The Teton County Board of Commissioners met in regular session on June 2, 2020 in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:03am and the Pledge of Allegiance was recited.

ROLL CALL
County Commission: Natalia Macker Chair, Greg Epstein Vice-Chair, Mark Newcomb, and Luther Propst were present. Mark Barron joined the meeting at 10:26am.

ADOPTION OF AGENDA
A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to adopt today’s agenda with the following change:

TO ADD: Action Item #0 – Consideration of Approval of a Resolution Recognizing the Senior Class of 2020
Chair Macker called for the vote. The vote showed 4-0 in favor and the motion carried.

MINUTES
A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the 05/15/2020, 05/18/2020, 05/19/2020, and 05/26/2020 minutes. Chair Macker called for the vote. The vote showed 4-0 in favor and the motion carried.

CONSENT AGENDA
A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to place the following Matters from Staff on a Consent Agenda:
1. Consideration of Approval of Amendment 1 to Contract with Gordon Environmental PSC
2. Consideration of Approval of Notice of Award and Contract for the Teton County Interim Transfer Station Remodel
3. Consideration of Approval of a Contract for Electrical Work at the Teton County Transfer Station
4. Consideration of Approval of Cooperative Agreement Between Wyoming Department of Family Services, Child Support Program and Clerk of District Court
5. Consideration of Approval of Stipulated Order to Abate submitted by Brian Foley, 5605 Fish Creek, LLC
6. Consideration of Approval of Fiscal Year 20 Contract Amendment 2 to Treatment Court Contract for Services with Curran-Seeley Foundation

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. Chair Macker called for the vote. The vote showed 4-0 in favor and the motion carried.

MATTERS FROM COMMISSION AND STAFF:
1. Consideration of Approval of Amendment 1 to Contract with Gordon Environmental PSC
To approve Contract Amendment #1 to the County’s Contract with Gordon Environmental PSC for engineering and construction management in time and materials costs not to exceed $28,000 for a total contract amount of $64,500.

3. Consideration of Approval of Notice of Award and Contract for the Teton County Interim Transfer Station Remodel
To approve the Teton County Interim Transfer Station Remodel Notice of Award and Contract with West Fork Construction, LLC for a total contract price of $307,976.00, and the addition of a 10% force account in the amount of $30,797.00, with a total project cost of $338,773.00.

4. Consideration of Approval of a Contract for Electrical Work at the Teton County Transfer Station
To approve the contract with Sleeping Indian Electric for the installation of an electrical transformer, equipment, and materials at the Transfer Station with a total not-to-exceed project cost of $9,100.00.

6. Consideration of Approval of Cooperative Agreement Between Wyoming Department of Family Services, Child Support Program and Clerk of District Court
To approve the Cooperative Agreement for Responsibilities Between the Wyoming Department of Family Services Child Support Enforcement and Teton County Clerk of District Court for Fiscal Years 2021-2022

7. Consideration of Approval of Stipulated Order to Abate – Brian Foley, 5605 Fish Creek, LLC
To approve the Stipulated Order to Abate submitted by 5605 Fish Creek, LLC and the Teton County Planning Director.

8. Consideration of Approval of Fiscal Year 20 Contract Amendment 2 to Treatment Court Contract for Services with Curran-Seeley Foundation
To approve Amendment #2 to the Treatment Court Contract with Curran-Seeley Foundation in an amount, not to exceed $58,363.98.

