wilson School Area Speeds
35. Mary Kathryn Clark 10/5/2021 email regarding Grizzly Bears
36. Nikki Gill 10/5/2021 email regarding Response to Northern South Park Memo
37. Ellen Haberle, Etc 10/5/2021 email regarding First Pacaso Property in Jackson Area
38. Dick Shuptrine 10/6/2021 email regarding Fiber Optic Line and Water District Concerns
39. Jessica Aufderheide 10/6/2021 email regarding Vaccines in Children
40. Jesse Glick 10/6/2021 email regarding Mask Order
41. Jesse Glick 10/6/2021 email regarding Mask Order
42. Jessica Aufderheide 10/7/2021 email regarding COVID Information
43. Cherry Hawkins 10/7/2021 email regarding Bear Proof Trashcans
44. Ji Montgomery 10/7/2021 email regarding Bear Proof Trashcans
45. Julia Cook 10/7/2021 email regarding Bear Proof Trashcans
46. Tay 10/7/2021 email regarding Bear Proof Trashcans
47. Meredith Smith 10/7/2021 email regarding Bear Proof Trashcans
48. Dawn Vialpando 10/7/2021 email regarding Bear Proof Trashcans
49. Jenn Mathis 10/7/2021 email regarding Bear Proof Trashcans
50. Jean Reiland 10/7/2021 email regarding Bear Proof Trashcans
51. Anonymous 10/7/2021 email regarding Bear Proof Trashcans
52. Megan McMahon 10/7/2021 email regarding Bear Proof Trashcans
53. Evan Watts 10/7/2021 email regarding Bear Proof Trashcans
54. Jeri Ann 10/7/2021 email regarding Bear Proof Trashcans
55. Jennie Cannon 10/7/2021 email regarding Bear Proof Trashcans
56. Lindsey Chambers 10/7/2021 email regarding Bear Proof Trashcans
57. Jennifer Dalia 10/7/2021 email regarding Bear Proof Trashcans
58. Alessandra Amorim 10/7/2021 email regarding Bear Proof Trashcans
59. Dawn Melton 10/7/2021 email regarding Bear Proof Trashcans
60. Clark Gagnon 10/7/2021 email regarding Bear Proof Trashcans
61. Ji Montgomery 10/7/2021 email regarding Bear Proof Trashcans
62. Ariel Calmes 10/7/2021 email regarding Bear Proof Trashcans
63. Alexandra Morris 10/7/2021 email regarding Bear Proof Trashcans
64. Brad Grippin 10/7/2021 email regarding Bear Proof Trashcans
65. Stephanie Rudberg 10/7/2021 email regarding Bear Proof Trashcans
66. Lynne Coleman 10/7/2021 email regarding Bear Proof Trashcans
67. Bob Spiers 10/7/2021 email regarding Bear Proof Trashcans
68. Tim Young 10/7/2021 email regarding Snake River Pathway
69. Aimee Lopez 10/7/2021 email regarding Bear Proof Trashcans
70. Janet Hawk 10/7/2021 email regarding Bear Proof Trashcans
71. Jen Young 10/7/2021 email regarding Bear Proof Trashcans
72. Cory Tilley 10/7/2021 email regarding Bear Proof Trashcans
73. Kyle Rohlfing 10/7/2021 email regarding Bear Proof Trashcans
74. Grant Chovil 10/7/2021 email regarding Bear Proof Trashcans
75. Catherine Moore 10/7/2021 email regarding Bear Proof Trashcans
76. Madison Gianos 10/7/2021 email regarding Bear Proof Trashcans
77. Sandi Long 10/7/2021 email regarding Bear Proof Trashcans
78. Laura Davis 10/7/2021 email regarding Bear Proof Trashcans
79. Tracy Range 10/7/2021 email regarding Bear Proof Trashcans
80. Hunter Winterton 10/7/2021 email regarding Bear Proof Trashcans
81. Judy Hofflund 10/7/2021 email regarding Bear Proof Trashcans
82. Oliver Eickelberg 10/7/2021 email regarding Bear Proof Trashcans
83. Jasmine 10/7/2021 email regarding Bear Proof Trashcans
84. Alison Elicier 10/7/2021 email regarding Bear Proof Trashcans
85. Austin Ziegler 10/7/2021 email regarding Bear Proof Trashcans
86. John Orzechowski 10/7/2021 email regarding Bear Proof Trashcans
87. Ginger Witherington 10/7/2021 email regarding Bear Proof Trashcans
88. Brittany Schilling 10/7/2021 email regarding Bear Proof Trashcans
89. Sarah Williams 10/7/2021 email regarding Bear Proof Trashcans
90. Joan Holliday 10/7/2021 email regarding Bear Proof Trashcans
91. Ted kerasote 10/7/2021 email regarding Bear Proof Trashcans
92. Gary Rohrkaste 10/7/2021 email regarding Bear Proof Trashcans

