

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

The Teton County Board of Commissioners met in regular meeting on **May 17, 2022** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:03 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

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

ADOPTION OF AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to adopt today's agenda with the addition of item #20, a letter to Senator Barrasso and Representative Cheney regarding BLM lands on the Snake River. Vice-Chair Propst 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 Newcomb to approve the 4-25-2022, 5-2-2022, 5-3-2022, and 5-4-2022 minutes. Vice-Chair Propst called for the vote. The vote showed all in favor and the motion carried.

CONSENT AGENDA

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to place the following Matters from Staff on a Consent Agenda:

1. Consideration of Malt Beverage Permit Transfer of Ownership - Leeks Marina Restaurant
2. Consideration of Restaurant Liquor License Transfer of Ownership - Leeks Marina Restaurant
3. Consideration of Malt Beverage Permit Transfer of Ownership - Signal Mountain Lodge
4. Consideration of Resort Liquor License Transfer of Ownership - Deadman's Bar Signal Mountain Lodge
5. Consideration of New Malt Beverage Permit - Jenny Lake Store
6. Consideration of Prudential Group Contract 2022
7. Consideration of an Employee Housing Lease for Hoback Cabin #9
8. Consideration of an Employee Housing Lease 40 East Pearl Unit 203
9. Consideration of Contract for Commissioning at EOC
10. Consideration of Contract for HVAC Phase 5 CLC Rafter J
12. Consideration of Approval of Contract for Recreation Center Custodial Services
13. Consideration of Public Noticing for FY2023 Fees for the Recycling and HHW Facilities
15. Consideration of Consideration to Purchase Exhaust Filters
16. Consideration of Approval of a Wildland Fire Support Grant
18. Consideration of SLIB Funding for Fire Station 1

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

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

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Malt Beverage Permit Transfer of Ownership - Leeks Marina Restaurant

To approve the transfer of a County Malt Beverage Permit from Leeks Marina Beverage, LLC to ARAMARK Sports and Entertainment Services, LLC for the time period of May 18, 2022 through January 6, 2023.

2. Consideration of Restaurant Liquor License Transfer of Ownership - Leeks Marina Restaurant

To approve the transfer of a Restaurant Liquor License from Leeks Marina Beverage, LLC to ARAMARK Sports and Entertainment Services, LLC for the time period of May 18, 2022 through January 6, 2023

3. Consideration of Malt Beverage Permit Transfer of Ownership - Signal Mountain Lodge

To approve the transfer of a County Malt Beverage Permit from Signal Mountain Beverage, LLC to ARAMARK Sports and Entertainment Services, LLC for the time period of May 18, 2022 through January 6, 2023.

4. Consideration of Resort Liquor License Transfer of Ownership - Deadman's Bar Signal Mountain Lodge

To approve the transfer of a Resort Liquor License from Signal Mountain Lodge, LLC to ARAMARK Sports and Entertainment Services, LLC for the time period of May 18, 2022 through January 6, 2023.

5. Consideration of New Malt Beverage Permit - Jenny Lake Store

To approve the issuance of a County Malt Beverage Permit to Jenny Lake Store, LLC for the time period of May 18, 2022 through January 6, 2023.

6. Consideration of Prudential Group Contract 2022

To approve and execute the 2022 Contract with Prudential Group.

7. Consideration of an Employee Housing Lease for Hoback Cabin #9

To approve the Lease Agreement for Hoback Cabin #9, located at 11055 S highway 89, with County employees Kasey Neil and Connor Quigley.

8. Consideration of an Employee Housing Lease 40 East Pearl Unit 203

To approve the Lease Agreement for 40 East Pearl Unit #203 with Keeley Buhler

9. Consideration of Contract for Commissioning at EOC

To approve the contract for EOC/Coroner's HVAC and Building Automation Systems with Cator Ruma and Associates in the amount of \$18,000.00.

10. Consideration of Contract for HVAC Phase 5 CLC Rafter J

To approve the Phase 5 contract amendment with ATS Inland NW for Children's Learning Center Rafter J Phase 5 HVAC Controls Upgrades, in the amount \$19,127.00.

12. Consideration of Approval of Contract for Recreation Center Custodial Services

To approve award of bid and approval of agreement with Premier Green Cleaning for Recreation Center Custodial Services for a term of 18 months in the amount of \$9,060.00 per month.