DIRECT CORRESPONDENCE
1. Bruce Hawtin 5/12/2020 email regarding Budget - Senior Center
2. Richard Aurelio 5/13/2020 email regarding Tribal Trail Connector Road
3. Len Carlin 5/13/2020 email regarding Walton Quarry, BLM Parcel 9/10
5. Teton County Courthouse Staff 5/13/2020 email regarding COVID - 19 Courthouse Closure Recommendation

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6. Don Reed 5/13/2020 email regarding New Development
7. Whiteley Wheeler 5/14/2020 email regarding COVID-19
8. Tim Young 5/14/2020 email regarding BUILD Grant WYDOT Support Letter
9. Laura Soltu, Teton Literacy 5/14/2020 email regarding Mill Levy
10. Barry Sisson, Polo Ranches Special Improvement District 5/14/2020 email regarding Polo Ranches FY 2021 Budget
12. Brooke Sausser, Jackson Hole Conservation Alliance 5/15/2020 email regarding Northern South Park
16. Christine Watkins 5/18/2020 email regarding Coyote Canyon/Indian Springs Drive
17. Anna Olson, Jackson Hole Chamber of Commerce 5/18/2020 email regarding Comprehensive Plan Update
18. Deoge Hendley 5/18/2020 email regarding Ambulance Costs
19. Rosie Read, Climb Wyoming 5/18/2020 email regarding Budget
20. Cindi Brinton 5/18/2020 email regarding Wilderness
21. Brooke Sausser, Jackson Hole Conservation Alliance 5/19/2020 email regarding Tribal Trail Connector
22. Gloria Courser 5/19/2020 email regarding COVID-19
23. Stephen Sullivan 5/19/2020 email regarding BUILD Grant
24. Stephen Sullivan 5/19/2020 email regarding BUILD Grant / Stilson Transit Center
27. Catherine Rogers 5/20/2020 email regarding Tribal Trail Connector
29. Rick Wieloch 5/20/2020 email regarding Tribal Trail Connector
30. Bill Reinecke 5/20/2020 email regarding Tribal Trail Connector
31. Phil Stevenson 5/20/2020 email regarding Tribal Trail Connector
32. Denny Moffett 5/21/2020 email regarding Tribal Trail Connector
33. Tim Carney, Chairman, Teton Village Water & Sewer District 5/21/2020 email regarding Mill Levy FY2020-2021
34. Frank Lane 5/21/2020 email regarding COVID-19
35. Mike Welch 5/21/2020 email regarding BLM Parcel 9/10
36. Allison Liljestrom 5/21/2020 email regarding Tribal Trail Connector
37. Peter Halpin 5/22/2020 email regarding Tribal Trail Connector
38. Alice Fischer-Colbrie 5/22/2020 email regarding Tribal Trail Connector
40. Richard Aurelio 5/22/2020 email regarding Tribal Trail Connector
41. Timothy Day, Ninth Judicial District Court 5/22/2020 email regarding COVID-19 Courthouse Restrictions
42. Stan Zaist 5/22/2020 email regarding Rec Center SPET Project
43. Wade Hirschi, Aspens Pines Water & Sewer District 5/23/2020 email regarding FY2020-21 Budget
44. Wade Hirschi, Wilson Sewer District 5/23/2020 email regarding FY2020-21 Budget
45. Wade Hirschi, Fish Creek ISD 5/23/2020 email regarding FY2020-21 Budget
46. Lor Roux 5/23/2020 email regarding Tribal Trail Connector
47. Dan Brophy 5/23/2020 email regarding COVID-19
49. Scott Sanchis 5/26/2020 email regarding Mill Levy
50. Chris Nordbrock 5/26/2020 email regarding COVID-19
51. Scott Pierson 5/26/2020 email regarding Tribal Trail Connector
52. Chelly Tilton 5/26/2020 email regarding COVID-19
53. Gloria Courser 5/26/2020 email regarding COVID-19
54. Fred Crozier 5/27/2020 email regarding Tribal Trail Connector

PUBLIC COMMENT

Public comment was given by William Smith regarding economic effects due to COVID-19 - property tax assessments, essential business funding, budget cuts, and shutdown violations.

