

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

The Teton County Board of Commissioners met in regular meeting on **March 1, 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, Mark Newcomb and Greg Epstein were present.

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adopt today's agenda with the addition of an item to add for consideration: agenda item 23; Station 1 Construction Change Order. 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 2-7-2022, 2-14-2022 (Voucher), 2-14-2022 (Retreat) and 2-15-2022 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 Barron and seconded by Commissioner Epstein to place the following Matters from Staff on a Consent Agenda:

3. Consideration of Approval of Fair Cleaning Contract
4. Consideration of Approval of Fair Construction Contract
5. Consideration of Approval of Fair Electrical Contract
6. Consideration of Approval of Fair Rodeo Stock Contract
7. Consideration of Approval for Fair Parking Contract
8. Consideration of Approval for Fair Security Contract
9. Consideration of Approval of Fair Trash Contract
10. Consideration of Approval of Contract for Jail Facade Repair
11. Consideration of Approval of Contract for Hansen Courthouse Paint
12. Consideration of Approval of Contract for Admin Facade Repair
13. Consideration of Approval of Contract for Health Department paint
15. Consideration of Approval of Contract for General Services Paint
16. Consideration of Contract for Bin Painting at Recycling Center
17. Consideration of Food Waste Collection Program Notice of Award and Contract Agreement
18. Consideration of Notice of Award and Contract for the Spring Gulch Road 2022 Improvements
22. Consideration of ZMA2020-0001 Lower Valley Energy

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

A motion was made by Commissioner Barron 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 Approval of Fair Cleaning Contract

To approve the 2022 Fair Cleaning Contract with TM Commercial Cleaning, LLC in the amount of \$26,354.90.

4. Consideration of Approval of Fair Construction Contract

To approve the 2022 Fair Construction Contract with Todd Taylor in the amount of \$69,945.00

5. Consideration of Approval of Fair Electrical Contract

To approve the 2022 Fair Electrical Contract with TLC Electric, Inc. in the amount of \$17,875.00.

6. Consideration of Approval of Fair Rodeo Stock Contract

To approve the 2022 Fair Rodeo stock contract with R and R Rodeo in the amount of \$19,500.00.

7. Consideration of Approval for Fair Parking Contract

To approve the 2022 Fair Parking Contract with Friends of Jackson Mounted Patrol in the amount of \$9,000.00.

8. Consideration of Approval for Fair Security Contract

To approve the 2022 Fair Security Contract with Jackson Hole Security, LLC. in the amount of \$30,000.00.

9. Consideration of Approval of Fair Trash Contract

To approve the 2022 Fair Trash Removal Contract with Westbank Sanitation in the amount of \$10,999.78.

10. Consideration of Approval of Contract for Jail Facade Repair

To approve the contract for Jail Building Façade Repairs and Paint with Brookhurst Construction in the amount of \$94,500.00.

11. Consideration of Approval of Contract for Hansen Courthouse Paint

To approve the contract for CPH Courthouse prep & paint with Andre & Williams Painting in the amount of \$17,000.00.

12. Consideration of Approval of Contract for Admin Facade Repair

To approve the contract for Administration Building Façade Repairs and Paint with Brookhurst Construction in the amount of \$156,250.00.

13. Consideration of Approval of Contract for Health Department paint

To approve the contract for Health Department Building prep & paint with Andre & Williams Painting in the amount of \$45,000.00.

15. Consideration of Approval of Contract for General Services Paint

To approve the contract for GSB prep & paint with Andre & Williams Painting in the amount of \$33,500.00

16. Consideration of Contract for Bin Painting at Recycling Center

To approve the Contract with Wall Coating Systems, Inc. in the amount of \$58,800.00.

17. Consideration of Food Waste Collection Program Notice of Award and Contract Agreement

To approve the Notice of Award and Contract Agreement with Wyoming Environmental Services for the collection and hauling of commercial food waste on a unit cost basis with an estimated two-year contract amount of \$138,956.35.

18. Consideration of Notice of Award and Contract for the Spring Gulch Road 2022 Improvements

To approve the Notice of Award to Avail Valley Construction–WY, LLC for 2022 Spring Gulch Road Improvements in the amount not-to-exceed \$1,611,600, as well as the Owner/Contract Agreement once all required submittals have been received and approved. Additionally, I move to approve 5% contingency funding in the amount of \$80,580 per Teton County Procurement Policy Title 2-5-6 for unanticipated change orders, for a total project amount of \$1,692,180.