13. Consideration of Public Noticing for FY2023 Fees for the Recycling and HHW Facilities

To approve proceeding with the 45-day public comment period for the FY23 Fees for the Recycling Center and for the Household Hazardous Waste program.

15. Consideration of Consideration to Purchase Exhaust Filters

To approve the purchase agreement with Ward Filter Systems in the amount of \$10,152.63 for purchase and installation of an exhaust filter on Tender 37.

16. Consideration of Approval of a Wildland Fire Support Grant

To approve the grant application to accept the Coalitions & Collaboratives grant funding for \$31,500

18. Consideration of SLIB Funding for Fire Station 1

To approve the State Land and Investment Board Grant Agreement and Certification Statement for Fire Station 1 grant funding in the amount of \$161,621.

DIRECT CORRESPONDENCE

1. Gillian Chapman 4/26/2022 email regarding School Invitational Lunch Photos
2. Mickey Babcock 4/27/2022 email regarding FITM
3. Jared Baecker 4/27/2022 email regarding Wilson Boat Ramp Recommendations
4. Mark Kelleher 4/27/2022 email regarding FITM
5. Ann Goodell 4/28/2022 email regarding Alta Courts
6. Jeremy Walker 4/28/2022 email regarding FITM CUP - Permit Request
7. Sharon Parrott 4/28/2022 email regarding Rafter J Lot 333
8. Melissa Reichert 4/29/2022 email regarding Blair Apartments
9. Chris Jaubert 4/29/2022 email regarding Northern South Park
10. Tim Riser 4/29/2022 email regarding Heli Tours
11. Justin Adams 4/29/2022 email regarding Emergency Plan
12. Rebecca Cannell 4/29/2022 email regarding Alta Recreation
13. Kai Turner 4/29/2022 email regarding Property Taxes
14. Cate Stillman 4/29/2022 email regarding Budgets and Alta Courts
15. Carol Schneebeck 5/1/2022 email regarding Rafter J Lot 333
16. Chuck Schneebeck 5/1/2022 email regarding Rafter J Lot 333
17. Jen Kocher 5/2/2022 email regarding FOIA Request
18. Kathryn Nyrop 5/2/2022 email regarding Budget Approval for Rock Storage
19. Anne Ladd 5/2/2022 email regarding Rock Storage Village Parcel
20. Kathryn Cowles 5/2/2022 email regarding Rock Storage Village Parcel
21. Mark Landis 5/2/2022 email regarding Rock Storage Village Parcel
22. Nancy Leon 5/2/2022 email regarding Rock Storage Village Parcel
23. Dan Baker 5/2/2022 email regarding Rock Storage Village Parcel
24. Brock Leach 5/2/2022 email regarding Rock Storage Village Parcel
25. Lisa Husband 5/2/2022 email regarding Bronc Achievement Center/Housing
26. Russel Scott 5/2/2022 email regarding Open Burning
27. Joan Goldfarb 5/2/2022 email regarding Rock Storage Village Parcel
28. Laura Bonich 5/2/2022 email regarding Rafter J Lot 333
29. Jeff Stines 5/2/2022 email regarding Rafter J Lot 333
30. Janice Smith 5/2/2022 email regarding Rafter J Lot 333
31. Robert Frodeman 5/3/2022 email regarding Water Quality
32. Marian Meyers 5/3/2022 email regarding Parks and Rec funding
33. B. Wayne Hughes JR 5/3/2022 email regarding Tribal Trails
34. Kenia Stack 5/3/2022 email regarding SPET Recommendation - CWC
35. Rick Wieloh 5/3/2022 email regarding Tribal Trail Connector
36. Bruce Bowen 5/3/2022 email regarding Property Taxes
37. Tim Young 5/3/2022 email regarding Pathways Budget Proposal
38. Brian Schilling 5/3/2022 email regarding Pathways Budget
39. Bubba Albrecht 5/3/2022 email regarding CWC SPET
40. Robert Frodeman 5/3/2022 email regarding Hoback Water
41. Steve Price 5/4/2022 email regarding Travel and Tourism / Air Incentive