MATTERS FROM COMMISSION AND STAFF:

2. Consideration of Approval of Contract Amendment 1 with Cambridge Systematics, Inc. for Maintenance, Operation, and Technical Support of the Teton County Travel Demand Model

Amy Ramage, County Engineer, presented to the Board for consideration of approval a Contract Amendment #1 with Cambridge Systematics for operation, maintenance and technical support of the Travel Demand Model. A contract was approved in March 2019 for the operation and maintenance of the model for a period of one year. This contract is now up for renewal and staff is proposing to amend the contract to continue to utilize Cambridge Systematics to provide this service on an “on call” basis. Each call for service will be outlined in an individual written task order administered by staff. The term is outlined as one year from the date of execution and may be extended at the County Commissioner’s discretion. Staff will regularly reevaluate if operating the model “in house” is feasible.

Public comment was given by Alice Fischer-Colbrie, William Smith, Chris Agnew, and Kay Mod.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve Contract Amendment #1 with Cambridge Systematics, Inc. for maintenance and operation of the Teton County Travel Demand Model, with a total not to exceed cost of $90,000. Chair Macker called for a vote. The vote showed 3-1 in favor with Commissioner Propst opposed and the motion carried.

0. Consideration of Approval of a Resolution Recognizing the Senior Class of 2020

Kaitlin Meyring, representing the Senior Class of 2020, read the resolution recognizing the senior class and made a statement on behalf of the graduating seniors.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the Board of County Commissioners Resolution Recognizing the Senior Class of 2020. Chair Macker called for a vote. The vote showed 4-0 in favor and the motion carried.

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5. Consideration of Approval of a Restated Restriction for 7292 Crystal Springs Road

Stacy Stoker, Housing Manager, presented to the Board for consideration of approval of an Amendment and Restatement Special Restriction for 7292 Crystal Springs Road. 7292 Crystal Springs Road is a Workforce housing unit (formerly known as Employment-based). It is also unique in that it is part of the Business Option program. The Teton County Sheriff’s Office holds the First Option Right on the unit. This gives the Sheriff the right to identify a buyer that is one of his employees or someone who has a reasonable nexus to the Sheriff’s Office. If the Sheriff is unable to identify a buyer, then the home will be sold through the Housing Department Weighted Drawing Process.

The Housing Department Rules and Regulations direct staff to record the new standard restrictions on all units that are sold after June 4, 2019. The new restriction retains the Business Option however, the unit will now be a part of the Workforce Housing Program instead of Employment-based.

Key Points of Workforce Ownership Restriction:
- At least one person in the household must be employed full-time for a local business in Teton County
- The household must earn a minimum of 75% of their income from a local business.
- Ownership of residential property within 150 miles of Teton County is prohibited.
- No income or asset limitations.
- Household must requalify annually.

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the Amendment and Restatement Special Restriction as presented by staff for 7292 Rimrock Road. Chair Macker called for a vote. The vote showed 4-0 in favor and the motion carried.

9. Consideration of Approval of a Service Agreement with Extreme Solution, LLC to Provide a Platform for Operating the Safe Paths Phone Application for Contact Tracing for COVID-19

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval a Service Agreement with Extreme Solution, LLC to provide a platform for operating the Safe Paths phone app for contact tracing for COVID-19. Most counties and towns that Path Check has been working with across the country have IT departments that are able to manage the upload aspect of the data if the person with the phone app so chooses to upload their information. Teton County’s IT department is not capable of providing this service. Path Check connected Teton County with Extreme Solution, LLC which will manage the upload aspect of the process.

Jodie Pond, Health Director, addressed the Board regarding contact tracing.

Public comment was given by William Smith

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to approve the Service Agreement with Extreme Solutions, LLC. Chair Macker called for a vote. The vote showed 4-0 in favor and the motion carried.

The meeting was recessed at 10:20am and reconvened at 10:28am. Commissioner Barron joined the meeting at this time.