22. Consideration of ZMA2020-0001 Lower Valley Energy

For the Board to recognize that Conditions #1 and #2 of ZMA2020-001 have been met, and the Board hereby directs the Chairwoman to sign the Zoning Map Amendment with an affirmation by the County Clerk and then to be recorded in the Office of the Teton County Clerk.

DIRECT CORRESPONDENCE

1. Adam Meyer 2/8/2022 email regarding Melody Ranch Townhomes: Structural Rehab
2. Zaidee Fuller 2/8/2022 email regarding Rafter J Lot 333
3. Teton County, Idaho 2/9/2022 email regarding Request for Designated Agent Status
4. Perri Stern 2/9/2022 email regarding Jackson Kelly Apartments
5. Mark Newcomb 2/9/2022 email regarding Congratulations to Ms. Pond on NPR Talk
6. Helen Chambers 2/10/2022 email regarding Alta Recreation
7. Kathryn Turner 2/10/2022 email regarding Bear Proof Trash
8. Amber Pence 2/10/2022 email regarding Teton County, ID Grand Targhee Resort Expansion
9. Joshua Metten 2/10/2022 email regarding BLM Parcels
10. Selena Miskin 2/10/2022 email regarding Alta Recreation
11. Margaret Creel 2/10/2022 email regarding Rafter J Lot 333
12. Peter Omalley 2/10/2022 email regarding Alta Recreation
13. Jim Pitsch 2/10/2022 email regarding Alta Recreation
14. Bob Gammelin 2/10/2022 email regarding Alta Commercial Events
15. Travis Gay 2/11/2022 email regarding Alta Recreation Funding
16. Trudy Treasure 2/11/2022 email regarding Alta Recreation
17. Paul Reimers 2/11/2022 email regarding Alta Recreation
18. Chi Melville 2/11/2022 email regarding Three Tetons Painting
19. Rob Bass 2/11/2022 email regarding Article: Ski Towns/Inequality
20. Muffy Ferro 2/11/2022 email regarding Alta Commercial Events
21. Jose Velasco 2/11/2022 email regarding Alta Commercial Events
22. Paul Brakke 2/11/2022 email regarding Alta Commercial Events
23. Kathy Tompkins 2/11/2022 email regarding Transit Habits
24. Roger Shea 2/11/2022 email regarding Alta Commercial Event Application
25. Scott Kauf 2/11/2022 email regarding Alta Commercial Events Application
26. Kevin Mayberry 2/11/2022 email regarding Alta Commercial Events Application
27. Devin Moncur 2/11/2022 email regarding Alta Commercial Events Application
28. Wendy Cook 2/11/2022 email regarding Alta Commercial Events Application
29. Chad Hankinson 2/12/2022 email regarding Alta Commercial Events Application
30. John Hunter 2/12/2022 email regarding Alta Commercial Events Application
31. Loren Lindquist 2/12/2022 email regarding Alta Commercial Events Application
32. George Winter 2/14/2022 email regarding Alta Commercial Events Application
33. Brian Merritt 2/14/2022 email regarding Rafter J Lot 333
34. Geneva Chong 2/14/2022 email regarding Request for Masks in School
35. Lee Simmons 2/14/2022 email regarding Alta Commercial Events Application
36. Patrick Comfort 2/14/2022 email regarding Alta Commercial Events Application
37. Kathy Hoffman 2/14/2022 email regarding Alta Commercial Events Application
38. Holly Harkins 2/14/2022 email regarding Alta Commercial Events Application
39. Bryan Osbrach 2/14/2022 email regarding Alta Commercial Events Application