42. J Carlo Cannell 5/5/2022 email regarding Alta Communications
43. Mickey Babcock 5/5/2022 email regarding FITM / LDRs
44. Jared Baecker 5/5/2022 email regarding Water Quality and SPET
45. K Ratcliffe 5/5/2022 email regarding Clean Water and SPET
46. Kathryn Steele 5/5/2022 email regarding Clean Water for SPET
47. Caroline Taylor 5/6/2022 email regarding Water Quality/Spet
48. Melissa Turley 5/6/2022 email regarding START Bus Agreement
49. Bobby Shriver 5/6/2022 email regarding Water Quality
50. Malissa Shriver 5/6/2022 email regarding Water Quality
51. Esther Kane 5/6/2022 email regarding Water Quality
52. Loyd Hutchins 5/6/2022 email regarding Water Quality
53. Anu Ponnamma 5/6/2022 email regarding Water Quality / SPET
54. Cynthia Wuerslin 5/6/2022 email regarding Water Quality / SPET
55. Edward Kolsky 5/6/2022 email regarding Water Quality / SPET
56. Robert Keelin 5/6/2022 email regarding Water Quality / SPET
57. Sarah Sturges 5/6/2022 email regarding Water Quality / SPET
58. Bob Paulson 5/7/2022 email regarding Water Quality / SPET
59. Michael Burns 5/7/2022 email regarding Water Quality / SPET
60. Tom Segerstrom 5/7/2022 email regarding Water Quality / SPET
61. Reynolds Pomeroy 5/7/2022 email regarding Water Quality / SPET
62. Bill Collins 5/8/2022 email regarding LVE Sketch Plan
63. Kay Modi 5/8/2022 email regarding Water Quality / SPET
64. Donald D Cooke 5/9/2022 email regarding Rafter J Lot 333
65. Lisa Franzen 5/9/2022 email regarding Water Quality / SPET
66. Laura Bonich 5/9/2022 email regarding Housing Supply Board SPET Letter
67. Chi Melville 5/9/2022 email regarding Pathways Organization
68. Char Anderson 5/9/2022 email regarding Rodeo/Fairgrounds
69. Jared Baecker 5/9/2022 email regarding South Park Landing
70. Steve Foster 5/9/2022 email regarding Community Services Grant Request
71. Alexander Muromcew 5/9/2022 email regarding Rodeo/Fairgrounds
72. Louis Wang 5/9/2022 email regarding Rodeogrounds
73. Rick Stuck 5/9/2022 email regarding Rodeogrounds
74. Maury Jones 5/9/2022 email regarding Rodeogrounds
75. Stacy Thorkildsen 5/9/2022 email regarding Rodeogrounds Location
76. Reynolds Pomeroy 5/9/2022 email regarding South Park Landing
77. Jarrod Gosnell 5/9/2022 email regarding Rodeogrounds Location
78. John Thorkildsen 5/9/2022 email regarding Rodeogrounds Location
79. Ruth Ann Petroff 5/9/2022 email regarding CWC Jackson Campus SPET
80. Dianne Budge 5/9/2022 email regarding Rodeogrounds Location
81. Brett Hills 5/9/2022 email regarding Rodeogrounds Location
82. Anne Ladd 5/9/2022 email regarding Water Quality / SPET
83. Heather Hansen 5/9/2022 email regarding Rodeogrounds Location
84. Brooke Bullinger 5/9/2022 email regarding Rodeogrounds Location
85. KC Bess 5/9/2022 email regarding South Park Landing
86. Bradford Andrews 5/9/2022 email regarding Rodeogrounds Location
87. Lori Roux 5/9/2022 email regarding Rodeogrounds Location
88. Barbara Andrews 5/9/2022 email regarding Rodeogrounds Location
89. Nicholas Houfek 5/9/2022 email regarding Water Quality / Spet
90. Celeste Haghani 5/9/2022 email regarding Water Quality / Spet
91. Karen Garvin 5/9/2022 email regarding Rodeogrounds Location
92. Dave Garvin 5/9/2022 email regarding Rodeogrounds Location
93. Lori Fields 5/9/2022 email regarding Water Quality / Spet
94. Jack Greer 5/1/2022 email regarding 307 Horse Racing
95. James Turley 5/9/2022 email regarding Rafter J Lot 333
96. Responsible Growth Coalition 5/9/2022 email regarding 4-27 Open House Comments
97. Bbobie Dailey 5/9/2022 email regarding Rafter J Lot 333
98. Ariel Kazunas 5/9/2022 email regarding Housing-Related Projects SPET
99. Marylee White 5/9/2022 email regarding Fish Creek Bridge
100. Jared Baecker 5/9/2022 email regarding South Park Landing West
101. Sarah Kraemer 5/10/2022 email regarding SPET Clean Water
102. Tom Fautleroy 5/10/2022 email regarding Water Quality / SPET
103. Scott Vaughn 5/10/2022 email regarding Rodeoground Location
104. Aaron Pruzan 5/10/2022 email regarding South Park Landing West SPET
105. Elizabeth Sword 5/10/2022 email regarding Water Quality / SPET
106. Jared Baecker 5/10/2022 email regarding South Park Landing West SPET
107. Mark Newcomb 5/10/2022 email regarding Revisions to SLIB Letter
108. Kimberly Kernan 5/10/2022 email regarding Water Quality / SPET
109. Alicia Cox 5/10/2022 email regarding EV Charging Infrastructure
110. Laurent Roux 5/10/2022 email regarding Rodeoground Location
111. Janita Tuthill 5/10/2022 email regarding Rafter J Lot 333