10. Consideration of Approval of Tribal Trail Connector Concept Design and Approval to Proceed to Final Design

Heather Overholser, Director of Public Works, presented to the Board for consideration of approval to continue the planning process for the proposed Tribal Trail Connector, including NEPA, design, coordination with WYDOT, etc. Tribal Trail Road, a County Road, is a long-planned, unfinished connection between South Park Loop and WY-22. In March 2018, the Board of County Commissioners (BCC) voted to approve a Cooperative Agreement with Wyoming Department of Transportation (WYDOT). Under the agreement, WYDOT was contracted to manage the design, approval and construction process for the Tribal Trail project. In July 2018, the BCC voted to adopt a charter process for the study, WYDOT then contracted engineering firm Morrison-Maierle and their subconsultant Morrison Engineering to manage the design, NEPA, stakeholder, and public processes. In January 2020, Teton County hired Filiner Strategies to facilitate the final design alternative evaluation with the public, stakeholders, and project team.

From 1992 to 2018, the populations of the Town of Jackson and Teton County nearly doubled (TOJ from 5,438 to 10,532, and TC from 12,198 to 23,464). In the same period, visitation levels roughly doubled, and WY-22 annual average daily trips increased by 77% (10,450 to 18,500). These changes in the valley’s population have increased demands on its infrastructure. Local officials expressed concerns about the lack of current roadway network infrastructure in the 2015 Teton County/Town of Jackson Integrated Transportation Plan, in which TTC was identified as a priority project, as well as in the BCC-approved Charter Agreement for the TTC study as the project’s Purpose and Need criteria.

Project Purpose and Need

The study criteria were developed using the Project Charter and adopted by the stakeholders and project team as the project Purpose and Need Statements:

Redundancy: A transportation system’s ability to provide more than one independent way in or out of an area. Allows the transportation system to accommodate variable and unexpected travel conditions (e.g. emergencies) without failure.

Reduce Vehicle Miles of Travel (VMT): Per the ITP, since year 2000, most County traffic growth is made up of local traffic associated with short trips. To manage traffic growth and reduce VMT, the ITP calls for “more productive use of road and street capacity.” Reducing VMT in a community decreases petroleum use, reduces emissions, and saves driver time.

Improve traffic congestion at the Y-intersection: Although the WYDOT reconstruction of the Y-intersection has resulted in improved operations, the Y-intersection still experiences congestion and back-ups based on average year-round traffic volumes, and congestion worsens in summer and winter. Mobility through the Y-intersection is also impaired during times of traffic disruptions (i.e. accidents, etc.). There is a community desire and financial incentive to delay the time at which the Y will require additional improvements.

Improve Emergency Response Time: Route redundancy would improve emergency evacuation and emergency service access and response time.

Multi-Modal Connections: Provide Alternate bus route for START, school buses, and van pools to improve travel efficiency. Better and more safely accommodate cyclists and pedestrians by creating additional pathway connections throughout the project area, including at all intersections.

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Project Objectives
To further adhere to BCC direction, objectives were developed by the project team and stakeholders to supplement the Purpose and Need criteria in order to help differentiate between design alternatives and to help identify which alternative best meets the community needs. Project Objectives criteria evaluated an alternative’s relative ability to:

• Minimize impacts to natural resources (e.g., wildlife, wetlands, scenic resources, water quality): The alternative's potential effects to wildlife connectivity, wetlands, and scenic resources. Scoring is based on the level of environmental impacts. Alternatives that resulted in limited adverse environmental effects or would have beneficial environmental effects were rated good; effects that could be substantial or require extensive mitigation were rated poor.

• Minimize impacts to the human environment (e.g., relocations, traffic noise, recreation, historic, air quality): Identification of the alternative’s potential effects to neighborhoods, residents, and the travelling public due to relocations, traffic noise increases, and/or effects on recreational, historic, visual, and air quality resources. Alternatives that resulted in limited adverse environmental effects or would have beneficial environmental effects were rated good; effects that could be substantial or require extensive mitigation were rated poor.