40. Richard Weinbrandt 2/14/2022 email regarding Alta Commercial Events Application
41. Rian Rooney 2/14/2022 email regarding Public Comment re: Alta Commercial Events Application
42. Tom Nulman 2/14/2022 email regarding Alta Commercial Events Application
43. Robert Biolchini 2/14/2022 email regarding COVID-19 Questions
44. Ami Sharp 2/14/2022 email regarding Alta Commercial Events Application
45. Austin Sessions 2/15/2022 email regarding Fire/EMS Salaries
46. Kristen K Wagner 2/15/2022 email regarding Alta Commercial Events Application
47. Scott Lucas 2/15/2022 email regarding Alta Recreation
48. Christine Watkins 2/16/2022 email regarding Tribal Trail Connector Road
49. ANPAC Executive Committee 2/17/2022 email regarding Airport Noise
50. Susan Elliott 2/17/2022 email regarding WYDOT Employee Housing Rezone Application
51. Gloria Courser 2/17/2022 email regarding Tax Rates and Vaccine Rates
52. Craig Chambers 2/18/2022 email regarding Alta Recreation
53. Christine Watkins 2/18/2022 email regarding Tribal Trail Connector Road
54. Bill Voge 2/18/2022 email regarding Letter from Board of Good Samaritan Mission
55. Candace Dayton 2/19/2022 email regarding Alta Recreation
56. John Wasson 2/19/2022 email regarding BLM Parcel 9/10
57. Clara Frances Floreani 2/20/2022 email regarding Rafter J Lot 333
58. Gloria Courser 2/20/2022 email regarding COVID-19
59. Linda Aurelio 2/21/2022 email regarding Northern South Park
60. George Lindhardt 2/14/2022 email regarding Alta Commercial Event Venue
61. Catherine Hankinson 2/22/2022 email regarding Alta Recreation

PUBLIC COMMENT

Public comment was given by Sandy Shuptrine regarding the Game Creek Plateau and a request for a workshop.

MATTERS FROM COMMISSION AND STAFF

1. Consideration of New Retail Liquor License

Shelley Fairbanks, Deputy County Clerk, presented to the Board for consideration of approval one application for the one available retail license in Teton County.

Based on the 2020 Census, Teton County received an additional retail liquor license. On January 4, 2022 the Board of County Commissioners received a letter requesting that the application process be opened for possible issuance of this retail liquor license. The BCC decided at the January 10, 2022 meeting to open the process. There was a public notice advertised in the Jackson Hole News and Guide for 2 weeks, January 19 and 26, 2022. An email notification was also sent to all current liquor license holders on January 10, 2022 of this public notice.

As of February 2, 2022, one application was received for the available retail license in Teton County. The applicant is Scarfish LLC (DBA Sudachi), who would like to replace their restaurant license with a retail license. Notice of the applications for the retail license was published for 2 consecutive weeks in the Jackson Hole News and Guide beginning February 16, 2022.

Public comment was given by Ned Sander.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to close the application cycle for a Retail Liquor License without awarding the license, and request that the County Clerk reopen a new four-week application process. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

2. Consideration of a Resolution Proclaiming March American Red Cross Month

Dee Buckstaff, Teton County Community Leader for American Red Cross, Wyoming, presented to the Board for consideration of approval the following resolution proclaiming March 2022 American Red Cross Month:

**BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY
RESOLUTION # _____
American Red Cross Month 2022**

WHEREAS, in times of crisis, people in Teton County come together to care for one another. The humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors; and **WHEREAS**, Clara Barton founded the American Red Cross in 1881, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering;

WHEREAS, Today, more than 140 years later, we honor the kindness and generosity of Red Cross volunteers here in Teton County, who continue to carry out Clara's lifesaving legacy while joining millions of people across the United States who volunteer, give blood, donate financially, or learn vital life-preserving skills through the Red Cross; and

WHEREAS, In Teton County, the contributions of local Red Cross volunteers give home to the most vulnerable in their darkest hours – whether it is providing emergency shelter, food, and comfort for families devastated by local disasters like home fires, supporting service members and veterans navigate unique challenges of military life, helping to save the lives of others with first aid, CPR and other skills, or delivering international humanitarian aid; and

WHEREAS, Red Cross volunteers work to prevent and alleviate human suffering is vital to strengthening our community's resilience

FURTHER, the Teton County Board of County Commissioners dedicate this month of March to all those who continue to advance the noble legacy of American Red Cross founder Clara Barton, who lived by her words, "You must never think of anything except the need and how to meet it." We ask others to join in this commitment to give back in our community

NOW, THEREFORE, the Teton County Board of County Commissioners does hereby recognize and proclaim March 2022 as Red Cross Month and encourage all citizens of Teton County to reach out and support its humanitarian mission.