PUBLIC COMMENT

There was no public comment.

MATTERS FROM COMMISSION AND STAFF

11. Consideration of Gravel Extraction Agreement with R-Park

Steve Ashworth, Director of Parks and Recreation, presented to the Board for Consideration of approval a signature for Indemnification and Hold Harmless Agreement with Rendezvous Land Conservancy (RLC).

The Wilson Boat Ramp and associated river access is located on BLM Parcel 13 and lands owned by the RLC. Annual ramp and river access maintenance requires permitting through Teton County, Army Corps of Engineers and requires

permissions from RLC to do this work on their property. Permitting has been verified for the coming summer and RLC has agreed to allow access to do the annual maintenance. The maintenance may include, depending on run off impacts, ramp leveling/compacting, gravel extraction and rip rap infill to ensure safe access for public and commercial users. These maintenance activities, if needed, will happen sometime in late June to mid-July time frame after water levels recede from run off. RLC requires an indemnification/hold harmless agreement to complete the work.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the signing of the Indemnification and Hold Harmless Agreement with Rendezvous Lands Conservancy to be effective June 1, 2022 through September 30, 2022. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

14. Consideration of Resolution Proclaiming May as Mental Health Awareness Month

Commissioner Newcomb read the resolution:

BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY
RESOLUTION # _____

Recognizing May 2022 as Mental Health Awareness Month

WHEREAS, mental illness is a leading cause of disability in the United States, impacting nearly one in five adults and one in thirteen children; and

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention and stigma reduction are effective ways to reduce the burden of mental health conditions; and

WHEREAS, mental health conditions are real and prevalent in Wyoming and Teton County; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization, and citizen share the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

NOW, THEREFORE, the Teton County Board of County Commissioners call upon the citizens, government agencies, public and private institutions, businesses, and schools in Teton County to commit our community to increasing awareness and understanding of mental health, reducing the stigma of mental illness, and the need for appropriate and accessible services for all people with mental health conditions. Having duly met at a regular meeting and considered the matter, the Teton County Board of County Commissioners, do hereby recognize May 2022 as Mental Health Awareness Month

Adopted on the 17th day of May, 2022.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Luther Propst, Vice-Chair

Attest: Maureen E. Murphy, Teton County Clerk

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the resolution recognizing May 2022 as Mental Health Awareness Month. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

17. Consideration to Approve Wildfire Annual Operating Plan

Brady Hansen, Fire Chief, presented to the Board for consideration of approval a report to present the 2022 Wildland Fire Management Annual Operating Plan and request signature by the Chair.

Wildfire management in the State of Wyoming has been conducted in accordance with the Wyoming Interagency Cooperative Fire Management Agreement for over 30 years. Teton County has been party to this agreement for approximately 31 years. The plan establishes the process by which resources are requested for local, regional and national wildfires. Furthermore, the plan sets the rates at which firefighters are compensated and Teton County is reimbursed for the use of firefighting apparatus. This plan also sets forth guidelines for cost negotiations for fires depending on land ownership.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the 2022 Wildland Fire Management Annual Operating Plan. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to enter the Scenic Preserve Trust. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The Board convened as the Scenic Preserve Trust at 9:15 a.m.