• Minimize safety concerns: The alternative’s potential effects to improve driver safety and minimize adverse safety impacts to neighborhood residents and wildlife. Scoring was based on a qualitative assessment informed by traffic analysis for driver safety. The alternative’s ability to include design elements that would minimize vehicle conflicts with pedestrians, cyclists, and wildlife were considered good.

• Minimize private property impacts: The alternative’s potential ability to avoid or minimize private property acquisition, including conservation easements. Alternatives that resulted in no or very limited parcel or conservation easements acquisitions were rated good while alternatives that require acquisition of more parcels were rated poor.

• Provide more direct, safe, aesthetically pleasing, and efficient multi-modal routing (for START and school buses/vans, cyclists, and pedestrians) between South Park and the West: Scoring based on qualitative assessment.

• Be cost effective, based on reduced travel costs for the community and ability to fit within overall project funding constraints: Scoring based on order of magnitude alternative costs.

• Be constructed, based on constructability issues and constraints: Ability of an alternative to be constructed using traditional and accepted construction practices, availability of materials, in compliance with applicable design standards and legal requirements. This considers potential issues with right-of-way acquisition as well as temporary construction effects to the travelling public.

• Be maintained, particularly for snow removal and storage.

Public comment was given by William Smith, Margaret Mary Ackerly, Alex Muromcew, Liz Long, Chris Aignew, Brooke Sausser, David Ellerstein, Dave Schoffeld, Christine Watkins, Mike Halpin, Jessica Jaubert, and Tom Hogan.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve the Tribal Trail Connector concept designs, as well as the stakeholder Group’s proposed designs as of November 4, 2019, and further move to approve the continuation of Tribal Trail Connector planning to the next steps per the WYDOT agreement. Chair Macker called for a vote. The vote showed 2-3 in favor with Commissioners Macke, Epstein, and Barron opposed, and the motion failed.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the Tribal Trail Connector concept designs and further move to approve the continuation of Tribal Trail Connector planning to the next steps per the WYDOT agreement. Chair Macker called for a vote. The vote showed 4-1 in favor with Commissioner Propst opposed and the motion carried.

The meeting was recessed for lunch at 12:32pm and reconvened at 1:30pm.

11. Consideration of Approval of the Jackson Hole Airport Budget
Jim Elwood, Executive Director at Jackson Hole Airport, presented to the Board for consideration of approval an amended budget for the airport. Keith Ginery, Deputy County Attorney, addressed the Board regarding the proposed Airport Board FY 2021 budget to re-program the budget in two ways:

1. $250,000 to be transferred to the Teton County Sheriff’s office for aircraft search and rescue purposes, unless FAA determines that the transfer would be unlawful. This transfer would be based upon a finding that this support would benefit the airport by enhancing community acceptance and any lawful basis.

2. $70,000 to support advocacy efforts to advance additional local control to further align with our local community vision.

He also addressed the 2013 Joint Powers Agreement section 8.8 regarding the submission of the budget and the fiscal plan for the Airport Board.

Public comment was made by Sharon Mader.

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to approve the Airport budget as presented with the two modifications that the Town of Jackson made in its approval of the same budget. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

MATTERS FROM PLANNING & DEVELOPMENT:

1. Applicant: TRACY, JOSEPH S. & CARTER, VIRGINIA ELLEN
   Presenter: Andrew Bowen
   Permit No.: S/D2020-0002
   Request: Partial vacation of a Plat pursuant to Section 8.2.13 of the Teton County Land Development Regulations, Amendment of Permits or Approvals, to vacate a building envelope for future revision, and processed pursuant to Section 8.5.3 Subdivision Plat.
   Location: 2745 Boyles Hill Road W, Jackson, WY 83001. The property is zoned PUD Rural-2 and is within the Natural Resources Overlay.
Andrew Bowen, Planning Staff, presented to the Board for consideration of approval a Partial Vacation of a Plat pursuant to Section 8.2.13 of the Teton County Land Development Regulations, Amendment of Permits or Approvals, to vacate a building envelope for immediate recordation of envelope revision, and processed pursuant to Section 8.5.3 Subdivision Plat.