**ADOPTED ON THE 1st DAY OF March 2022
TETON COUNTY BOARD OF COUNTY COMMISSIONERS**

Natalia D. Macker, Chair

Attest: Maureen E. Murphy, Teton County Clerk

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the resolution recognizing and proclaiming March 2022 as American Red Cross Month. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

14. Consideration of Approval of Contract for CLC Rafter J Paint

Paul Cote, Facilities Maintenance Manager, presented to the Board for consideration of approval Consideration of a contract for prep and paint of the Children's Learning Center located at 1300 Valley Springs Road.

The County owned building located at 1300 Valley Springs Road is in need of surface preparation and painting of exterior siding and related wood surfaces. The Facilities Division issued a Request for Proposals for such services and received 4 proposals:

1. 3 Guys Painting: \$37,900.00
2. Andre & Williams Painting: \$79,000.00
3. Wall Coat: \$87,000.00
4. Brookhurst Construction: \$89,318.00

Facilities has reviewed and evaluated the proposals including the differences in the lowest and highest bidder and recommends that 3 Guys Painting be awarded the contract for CLC RJ prep & paint in the amount of \$37,900.00.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the contract for CLC RJ prep & paint to 3 Guys Painting in the amount of \$37,900.00. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

19. Consideration of a letter to WYDOT Regarding Swinging Bridge

Amy Ramage, Teton County Engineer, presented to the Board for consideration of approval a letter to WYDOT requesting that WYDOT draft an amendment to the Swinging Bridge Agreement to allow Teton County to study options for final disposition of the current bridge.

A cooperative agreement between Teton County and WYDOT was executed in January 2019 for the design and construction of a new bridge located at the current Swinging Bridge, 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 an advantageous 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 Barron and seconded by Commissioner Newcomb to approve the letter to WYDOT requesting that WYDOT draft an amendment of the Cooperative Agreement for Swinging Bridge to allow Teton County to initiate an engineering feasibility study to evaluate options for final disposition of the current bridge. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

20. Consideration of a MOU for a Community Health Worker program

Jodie Pond, Director of Health, presented to the Board for consideration of approval a Memorandum of Understanding between the Wyoming Department of Health, Public Health Division and Teton County for the development and implementation of a community health worker program.

This MOU will set forth the terms and conditions, contained in Attachment A, by which the County shall utilize grant funds for the community health worker program. This project is intended to enhance community response by connecting rural and underserved communities and families to COVID-19 testing, vaccination, and other health and social services, as well as ensuring an inclusive and diverse workforce that represents the community and its needs. A total of three positions have been approved for the program. One Coordinator and two community health workers. The two Community Health Worker positions will require fluency in Spanish to meet the needs of the Latin X community.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the MOU 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 June 30, 2023. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

21. Consideration of 2021 Building & Fire Codes – CONTINUED FROM FEBRUARY 1, 2022

Billy Nunn, Building Official, presented to the Board for consideration of approval adoption of the 2022 Teton County Building Code Resolution, 2022 Teton County Fire Code Resolution and 2022 Teton County Fire Protection Resolution for New Subdivisions.

Pursuant to Wyoming Statute §35-9-121, Teton County presently is allowed by the State Fire Marshal to exercise local enforcement authority for fire, building, existing building standards, and electrical standards. Teton County is required, in order to maintain their local enforcement authority, to adopt minimum standards by resolution that are equivalent to or more stringent than those applicable standards adopted by the State of Wyoming. Teton County presently operates under the 2018 codes that were adopted by Teton County in 2019 and went into effect on June 1, 2019.

Based on public comment, staff has added an additional building permit exemption for hoop houses in section 105.2, adding item 12. This would exempt hoop houses that are not larger than 1,000 square feet in total area and not more than 10 feet in total height on lots 2 acres or larger.

Public comment was given by Carlin Girard, Robb Sgroi, Dick Shuptrine, Nate Fuller, Sandy Shuptrine, Olas Lynn, Scott Steen, and Adam Clark.

Robb Sgroi and Nate Fuller, Teton Conservation District, answered questions from the Board.

Chris Neubecker, Director of Planning and Building Services, answered questions from the Board.