19. Consideration of Lovett Conservation Easement

Hamilton Smith, Principal Planner, presented for consideration of approval the notice of fulfillment of the 4 conditions associated with the approval of two conservation easements, located at 1725 S. Ely Springs Road and a 40-acre property in Alta generally located 0.3 miles southeast of the intersection of State Line Road and Spring Creek Road. (EAS2019-0001).

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner for the Board of the Teton County Scenic Preserve Trust to recognize that the conditions of approval of EAS2019-0001 have been met, and that the Board hereby directs the Chair to sign the conservation easements and transfer agreements with an affirmation by the County Clerk and then to be recorded in the Office of the Teton County Clerk. Vice-Chairman Propst 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 exit the Scenic Preserve Trust. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The Board adjourned Scenic Preserve Trust and reconvened as the Board of Teton County Commissioners at 9:18 a.m.

20. Consideration of a Regarding the transfer of 12 BLM Parcels

Alyssa Watkins, Board of County Commissioners Administrator, presented the letter.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the letter as presented. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING AND DEVELOPMENT

Findings of Fact, Conclusions of Law, and Order:

a. CUP2021-0007 - BUFFALO VALLEY LAND & CATTLE LLC

Keith Gingery, Chief Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact and Conclusions of Law for CUP2021-0007. Board heard this item on April 19, 2022 and May 3, 2022, upon the application of Fire in the Mountains, LLC on behalf of landowner Buffalo Valley Land & Cattle LLC, for approval of a Conditional Use Permit, pursuant to Section 8.4.2, of the Teton County Land Development Regulations to allow to an outdoor event and concert.

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 CUP2021-0007. Vice Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

CONTINUATION OF PLANNING ITEMS

- 4. Permit:** MSC2022-0018 - **CONTINUE TO THE JUNE 7, 2022 BCC MEETING**
Applicant: Trevor Johnson
Presenter: Hamilton Smith
Request: An application to amend a condition of approval on a Final Development Plan for the Targhee Village subdivision (DEV99-0027), to amend the condition such that a fee-in-lieu be provided to meet affordable housing standards rather than subject the property to a deed restriction as an Affordable lot, pursuant to Section 8.2.13 of the Land Development Regulations, Amendment of Permits or Approvals.
Location: Lot 21 of Targhee Village, Plat No. 971. The subject Lot is undeveloped, located within the Targhee Village Subdivision in the Rural-3 Zone (R-3). The Lot is not within any Teton County Zoning Overlays.
- 5. Permit:** SD2022-0003 – **CONTINUE TO THE JUNE 7, 2022 BCC MEETING**
Applicant: Trevor Johnson
Presenter: Hamilton Smith
Request: Partial Vacation Without Replat, of Lot 21 of Targhee Village, Plat No. 971, pursuant to Section 8.2.13.C.5 of the Teton County Land Development Regulations, Amendment of Permits or Approvals, to remove plat notes referencing the status of Lot 21 as "Affordable" or "Deed Restricted".
Location: Lot 21 of Targhee Village, Plat No. 971. The subject Lot is undeveloped, located within the Targhee Village Subdivision in the Rural-3 Zone (R-3). The Lot is not within any Teton County Zoning Overlays.
- 7. Permit:** SD2022-0002 – **CONTINUE TO THE JUNE 7, 2022 BCC MEETING**
Applicant: AJL DUERSCH, LLC & PWD DUERSCH, LLC C/O LYNCH, ALLEN J
Presenter: Chandler Windom
Request: Request pursuant to Land Development Regulation Section 8.5.3 for a 2-lot Subdivision Plat, the "Teton Vista Ranches."
Location: The subject property PIDN 22-44-18-19-1-00-003 is located east of N State Line Road in Alta. The land is zoned Rural and is not within any overlays.
- 8. Permit:** SD2021-0005 – **CONTINUE TO THE JUNE 7, 2022 BCC MEETING**
Applicant: SRS CLUB, LLC
Presenter: Hamilton Smith
Request: Partial Vacation Without Replat, of Lots 95, 98, 99, and 102 into Lot 116 Snake River Sporting Club 3rd Filing, Plat No. 1195, pursuant to Section 8.2.13.C.5 of the Teton County Land Development Regulations, Amendment of Permits or Approvals, to vacate interior lot lines.
Location: Lots 95, 98, 99, and 102 into Lot 116 Snake River Sporting Club 3rd Filing, Plat No. 1195. All subject Lots are undeveloped, located within the Snake River Sporting Club Planned Residential Development, adjacent to the Snake River Sporting Club Golf Course in the Rural 1 Zone (R-1), and are within the Scenic Resources Overlay and the Natural Resources Overlay.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to continue MSC2022-0018, SD2022-0003, SD2022-0002, and SD2021-0005 to the June 7, 2022 BCC Meeting. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried.