By vacating the platted building envelope, the applicant is seeking to shift the entire envelope to the northwestern end of the property by 10.27' (North) and 7.27' (West). The proposed action is explicitly allowed within the Indian Springs' Declaration of Covenants, Conditions, and Restrictions (CCRs) which permits a shift of building envelope of up to 20' as long as there is no increase in building envelope size. The original 1st filing for the subdivision plat contained building envelopes, as defined setbacks of 50' front, 40' rear and 30' sides. Prior to approval, the Board of County Commissioners shall do the following:

- Make all appropriate findings as found in Section 8.5.3 of the LDRs
- Find that the partial vacation would not abridge or destroy any rights and privileges of other proprietors in the plat.

Public comment was given by Matthew Ostdiek.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the Partial Vacation of Building Envelope for Plat #757, in order to immediately allow for building envelope adjustment, as proposed in application S/2020-0002 dated March 3, 2020 as recommended by the Planning Director, being able to make all four (4) of the findings of Section 8.5.3. and of the applicable Teton County Land Development Regulations, including the standards of Section 8.2.13.C of the Teton County Land Development Regulations, and being able to make the finding pursuant to Wyoming Statute § 34-12-108, that such partial vacation does not abridge or destroy any of the rights and privileges of other proprietors in Plat No. 757, and further request that the Teton County Clerk provide an annotation on the plat noting the vacation of the Lot 38 building envelope and referencing the Document Number of the recorded affidavit and Map of Survey illustrating the building envelope adjustment. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

EXECUTIVE SESSION

There was no executive session today.

MATTERS FROM COMMISSION

A. Review of Proposed Amendments to the 2012 Jackson/Teton County Comprehensive Plan and Approval to Initiate Public Review Period

Chris Neubecker, Director of Building and Development, addressed the Board with a brief overview from the June 1, 2020 discussion.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to begin the public comment period pursuant to Wyoming Statute §16-3-103 of the Proposed Amendments to the 2012 Jackson/Teton County Comprehensive Plan to direct staff to advertise in the official newspaper of the county our intent to adopt amendments to the 2012 Jackson/Teton County Comprehensive Plan, to set a hearing date before the Teton County Planning Commission and a hearing date before the Board of County Commissioners with notice as required by Wyoming Statute §18-5-202 with the following changes to the proposed amendments to the 2012 Jackson/Teton County Comprehensive Plan directed at this meeting:

1. Edit the draft to replace Subarea 5.6 with the text provided in the redline included in the May 18, 2020 staff report with the following sentence removed: “An exception to the neighborhood plan requirement is the allowance for development when associated with provision of a meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea.”

2. Edit the draft to split Strategy 3.3.S.5 into two separate Strategies with one on Northern South Park and one on the Fairgrounds site.

3. Add a Strategy to identify locations in the County that may be appropriate for higher residential density to meet community-wide workforce housing goals.

4. Remove the following language from Subarea 5.6: “One possible option to be considered is a future east-west connector between South Park Loop Road and Highway 89” and replace with: “The neighborhood plan will include options to improve transportation, circulation and connectivity within and around the Subarea.”

5. Change language in Subarea 5.6 to specify that the neighborhood plan will be “completed by the County in consultation with the Town as a recommending body.”

Chair Macker 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. Chair Macker called for a vote. The vote showed all in favor and the motion carried. The meeting adjourned at 2:12pm.

Respectfully submitted,

Shelley Fairbanks
Deputy County Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chair

Greg Epstein, Vice-Chair

Mark Barron

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Mark Newcomb

ATTEST: 
Luther Propst

Maureen Murphy, County Clerk