93. Braden Cliff 10/7/2021 email regarding Bear Proof Trashcans
94. Shepard Brooks 10/7/2021 email regarding Bear Proof Trashcans
95. Jeff Bernhard 10/7/2021 email regarding Bear Proof Trashcans
96. Christine Segal 10/7/2021 email regarding Bear Proof Trashcans
97. Jen Berndt 10/7/2021 email regarding Bear Proof Trashcans
98. Brigitte Graf 10/7/2021 email regarding Bear Proof Trashcans
99. Mikaela 10/7/2021 email regarding Bear Proof Trashcans
100. Trudy Largent 10/7/2021 email regarding Bear Proof Trashcans
101. Trish Rice 10/7/2021 email regarding Bear Proof Trashcans
102. Sara Callaway 10/7/2021 email regarding Bear Proof Trashcans
103. Charlotte Heldstab 10/7/2021 email regarding Bear Proof Trashcans
104. Lorraine 10/7/2021 email regarding Bear Proof Trashcans
105. Mary Able 10/7/2021 email regarding Bear Proof Trashcans
106. Abigail McFarland 10/7/2021 email regarding Bear Proof Trashcans
107. Vicki Markus 10/7/2021 email regarding Bear Proof Trashcans
108. Ron Funderburk 10/7/2021 email regarding Bear Proof Trashcans
109. Josh Able 10/7/2021 email regarding Bear Proof Trashcans
110. Julianna Orr 10/7/2021 email regarding Bear Proof Trashcans
111. Janet Smith 10/7/2021 email regarding Bear Proof Trashcans
112. Claudia Means 10/7/2021 email regarding Bear Proof Trashcans
113. Aimee Rhodey 10/7/2021 email regarding Bear Proof Trashcans
114. Ester Gonzalez 10/7/2021 email regarding Bear Proof Trashcans
115. Ruby Stephenson 10/7/2021 email regarding Bear Proof Trashcans
116. Sheila Pdelsky 10/7/2021 email regarding Bear Proof Trashcans
117. Jessica Aufderheide 10/7/2021 email regarding Coronavirus Information
118. Deepak Sibal 10/7/2021 email regarding Bear Proof Trashcans
119. Amber Roeder 10/7/2021 email regarding Bear Proof Trashcans
120. Nolan H.. 10/7/2021 email regarding Bear Proof Trashcans
121. Jeff Telfer 10/7/2021 email regarding Bear Proof Trashcans
122. Virginia Huang 10/7/2021 email regarding Bear Proof Trashcans
123. Walter Ackerman 10/7/2021 email regarding Bear Proof Trashcans
124. Kristin Nelson 10/7/2021 email regarding Bear Proof Trashcans
125. Diana O'Brien 10/7/2021 email regarding Bear Proof Trashcans
126. Judith Buttala 10/7/2021 email regarding Bear Deaths
127. Colton West 10/7/2021 email regarding Bear Proof Trashcans
128. Kimberly 10/7/2021 email regarding Bear Proof Trashcans
129. Megan Brown 10/7/2021 email regarding Bear Proof Trashcans
130. David Fink 10/8/2021 email regarding Bear Proof Trashcans
131. Betty Sodari 10/8/2021 email regarding Bear Proof Trashcans
132. Fernando Guerrero 10/8/2021 email regarding Bear Proof Trashcans
133. Tricia Huddleston 10/8/2021 email regarding Bear Proof Trashcans