The Board elected to consider agenda item 6 before other matters from Planning and Development:

- 6. Permit:** DEV2022-0001

Applicant: TETON PINES LIMITED LIABILITY COMPANY
Presenter: Chandler Windom
Request: A Development Permit pursuant to Section 8.3.2 of the Teton County Land Development Regulations (LDRs) to Amend DEV2020-0005 for the Teton Pines activity barn.
Location: 3450 Clubhouse Drive is located within the Teton Pines Commercial Area on Lot 2 Jackson Hole Racquet Club Resort Commercial Area 3rd Amendment. This property is immediately east of the Teton Pines Golf Course and west of State Hwy 390. The lot is zoned Planned Unit Development-Neighborhood Conservation (PUD-NC) and is partially within the Natural Resource Overlay.

Chandler Windom, Senior Planner, presented to the Board a Development Permit pursuant to Section 8.3.2 of the Teton County Land Development Regulations (LDRs) to amend DEV2020-0005 for the Teton Pines (Jackson Hole Racquet Club Resort, JHRCR) Activity barn on Lot 2 of the JHRCR Commercial Area.

The Teton Pines Commercial area, formerly known as the Jackson Hole Racquet Club Resort, is part of an approved Planned Unit Development (PUD). Per the PUD Master Plan, which is also echoed via note on the subdivision Plat No. 741, this specific lot was designed for 30% Local Convenience and 70% Visitor Commercial uses. DEV2020-0005 was approved in May of 2021 for renovation of the pool and tennis court area, including the two-story "Activity Barn." Some of that renovation work is currently underway as approved with DEV2020-0005. This Development Plan Amendment is required due to some changes in the design for the new Activity Barn which includes a café, bar, laundry, locker rooms and storage. Specifically, the amount of non-residential floor area in the Activity Barn is increased to 9,782 sf by this amendment proposal.

George Putnam, Teton Pines, commented on the application.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve DEV2022-0001, dated March 3, 2022, for the amendments to the Teton Pines activity barn, with one condition of approval, based on the findings recommended below.

1. An affordable housing fee-in-lieu shall be paid to Teton County by the applicant prior to issuance of a building permit in accordance with the housing mitigation plan provided in the application.

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

- 1. Permit:** GEC2021-0197R – **CONTINUED FROM APRIL 19, 2022**
Applicant: GRAND TETON POLO RANCH, LLC (Agent: Hans Schuldt)
Presenter: Amy Ramage
Request: Construct a wildlife habitat pond, berms, and associated grading with total disturbance of 554,700 square feet.
Location: 3000 Spring Gulch Road N.

Amy Ramage, Teton County Engineer, presented to the Board for consideration of approval a request for a revision to a Grading and Erosion Control (GEC) permit.

This application is for site grading for a new pond and berms. The proposed pond is referred to as the "dragon" pond due to its proposed shape. Based upon ZCV2021-0007, an ancillary permitting activity associated with this GEC application, the purpose of the proposed water feature is to "enhance fish and wildlife habitat, recreational opportunities and aesthetics on the property". This request for a revision proposes grading of an additional 68 acres of land to accomplish the "dragon" pond and berms. This is a revision to an already issued permit related to grading for the residential structures, along with the driveway and entry area pond. The total project area encompasses approximately 277 acres, with 20.6 acres of permanent disturbance and 129.9 acres of temporary disturbance to facilitate the implementation of the project.

Hans Schuldt, 307 Architects for the Applicant, commented on the application and presented a slideshow.