Item A

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the 2022 Teton County Building Code Resolution taking effect on May 1, 2022, which specifically adopts the following codes with local amendments:

- The 2021 International Building Code including Appendices C and I;
- The 2021 International Residential Code including Appendix AF;
- The 2021 International Plumbing Code including Appendix E;
- The 2021 International Mechanical Code including Appendix A;
- The 2021 International Fuel Gas Code;
- The 2021 International Existing Building Code including Appendix A;
- The 2021 International Property Maintenance Code as such code is referenced in the other adopted codes but only to the extent that the referenced provisions apply to fire and life safety; and Teton County shall continue to operate under the 2012 International Energy Conservation Code.

Additionally,

Add Item 12 as a listed exemption in Section 105.2 of the International Residential Code (IRC). Hoop houses, Floor area not to exceed 3500 square feet per structure, and a maximum height of 16 feet. Hoop houses shall not have any potable or sanitary plumbing, electrical or mechanical utilities connected to the structure. A hoop house shall have framing members of schedule 40 (Minimum) PVC or metal piping with a covering of a 6 mil minimum industrial or industry approved material. Exempt structures shall comply with the setback requirements of the Land Development Regulations (LDR's). Structures not considered to be hoop houses shall be required to obtain a building permit.

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

Item B

A motion was made by Commissioner Epstein and seconded by Commissioner Propst to approve the 2022 Teton County Fire Code Resolution taking effect on May 1, 2022, which specifically adopts the 2021 International Fire Code including Appendices B, C, D, E, F and G with local amendments, the 2021 International Wildland-Urban Interface Code with local amendments and reaffirms the adoption to the Teton County Fire Protection Resolution for New Subdivisions. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

Item C

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the revisions to the 2022 Teton County Fire Protection Resolution for New Subdivisions taking effect on May 1, 2022. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The meeting recessed at 10:27 a.m. and reconvened at 10:32

23. Station 1 Construction Change Order

Brady Hansen, Fire Chief, presented to the Board for consideration of approval a Change Order 56 for Station 1.

A preliminary walkthrough performed by electrical inspector revealed missing equipment from the design that is required by code. The Design Team interpreted the code language differently. To avoid further delays a timely decision has been made necessary. This change order would provide additional GFI protection in order to meet the electrical code. This change order also relocates the garage door power.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve change orders #56 for Fire Station #1 construction. Chairwoman Macker 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:

i. CUP2021-0003 – J & J WILSON LTD.

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 made by Hal Hutchinson of HH Land Strategies, on behalf of J&J Wilson, LTD., for approval of a Conditional Use Permit, pursuant to Section 8.4.2 of the Teton County Land Development Regulations for a reception site.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the findings of fact and conclusions of law granting approval of CUP2021-0003. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

ii. CUP2021-0004 - J & J WILSON LTD.

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 made by Hal Hutchinson of HH Land Strategies, on behalf of J&J Wilson, LTD., for approval of a Conditional Use Permit, pursuant to Section 8.4.2 of the Teton County Land Development Regulations to allow for a reception hall.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the findings of fact and conclusions of law granting approval for CUP2021-0004. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

iii. MSC2021-0063 - SCHRIER, DOUGLAS MATTHEW LIVING TRUST

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 made by Brian Remlinger of Alder Environmental, as the representative of the landowner, Douglas Schrier Living Trust, for a Miscellaneous Planning Request to amend a Habitat Enhancement Plan pursuant to Section 5.2.1.E of the Land Development Regulations to amend a Habitat Enhancement Plan.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the findings of fact and conclusions of law granting approval of a Miscellaneous request to Amend a Habitat Enhancement Plan, MSC2021-0063. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

1. Permit: ZMA2021-0003
Applicant: WYOMING DEPARTMENT OF TRANSPORTATION
Presenter: Rian Rooney
Request: The applicant has proposed an amendment to the Teton County Official Zoning Map to rezone approximately 14.4 acres currently zoned Neighborhood Conservation (NC-TC) to Public/Semi-Public (P/SP-TC). The proposed rezone is for the parcel located at 1040 E Evans Road (PIDN: 22-39-16-03-1-00-011). The property is partially located within the Teton County Scenic Resources Overlay (SRO).
Location: 1040 E Evans Road

Rian Rooney, Associate Long-Range Planner, presented to the Board for consideration of approval a request to amend the Official Zoning Map, pursuant to Teton County Land Development Regulations Section 8.7.2, Zoning Map Amendment, to rezone a 14.4-acre property owned by the Wyoming Department of Transportation in Hog Island from Neighborhood Conservation to Public/Semi-Public.