134. Melinda Boyette 10/8/2021 email regarding Bear Proof Trashcans
135. Jane Getty 10/8/2021 email regarding Bear Proof Trashcans
136. Sandi Forte 10/8/2021 email regarding Bear Proof Trashcans
137. Laura Oliver 10/8/2021 email regarding Bear Proof Trashcans
138. Ruth Greathouse 10/8/2021 email regarding Bear Proof Trashcans
139. Dory Ray 10/8/2021 email regarding Bear Proof Trashcans
140. Halle Lambeau 10/8/2021 email regarding Bear Proof Trashcans
141. Sara White 10/8/2021 email regarding Bear Proof Trashcans
142. KC Bess 10/8/2021 email regarding Bear Proof Trashcans
143. Kasey Burrison 10/8/2021 email regarding Bear Proof Trashcans
144. Rhynes Demetrius 10/8/2021 email regarding Bear Proof Trashcans
145. Barry Nelson 10/8/2021 email regarding Bear Proof Trashcans
146. Dawn Willard 10/8/2021 email regarding Bear Proof Trashcans
147. Carl Gandolfo 10/8/2021 email regarding Bear Proof Trashcans
148. Lauren Lowler 10/8/2021 email regarding Bear Proof Trashcans
149. Nadine Powell 10/8/2021 email regarding State Line Road Paving
150. Kim Sobolik 10/8/2021 email regarding Bear Management
151. Mark Puckett 10/8/2021 email regarding Bear Proof Trashcans
152. Carissa Scholze 10/8/2021 email regarding Bear Proof Trashcans
153. Pam Dodson 10/8/2021 email regarding Bear Proof Trashcans
154. Hollind Kevo 10/8/2021 email regarding Bear Proof Trashcans
155. Rita Mathis 10/8/2021 email regarding Bear Proof Trashcans
156. Naomi Cohen 10/8/2021 email regarding Bear Proof Trashcans
157. Huillary Olomi 10/8/2021 email regarding Bear Proof Trashcans
158. Sarah Kerr 10/8/2021 email regarding Bear Proof Trashcans
159. Ale Stout 10/8/2021 email regarding Bear Proof Trashcans
160. Adam Wright 10/8/2021 email regarding Bear Proof Trashcans
161. Jen Ritchie 10/8/2021 email regarding Bear Proof Trashcans
162. Erin 10/8/2021 email regarding Bear Proof Trash
163. Michael Gumpert 10/8/2021 email regarding Bear Proof Trash
164. Brian Tindall 10/8/2021 email regarding Bear Proof Trash
165. Arnav Bhutada 10/8/2021 email regarding Bear Proof Trash
166. Ji Montgomery 10/8/2021 email regarding Bear Proof Trash
167. Teresa Sandstead 10/8/2021 email regarding Bear Proof Trash
168. Denise Johnson 10/8/2021 email regarding Bear Proof Trash
169. Melanie Giles 10/8/2021 email regarding Bear Proof Trash
170. Bob Cansler 10/8/2021 email regarding Bear Proof Trash
171. Paulette Simko 10/8/2021 email regarding Bear Proof Trash
172. Kara Foster 10/8/2021 email regarding Bear Proof Trash
173. Kimberly Fink 10/8/2021 email regarding Bear Proof Trash
174. Cynda Peralta Ramos 10/8/2021 email regarding Bear Proof Trash