Randy Shrauder, Civil Engineer, Summit Consulting Group, and Kent Werlin, Ecologist, Biota Research and Consulting, commented on behalf of the Applicant.

The meeting recessed at 10:35 a.m. and reconvened at 10:40 a.m.

Public comment was given by Jim Darwiche.

Stefan Fodor, Project Attorney, answered questions from the Board.

The meeting recessed at 11:31 a.m. and reconvened at 11:43 a.m.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve GEC2021-0197R, pursuant to Section 8.3.4 of the Land Development Regulations with the following conditions:

1. GEC2021-0197R Permit shall expire June 30, 2024.
2. The physical development permit subject to all standards of BUP2021-0056 and ZCV2021-0007.
3. Wetlands and their setbacks shall not be disturbed by any unapproved activities.
4. Approval of this permit does not approve any of the structures in the Agricultural Building envelope, including but not limited to the Future Ranch House or Future Barns.
5. All future buildings shall be at least 50 feet from the edge of the proposed habitat pond.
6. Approval of this permit does not approve any vehicular bridges until such time that a Bridge Permit is approved.

7. Applicant shall submit to County Engineer a report every 2 years over the next 10 years detailing nutrient and chemical levels, temperatures and dissolved oxygen levels in the pond subject to this permit. In the event such levels are outside of the acceptable range for each parameter, such professional shall suggest remedial recommendations and the landowner shall implement such recommendations.

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

The meeting recessed at 11:53 a.m. and reconvened at 1:34 p.m.

- 2. Permit:** CUP2021-0005 - **CONTINUED FROM MAY 3, 2022**
Applicant: STAGE STOP INC.
Presenter: Chandler Windom
Request: Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations to allow for Workforce Apartments at the Legacy Lodge.
Location: 3000 W Big Trail Drive, or Lot 333, is situated in the northeast corner of the Rafter J Ranch Subdivision. The property is zoned Planned Unit Development Rural-3 and is not within any Overlays.

Chandler Windom, Senior 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 (LDRs) to allow for Workforce Apartments at the Legacy Lodge. The proposal is to retrofit the vacant assisted living center at 3000 W Big Trail Drive, i.e., the Legacy Lodge, into an Apartment building for members of the Teton County Workforce. A proposal to amend the Rafter J PUD to allow for this workforce apartment use on Lot 333 (PUD2021-0002) was approved on May 3rd, 2022.

Public comment had not been completed at the May 3rd, 2022 hearing and was continued at the beginning of the consideration of this CUP today. Public comment was given by Kevin Gregory, Hans Flink, Sue Perkins, Lloyd Dorsey, Chuck Rhea, Jan Lovett, and Karen Jerger.

Stefan Fodor and Hal Hutchinson, for the Applicant, gave final comments on the application.

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve CUP2021-0005, for the proposed Apartments, with the following recommended conditions, based on the recommended findings.

1. Prior to the issuance of this permit, the owner shall restrict the occupancy of all apartment units to members of the Teton County Workforce, in a deed restriction form that is acceptable to the Jackson/Teton County Affordable Housing Department.
2. Annual monitoring reports shall be submitted by the owner to the Teton County Planning Director prior to January 31st of each year, which at minimum shall demonstrate compliance with the conditions of approval including the occupancy restriction and analysis of the Transportation Demand Management plan. These reports may be elevated to the Board of County Commissioners if deemed the monitoring report warrants a public review.
3. Within six (6) months of permit issuance, the owner of Lot 333 shall apply to the Rafter J HOA for approval of the pathway crossing improvements in a manner that is acceptable to the Teton County Pathways Coordinator. The owner of Lot 333 shall complete the pathway crossing improvements within one (1) year of Rafter J HOA approval.
4. Prior to the issuance of this permit, the applicant shall request and pass the required Jackson Hole Fire Department inspections.
5. Prior to occupancy of any individual apartment unit, the owner shall install the additional required vehicle parking equal to a minimum of one parking space per unit occupied, for a total of 58 vehicle parking spaces for 57 units. Within six (6) months of permit issuance, the owner shall apply to the Rafter J Development Review Committee for approval to install a minimum of one (1) bicycle parking/storage space per Apartment Unit. The applicant shall install the required bicycle parking within one (1) year of the Rafter J Development Review Committee approval.
6. Prior to occupancy of each building wing (4 wings in total), each unit shall, at minimum, include complete kitchen facilities as defined in LDR Division 9.5., and be inspected by Teton County staff.
7. No more than two (2) unrelated individuals shall occupy each Apartment Unit.