The applicant, Nelson Engineering on behalf of the Wyoming Department of Transportation (WYDOT), is requesting a rezone of a 14.4-acre site, located in Hog Island at 1040 E Evans Road, just west of Teton County Weed & Pest and South Highway 89 and north of Munger Mountain Elementary School. This request is to rezone the subject site from Neighborhood Conservation (NC-TC) to Public/Semi-Public (P/SP). WYDOT has expressed intent to construct 28 residential units on the western side of the property and is seeking this rezone to accommodate that future development following the Teton County Land Development Regulations (LDRs). This rezone would remove scale of development and scale of use maximums on the site. However, this rezoning application review is not a review of the 28-unit residential development, which has not formally been proposed at this time. In the application, the applicant has stated that all future development associated with this intended project will comply with Teton County codes and regulations.

Keith Compton, of WYDOT, commented on the application.

Public comment was given by Hamish Tear, Rosi Dehaan,

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve ZMA2021-0003, application received September 14, 2021, to rezone the subject site from Neighborhood Conservation to Public/Semi-Public, in consideration of the factors in LDR Section 8.7.2. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

2. Permit: MSC2020-0024
Applicant: WYOMING DEPARTMENT OF TRANSPORTATION
Presenter: Rian Rooney
Request: Pursuant to the Teton County Fee Waiver Policy, a fee waiver request being made by the Wyoming Department of Transportation, a government agency, to waive fees associated with the development of an employee housing project at 1040 Evans Road.
Location: Located in the Hog Island Home Business Subarea off of South Highway 89. Approximately 1,000 feet north of Swinging Bridge Road on the west side of the Highway. The property is partially located within the Scenic Resources Overlay (SRO).

Rian Rooney, Associate Long-Range Planner, presented to the Board for consideration of approval a request to waive all Planning & Building fees for applications and permits related to the development of a Wyoming Department of Transportation housing project at 1040 Evans Road, pursuant to section 2.b of the Teton County Fee Waiver Policy (Resolution 2014-054).

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve Wyoming Department of Transportation's Fee Waiver Request MSC2020-0024, received September 4, 2020, for fees associated with planning and building applications and permits related to the development of employee housing at 1040 Evans Road, being able to make finding 2.b 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.

The meeting recessed at 11:14 a.m. and reconvened at 11:17 a.m.

3. Permit: MSC2021-0052
Applicant: EASTMAN, JOHN W. & ANNETTE P.
Presenter: Hamilton Smith
Request: The Nowlin Mountain Meadow Subdivision homeowners request to remove a restriction against keeping dogs from the Declaration of Covenants, Conditions and Restrictions for

the subdivision, pursuant to Section 8.2.13 of the Land Development Regulations, Amendment of Permits or Approvals.
Location: Nowlin Mountain Meadow Subdivision, accessed from Twin Creek Ranch Road off of Elk Refuge Road. The land is zoned Rural-3 (R-3) and is within the Natural Resources Overlay (NRO).

Hamilton Smith, Principal Planner, presented to the Board for consideration of approval a Miscellaneous Planning Request to amend the Declaration of Covenants, Conditions and Restrictions of the Nowlin Mountain Meadow Subdivision pursuant to Section 8.2.13, Amendment of Permits or Approvals, of the Land Development Regulations.

The Nowlin Mountain Meadow Subdivision development plan and plat were approved in 1983 (DEV1983-0300, SD1983-0270). The recorded Declaration of Covenants, Conditions and Restrictions (CCRs) were recorded on July 5, 1983 (Book 141, pp. 358-370). The applicant, as representative of the homeowners of the subdivision, has brought forth an amendment to the CCRs to remove an existing restriction prohibiting dogs on any lot within the subdivision. See attachment for the original Section of the CCRs being considered for amendment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve MSC2021-0052, to amend the Declaration of Covenants, Conditions and Restrictions of the Nowlin Mountain Meadow Subdivision as recommended in this Staff Report, pursuant to Section 8.2.13, Amendment of Permits or Approvals, of the Land Development Regulations. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION

A. SPET Discussion

The Board discussed the current list of SPET Initiatives brought forward by staff in preparation for SPET discussion at an upcoming joint meeting with the Town Council on March 8, 2022.

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

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 11:52 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