175. MaryAnn Mease 10/8/2021 email regarding Bear Proof Trash
176. Jack Borowiak 10/8/2021 email regarding Bear Proof Trash
177. Jim Clark 10/8/2021 email regarding Bear Proof Trash
178. Jimi Anderson 10/8/2021 email regarding Bear Proof Trash
179. Anja Nikolic 10/8/2021 email regarding Bear Proof Trash
180. Trish Rice 10/8/2021 email regarding Bear Proof Trash
181. Zoe Malionek 10/8/2021 email regarding Bear Proof Trash
182. Ji Montgomery 10/8/2021 email regarding Bear Proof Trash
183. Jessica Aufderheide 10/8/2021 email regarding COVID Moderna Shot
184. Judy Norden 10/8/2021 email regarding Bear Proof Trash
185. Tiffany Taxis 10/11/2021 email regarding Bear Proof Trash
186. Karin Occhialini 10/11/2021 email regarding Bear Proof Trash
187. Mary Shabbott 10/11/2021 email regarding Bear Proof Trash
188. Winnie Arthurs 10/11/2021 email regarding Bear Proof Trash
189. Karen Sassen 10/11/2021 email regarding Bear Proof Trash
190. Andrew Joughin 10/11/2021 email regarding Bear Proof Trash
191. Buddy Borowiak 10/11/2021 email regarding Bear Proof Trash
192. Andrew Freeman 10/11/2021 email regarding Bear Proof Trash
193. Ji Montgomery 10/11/2021 email regarding Bear Proof Trash
194. Jessica Aufderheide 10/11/2021 email regarding Fauci on C-Span
195. Ashley Jones 10/11/2021 email regarding Bear Proof Trash
196. Niazul Khan 10/11/2021 email regarding Bear Proof Trash
197. Barry Key 10/11/2021 email regarding Bear Proof Trash
198. Nicholas Pandorf 10/11/2021 email regarding Bear Proof Trash
199. Kaylen Davidson 10/11/2021 email regarding Bear Proof Trash
200. Andy Gibbs 10/11/2021 email regarding Bear Proof Trash
201. Trish Rice 10/11/2021 email regarding Bear Proof Trash
202. Heckman 10/11/2021 email regarding Bear Proof Trash
203. Mikaela Ruland 10/11/2021 email regarding Bear Proof Trash
204. T Parli 10/11/2021 email regarding Bear Proof Trash
205. Laurie Roddick 10/11/2021 email regarding Bear Proof Trash
206. Sara Wittenberger 10/11/2021 email regarding Bear Proof Trash
207. Nicole Otto 10/11/2021 email regarding Bear Proof Trash
208. Kathy Tompkins 10/11/2021 email regarding Northern South Park
209. Margy Moore 10/11/2021 email regarding Bear Proof Trash
210. Wesley Rich 10/11/2021 email regarding Bear Proof Trash
211. Brian Robinson 10/11/2021 email regarding Bear Proof Trash
212. Joan Anzelmo 10/11/2021 email regarding Cattleman's Brige Project Comments
213. Jesse Glick 10/11/2021 email regarding Mask Order
214. Jessica Aufderheide 10/12/2021 email regarding COVID Measures Vs Constitution
215. Dave Fleishman 10/11/2021 email regarding Bear Proof Trash
216. Mary Wendell Lampton 10/11/2021 email regarding Fairgrounds
217. Michelle Weyler 10/11/2021 email regarding Bear Proof Trash
218. Theresa Sandelin 10/11/2021 email regarding Bear Proof Trash
219. Ji Montgomery 10/12/2021 email regarding Bear Proof Trash
220. Chelsea Gray 10/12/2021 email regarding Bear Proof Trash
221. Alison James 10/12/2021 email regarding Bear Proof Trash
222. Planning and Building 10/12/2021 email regarding VAR2021-0004 and CUP2021-0003
223. Kathy Tompkins 10/12/2021 email regarding Suburban Development
224. Jesse Glick 10/12/2021 email regarding Mask Order
225. Gloria Courser 10/12/2021 email regarding COVID Levels
226. Jared Baecker 10/12/2021 email regarding Wilson Boat Ramp

#### **PUBLIC COMMENT**

There was no public comment.

#### **MATTERS FROM COMMISSION AND STAFF**

##### **1. Consideration of Resolution Recognizing the 76<sup>th</sup> Anniversary of National Disability Awareness Month**

Seadar Rose Davis, Executive director of Cultivate Ability, presented to the Board for consideration of approval a resolution recognizing National Disability Awareness month. Ann Platt, Cultivate Ability Director of Programs, read the resolution.

#### **BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY**

#### **RESOLUTION # \_\_\_\_\_**

#### **RECOGNIZING AND COMMEMORATING THE 76TH ANNIVERSARY OF NATIONAL DISABILITY AWARENESS MONTH**

**WHEREAS**, October 2021 marks the 76th anniversary of National Disability Employment Awareness Month; and  
**WHEREAS**, the purpose of National Disability Employment Awareness Month is to educate about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities; and  
**WHEREAS**, the history of National Disability Employment Awareness Month traces back to 1945 when Congress enacted a law declaring the first week in October each year "National Employ the Physically Handicapped Week;" and  
**WHEREAS**, in 1962, the word "physically" was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities; and  
**WHEREAS**, in 1988, Congress expanded the week to a month and changed the name to National Disability Employment Awareness Month; and  
**WHEREAS**, workplaces welcoming of the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and strong economy; and  
**WHEREAS**, activities during this month will reinforce the value and talent people with disabilities add to our workplaces and communities and affirm Teton County's commitment to an inclusive community that increases access and opportunities to all, including individuals with disabilities.

**FURTHER**, the Teton County Board of County Commissioners do hereby pledge to

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continue to take steps throughout the year to recruit, hire, retain, and advance individuals with disabilities and work to pursue the goals of opportunity, full participation, economic self-sufficiency, and independent living for people with disabilities; and

**FURTHER**, call upon employers, schools, and other community organizations in Teton County to observe October with appropriate programs and activities, and to advance its important message that people with disabilities add value and talent to our workplaces and communities.

**NOW, THEREFORE**, the Teton County Board of County Commissioners does hereby recognize and commemorate the 76th anniversary of National Disability Employment Awareness Month for the month of October in Teton County.

**ADOPTED ON THE 19th DAY OF OCTOBER 2021.**

**TETON COUNTY BOARD OF COUNTY COMMISSIONERS**

Natalia D. Macker, Chair

(Seal)

Attest: Maureen E. Murphy, Teton County Clerk

A motion was made by Commissioner Propst and seconded by Commissioner Epstein to approve the resolution recognizing and commemorating the 76th anniversary of National Disability Awareness Month. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

## **2. Consideration of Notice of Award for the Wilson-Stilson Pathway Mitigation Construction**

Brian Schilling, Pathways and Trails Program Coordinator, presented to the Board for consideration of approval of a Notice of Award to AloTerra Restoration Services for the Wilson-Stilson Pathway Vegetation and Wetlands Mitigation project construction at the Teton Raptor Center.

Teton County will construct the Wilson to Stilson Pathway along the south side of WY22 as one of the BUILD grant projects. The proposed construction will impact 0.06 acres of scrub-shrub wetlands, 0.20 acres of emergent wetlands, and 0.27 acres of upland vegetation in the Natural Resources Overlay, all of which require mitigation at a 2:1 ratio per Teton County land development regulations. (Mitigation for the wetlands is also required by the Army Corps of Engineers).

Rich Bloom, Teton Raptor Center, answered questions from the Board.

Public comment was given by Tim Young.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve a Notice of Award to AloTerra Restoration Services for the Wilson-Stilson Pathway Mitigation Project in the amount not-to-exceed \$123,285.23. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

## **4. Consideration of Park and Downtown Restroom Cleaning Contract**

Steve Ashworth, Director of Parks and Recreation, presented to the Board for consideration of approval a 2-Year Public Restroom Cleaning contract for custodial services in the Town/County seasonal and year-round public restroom facilities for FY22 and FY23.

This contract covers the cleaning services for the restroom facilities managed by the Parks and Recreation Department. These include the year-round downtown restrooms, seasonal athletic fields, parks, and boat ramp facilities. Staff has evaluated prior years' reduced service levels based on COVID impacts, addition of the Parks Shop, and start and end dates based on visitor impacts and increased volume. Schedule, frequency of visits and cleaning standards were adjusted and included in the bid proposal to meet standard service and operating levels based on those evaluations. Staff proposed and solicited this contract to be a two-year contract starting on November 1, 2021 and terminating on October 31, 2023. This contract will meet the proposed service levels and accommodate increased visitation and usage of public spaces moving forward.

A motion was made by Commissioner Epstein and seconded by Commissioner Propst to approve award of a 2 year Public Restroom Custodial Services contract for Town owned year round restrooms and Parks & Recreation seasonal restrooms to White Glove Professional Cleaning Services in the amount of \$189,148.04. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 9:53 a.m. and reconvened at 9:58 a.m.

## **6. Consideration of Renewal of North Pathway MOU with US Fish and Wildlife Service (Natl. Elk Refuge)**

Brian Schilling, Pathways and Trails Program Coordinator, presented to the Board for consideration of approval an updated Memorandum of Understanding with the National Elk Refuge (US Fish and Wildlife Service) for management of the North Pathway.

In 2011, Teton County completed construction of the North Pathway along US Highway 89 between Flat Creek and the Gros Ventre River. The US Fish and Wildlife Service (the parent agency for the National Elk Refuge) permitted the project based on Teton County's commitment to comply with specific mitigation and management measures identified in the NEPA Environmental Assessment (2009) and the Refuge's Compatibility Determination. In 2010, Teton County signed a Memorandum of Understanding (MOU) with the USFWS regarding operation, maintenance, enforcement, and mitigation of pathway-related impacts for the North Pathway. The most recent MOU, approved in 2017, is being updated to reflect changes in the arrangement.

There was no public comment.

A motion was made by Commissioner Propst and seconded by Commissioner Barron to approve the 2021 Memorandum of Understanding with the National Elk Refuge/US Fish and Wildlife Service for the management and operation of the North Pathway. Chairwoman Macker called for a vote. The vote showed three in favor and the motion carried 4-1 with Commissioner Epstein opposed.

## **9. Consideration of Benson/Brown Home Relocation and Restoration**

April Norton, Housing Director, presented to the Board for consideration of approval the award for design and build Request for Proposals to relocate and restore the historic Benson Brown Home and historic water turbines located at 445 E. Kelly Avenue.

Public comment was given by Michael Stern and Susan Eriksen-Meier.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to direct staff to proceed with a Contract for Services to relocate and restore the Benson/Brown Cabin with Brookhurst Construction for a not to exceed amount of \$275,000. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **10. Consideration of Funding Request for a Socio-Economic Impact Assessment**

Alyssa Watkins, Board of County Commissioners Administrator, presented to the Board for consideration of approval a request from Teton County, Idaho to participate as a funding partner in a socioeconomic impact study pertaining to development at the Grand Targhee Resort.

On July 19, 2021, the Teton County, Idaho Board of County Commissioners (TCID BCC) met with the Teton County, Wyoming Board of County Commissioners (TCWY BCC) to discuss Grand Targhee Resort's proposed expansion. Following that meeting, the TCWY BCC sent a letter to the TCID BCC expressing an understanding of the TCID BCC's concerns regarding potential impacts of the proposed expansion on Teton County, Idaho roads, labor force, housing, construction, water, waste management, and emergency services.

Cindy Riegel, Teton County Idaho County Commissioner, and Rob Marin, Teton County Idaho GIS Mapper, answered questions from the Board.

Public comment was given by Scott Pierson of the Alta Solid Waste Disposal District, Lauren McGeough, Tristan Adler, Matt Bambach, and Kelly Mackenzie.

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to approve the funding request from Teton County, Idaho, in an amount not-to-exceed \$24,700, for a cost share on a socio-economic impact study pertaining to development at Grand Targhee Resort, and authorize the use of contingency funding for the cost share expenditures.

Commissioner Epstein proposed a friendly amendment to the motion which would make the amount of funding \$10,000 total from Teton County; \$4,000 from Alta Solid Waste and \$6,000 from Teton County, Wyoming instead of the \$24,700.

Commissioner Propst did not accept the friendly amendment.

Chairwoman Macker called for a vote. The vote showed three in favor and the motion carried 3-2 with Commissioners Barron and Epstein opposed.

The meeting recessed at 11:12 a.m. and reconvened at 11:17 a.m.

#### **11. Consideration of the US Forest Service Bridger Teton National Forest and Teton County Cooperative Forest Road Agreement Schedule A – CONTINUED FROM SEPTEMBER 20, 2021**

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to continue this item to a date uncertain. Chairwoman Macker called for a vote. The vote showed four in favor and the motion carried 4-0 with Commissioner Newcomb absent. Commissioner Newcomb re-joined after the vote.

#### **13. Consideration of Additional Staffing and Budget – Code Compliance**

Chris Neubecker, Director of Planning and Building Services, presented to the Board for consideration of approval a request for additional funds to extend the Temporary Building Inspector position until June 30, 2022, and for creation of new Code Compliance Officer full time employee (FTE) position.

The Planning & Building Services Department has hired a Temporary Building Inspector to perform building code inspections while one full-time Building Inspector is unable to perform site inspections due to injury. Additionally, permit activity within the department has increased significantly from past years leading to a need for additional staffing to perform thorough building inspections. As construction activity and wildlife conflicts have increased within the County, the amount of work required of the Code Compliance Officer has grown to the point where one person cannot effectively manage the workload. The result has been increases in building permit turnaround times, as well as delays in responding to code enforcement complaints.

Public comment was given by Rich Bloom.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve an additional FY22 budget expenditure not to exceed \$94,346.30 for the continued employment of a Temporary Building Inspector and hiring an additional Code Compliance Officer using a reallocation of contingency funding. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### **14. Consideration of Contract for Repair of Wilson Fire Station Roof & Exterior Walls**

Brady Hansen, Fire Chief, presented to the Board for consideration of approval a contract for Fire Station 2, replacement of roof & walls.

Fire Station 2 in Wilson Wy is an important volunteer fire station protecting Response Zones 2A & 2B. Heavy snowfall and considerable harsh weather exposure at the bottom of Teton Pass make this structure difficult to maintain and protect. The building is a lightweight metal clad structure with aging siding and roof. The exterior walls have ice dams forming between them and the building causing considerable concern for the longevity of the structure. Immediate attention is warranted.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve Contract for Construction with Thomas Robinson Roofing for the Fire Station 2 Roof and Exterior Walls project, in an amount not to exceed \$187,000.00. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

#### MATTERS FROM PLANNING & DEVELOPMENT

Findings of Fact, Conclusions of Law, and Order:

**1. VAR2021-0003 – Kristi Onzik**

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval Findings of Fact and Conclusions of Law for Variance 2021-0003. This matter came before the Teton County Board of County Commissioners for public hearing on October 5, 2021, upon the application of Vera Iconica Architecture on behalf of Kristi Onzik, for a Variance, pursuant to Section 8.8.2., Variances, of the Teton County Land Development Regulations (LDRs), to vary 3.3.3.B.1.B for the 25-foot Street Setback for a future single-family residence building addition.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Findings of Fact and Conclusions of Law and Order granting approval for VAR2021-0003. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

**2. Permit: ZMA2021-0001 – POSTPONED TO THE APRIL 19, 2022, BBC HEARING.**

**Applicant:** ROBERTSON, DELL & LEORA MAUDE TRUST ET AL C/O TYRRELL, DOROTHY  
ROBERTSON, ROBERT D. ET UX  
ROBERTSON, WILLIAM D. & KATHRYN G. TRUSTEES

**Presenter:** Rian Rooney

**Request:** Notice is hereby given pursuant to Wyoming Statute §16-3-103 and §18-5-202(b) and (c) that the Teton County Board of County Commissioners will consider adoption of an amendment to the Teton County Official Zoning Map to rezone approximately 53.3 acres currently zoned Rural (R-TC) to Neighborhood Home Business-1 (NHB-1). This zoning map amendment is proposed by Y2 Consultants, LLC (applicant). The proposed rezone covers all or part of three parcels:

1. 7695 S HIGHWAY 89 (PIDN: 22-39-16-03-4-00-031)
2. 7685 S US HIGHWAY 89 (PIDN: 22-39-16-03-3-00-035)
3. 7675 S HIGHWAY 89 (PIDN: 22-39-16-03-3-00-030); partial, consisting of 49.3 acres

Amendments to the Teton County Official Zoning Map are authorized pursuant to Wyoming Statute §18-5-201. The Teton County Planning Division has complied with the requirements of Wyoming Statute §9-5-304 and a copy of the assessment may be obtained from the Teton County Planning Division.

**Location:** 7695 S HIGHWAY 89, 7685 S US HIGHWAY 89, and 7675 S HIGHWAY 89

**3. Permit: AMD2021-0001 – POSTPONED TO THE APRIL 19, 2022, BBC HEARING.**

**Applicant:** ROBERTSON, DELL & LEORA MAUDE TRUST ET AL C/O TYRRELL, DOROTHY  
ROBERTSON, ROBERT D. ET UX  
ROBERTSON, WILLIAM D. & KATHRYN G. TRUSTEES

**Presenter:** Rian Rooney

**Request:** Notice is hereby given pursuant to Wyoming Statute §16-3-103 and §18-5-202(b) and (c) that Y2 Consultants, LLC (applicant) has submitted a request for amendments to the Teton County Land Development Regulations (LDRs) to create a new zone, called Neighborhood Home Business-1 (NHB-1), and zoning standards. The proposed amendment would create a new section in the Land Development Regulations, which describes the zone's intent, physical development standards, use standards, development options, and additional zone-specific standards.

These are new Land Development Regulations which are authorized pursuant to Wyoming Statute §18-5-201. The Teton County Planning Dept. has complied with the requirements of Wyoming Statute §9-5-304 and a copy of the assessment may be obtained from the Teton County Planning Dept.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to continue ZMA2021-0001 and AMD2021-0001 to the Regular April 19, 2022 BCC meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

**4. Permit: MSC2021-0037**

**Applicant:** ASTORIA PARK CONSERVANCY

**Presenter:** Hamilton Smith

**Request:** Request to waive the Small Wastewater Facility fees for a four (4) single-bedroom employee housing unit for park employees and a public bathroom facility for the park, pursuant to finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).

**Location:** Lot 1 Astoria Hot Springs Park, 25 W. Johnny Counts Road. The property is zoned Park and Open Space and is within the Natural and Scenic Resources Overlays.

Hamilton Smith, Principal Planner, Planning and Building Services, presented to the board for consideration of approval a request to Waive the Small Wastewater Facility Permit fees for the four (4) one-bedroom employee housing units for park employees and for a public bathroom facility for the park, pursuant to finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054).

The Astoria Park Conservancy is requesting a fee waiver for the Small Wastewater Facility Permit fees for their employee housing facility on Lot 1, Astoria Hot Springs Park and for a public restroom. The total permit fees requested to be waived are \$1,650.00. This amount was determined by the Public Works Septic Permit Fee Schedule. The applicant is requesting that these fees be waived based on the Teton County Fee Waiver Policy

Paige Curry, the applicant, commented on the application.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the Astoria Park Conservancy 's Fee Waiver Request MSC2021-0037, received July 9, 2021 for \$1,650 of County fees associated with a Small Wastewater Facility permit, being able to make Finding 2.a of the Teton County Fee Waiver Policy (Resolution 2014-054). Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

**NOTE:** AMD2021-0004 - LDR Update to Outdoor Event Venue Requirements – *Was advertised to be discussed and was withdrawn by Applicant*

**MATTERS FROM COMMISSION**

- a. **Mask Order:** Commissioner Epstein requested a discussion regarding the mask order and possible rescission.
- b. **Bear-Proof Trash:** The Board discussed the need for bear proof trash containers and a possible mandate.
- c. **Northern South Park:** The Board discussed the neighborhood plan scope of work for Northern South Park and will hear updates from the Planning and Building Department next week.

**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 11:53 a.m.

Respectfully submitted,  
Chalice Weichman  
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

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Natalia D. Macker, Chairwoman

ATTEST:

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Maureen E. Murphy, County Clerk