Commissioner Epstein suggested a friendly amendment to specify the deed restriction referenced in condition 1 to include that a minimum of 30% of the units give first right of refusal to critical service providers.

Commissioner Newcomb, the motion maker, and Commissioner Barron, the second, accepted the friendly amendment.

Commissioner Epstein suggested a second friendly amendment to the motion to strike condition 7.

Commissioner Newcomb did not accept the friendly amendment.

Commissioner Epstein suggested a third friendly amendment to the motion to have a shuttle service available to Rafter J Lot 333 residents.

Commissioner Newcomb entertained the friendly amendment but asked for further specification. Commissioner Barron, the second to the motion, did not accept the friendly amendment to add a condition requiring transportation.

The Board did not add a condition which would require transportation to the motion.

Commissioner Epstein suggested a fourth friendly amendment to the motion to require a form of covered bike storage. Commissioner Newcomb, the motion maker, and Commissioner Barron, the second, accepted the friendly amendment.

The amendments to the motion are represented below with additions in bold:

1. Prior to the issuance of this permit, the owner shall restrict the occupancy of all apartment units to members of the Teton County Workforce, in a deed restriction form that is acceptable to the Jackson/Teton County Affordable Housing Department. **A minimum of 30% of units shall have a right of first refusal for health and critical human service providers. Rental term shall be a minimum of 6 months.**
5. Prior to occupancy of any individual apartment unit, the owner shall install the additional required vehicle parking equal to a minimum of one parking space per unit occupied, for a total of 58 vehicle parking spaces for 57 units. Within six (6) months of permit issuance, the owner shall apply to the Rafter J Development Review Committee for approval to install a minimum of one (1) **covered** bicycle parking/storage space per Apartment Unit. The applicant shall install the required bicycle parking within one (1) year of the Rafter J Development Review Committee approval.

Vice-Chairman Propst called for a vote. The vote showed two in favor and tied 2-2 with Commissioners Newcomb and Propst opposed.

The meeting adjourned at 3:15 p.m. and reconvened at 3:25 p.m.

3. Permit: SKC2022-0001
Applicant: LOWER VALLEY ENERGY, INC.
Presenter: Chandler Windom
Request: A Sketch Plan pursuant to Section 8.3.1 of the Teton County Land Development Regulations for the Lower Valley Energy 17-lot workforce housing subdivision.
Location: Subject parcel, PIDN 22-40-16-21-2-00-005, has no street address but is located directly south of 4000 S Hwy 89, on the east side of the Highway. The parcel is zoned Suburban and is in the Natural Resources Overlay.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval a Sketch Plan pursuant to Section 8.3.1 of the Teton County Land Development Regulations (LDRs) for the Lower Valley Energy 17-lot workforce housing subdivision.

Lower Valley Energy (LVE) is proposing to divide the subject property into seventeen lots, each to house a future single-family residential unit with a workforce housing deed restriction. Workforce deed restrictions will limit occupancy of the future residential units to members of the Teton County workforce. The intent is for Lower Valley Energy to house primarily LVE employees, but potentially other essential service providers in the Teton County workforce. The subject property was recently rezoned from Rural-3 to Suburban via ZMA2020-0001. Lower Valley Energy is also considering the addition of six Accessory Residential Units on 4000 S Hwy 89. While these ARUs are not a component of this Sketch Plan for the future subdivision, they are included on application illustrations.

Jim Webb, Lower Valley Energy CEO, and Bill Collins, Collins Planning Associates, commented on the application.

Public comment was given by Lorna Miller, Wendy Myring, Mark Hassler, and Sue Reichel.

The Applicant responded to the public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner to approve of SKC2022-0001, dated January 20, 2022 for the proposed 17-Lot Subdivision as illustrated in Option 1, with the following conditions, based on the recommended findings.

1. The maximum lot size of developable lots is 12,000 sf.

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

ADJOURN

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adjourn. Vice-Chair Propst called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 4:59 p.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk

