

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

The Teton County Board of Commissioners met in regular meeting on **August 17, 2021** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:00 a.m. and the Pledge of Allegiance was recited.

ROLL CALL

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

ADOPTION OF AGENDA

A motion was made by Commissioner Barron and seconded by Commissioner Propst to adopt today's agenda with the addition of item 23: a resolution requiring masks in certain county buildings. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

MINUTES

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the 7-26-21, 8-02-21, 8-03-21, and 8-04-21 minutes. Chairwoman Macker called for the vote. The vote showed all in favor and the motion carried.

CENTENNIAL MINUTE – the Chairwoman took note of the postponement of the Centennial Picnic due to COVID concerns.

CONSENT AGENDA

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

1. Consideration of Contract Award for the 2021-26 South Jackson Snow Removal Project
2. Consideration of Contract Award for the 2021-26 South Wilson Snow Removal Project
3. Consideration of Contract Award for the 2021-26 North Wilson Snow Removal Project
4. Consideration of Contract Award for the 2021-26 North Jackson Snow Removal Project
6. Consideration of Contract Award for the 2021-23 Alta Winter Sand Project
7. Consideration of Contract Award for the 2021-23 Jackson Winter Sand Project
8. Consideration of Architect Contract for Phase 5 Courthouse
10. Consideration of Contract for Design of Building Automation Systems Upgrades
11. Consideration of Contract for Wireless Infrastructure Upgrades
12. Consideration of Contract for Geotechnical Services at Courthouse
13. Consideration of an Employee Rental Lease
14. Consideration of Holder x45i Tractor Purchase
15. Consideration of Cat 906 V-Blade Purchase
16. Consideration of Treatment Court Contract with Jackson Hole community Counseling Center
17. Consideration of Treatment Court Contract with Curran Seeley
19. Consideration of Lease agreement for Fresno Drive (Kip)

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

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

MATTERS FROM COMMISSION AND STAFF

1. Consideration of Contract Award for the 2021-26 South Jackson Snow Removal Project

To approve the 2021-2026 Teton County South Jackson Snow Removal Project contract to Ridgeline Excavation, Inc. in the amount of \$82,500 for first year snow removal season.

2. Consideration of Contract Award for the 2021-26 South Wilson Snow Removal Project

To approve the 2021-2026 Teton County South Wilson Snow Removal Project contract to Yellow Iron Excavating, LLC in the amount of \$67,771 for the first year snow removal season.

3. Consideration of Contract Award for the 2021-26 North Wilson Snow Removal Project

To approve the 2021-2026 Teton County North Wilson Snow Removal Project contract to Yellow Iron Excavating, LLC in the amount of \$39,314.00 for the first year snow removal season

4. Consideration of Contract Award for the 2021-26 North Jackson Snow Removal Project

To approve the 2021-2026 Teton County North Jackson Snow Removal Project contract to Ridgeline Excavation, Inc. in the amount of \$68,500 for the first year snow removal season.

6. Consideration of Contract Award for the 2021-23 Alta Winter Sand Project

To approve the 2021-23 Alta Winter Sand Project contract to Action Excavation, LLC. in the amount of \$75,600.00.

7. Consideration of Contract Award for the 2021-23 Jackson Winter Sand Project

To approve the 2021-23 Teton County Jackson-area Winter Sand Project contract to Evans Construction Company in the amount of \$149,385.00.

8. Consideration of Architect Contract for Phase 5 Courthouse

To approve the amendment of the contract with AndersonMasonDale to provide Phase 5 Contract Amendment in the amount of \$111,800.00.

10. Consideration of Contract for Design of Building Automation Systems Upgrades

To approve the contract with Cator Ruma and Associates for Control System Design in the amount of \$71,075, plus reimbursable expenses at cost plus 10%.

11. Consideration of Contract for Wireless Infrastructure Upgrades

To approve the agreement with ANM for County Wi-Fi hardware in the amount of \$37,285.45.

12. Consideration of Contract for Geotechnical Services at Courthouse

To approve the contract for geotechnical investigation and utility location mapping at the Teton County Courthouse to Jorgensen Engineering in the amount of \$17,000.00.

13. Consideration of an Employee Rental Lease

To approve the Lease Agreement for Hoback Cabin 7, located at 11055 S highway 89, with County employee Michelle Cogburn.

14. Consideration of Holder x45i Tractor Purchase

To approve the sole source purchase of a Holder X45i Series tractor from Karcher-Holder Municipal North America Corporation in the amount of \$106, 145.00 to replace the Departments 2004 Holder C240.

15. Consideration of Cat 906 V-Blade Purchase

To approve the purchase of an 108" Erskine V Plow from Western States CAT in Idaho Falls, ID in the amount of \$7,398.85.

16. Consideration of Treatment Court Contract with Jackson Hole community Counseling Center

To approve the FY 22 Treatment Court Contract with Jackson Hole Community Counseling Center in an amount, not to exceed \$14,500.

17. Consideration of Treatment Court Contract with Curran Seeley

To approve the FY 22 Treatment Court Contract with Curran-Seeley Foundation in an amount, not to exceed \$38,000.

19. Consideration of Lease agreement for Fresno Drive (Kip)

To approve the Lease Agreement with Kip Roberson for 1230 W. Fresno Drive.

DIRECT CORRESPONDENCE

1. Anahi Morillon 7/27/2021 email regarding Affordable Housing/DACA
2. Jenny Fujinami 7/28/2021 email regarding 2021 Mill Levy
3. Teton Conservation District 7/28/2021 email regarding Fiscal Year 2022 Budget
4. Michael Keegan 7/28/2021 email regarding Rafter J Lot 3335.
5. Deb Barracato 7/29/2021 email regarding Flat Creek Watershed Improvement Budget
6. Jayne Ottman 7/29/2021 email regarding Property Development Concerns
7. Monica Ruiz 7/29/2021 email regarding Affordable Housing/DACA
8. Joe Petrick 7/30/2021 email regarding Affordable Housing/DACA
9. Skye Schell 7/30/2021 email regarding Housing News
10. Alex Klein 7/30/2021 email regarding Travel and Tourism Board
11. Dave Adams 7/30/2021 email regarding Skyline Ranch Budget
12. Laura Bonich 8/2/2021 email regarding Affordable Housing/Workforce Housing
13. Jeff and Diane Jung 8/2/2021 email regarding Grand Targhee Resort Expansion
14. Rebecca Bextel 8/2/2021 email regarding Email to Town Council Regarding Affordable Housing
15. Tim Linger 8/2/2021 email regarding Indian Paintbrush Water District 2022 Budget
16. Grace Peck 8/2/2021 email regarding Affordable Housing/DACA
17. Chi Melville 8/2/2021 email regarding Teton County Idaho Socioeconomic Study
18. Brooke Bullinger 8/2/2021 email regarding Fireside Resort
19. Nicole Krieger 8/2/2021 email regarding Public Comment Re: Grand Targhee Resort Expansion
20. Ron Pfeiffer 8/2/2021 email regarding Grand Targhee Resort Expansion/Socioeconomic Study
21. James McKinney 8/2/2021 email regarding Affordable Housing/DACA
22. Rebecca Cloetta 8/2/2021 email regarding Affordable Housing Initiative/DACA
23. Diane McGee 8/2/2021 email regarding Covered Tennis Courts
24. Chris Owen 8/2/2021 email regarding Affordable Housing/DACA
25. Karin McQuillan 8/2/2021 email regarding Affordable Housing/DACA
26. Lois Wang 8/2/2021 email regarding Affordable Housing/DACA
27. Joseph Wenger 8/2/2021 email regarding Affordable Housing/DACA
28. Brett Moline 8/2/2021 email regarding Ag Land Valuation
29. Ken Koster 8/2/2021 email regarding Housing Preservation Program / Affordable Housing
30. David Scheurn 8/2/2021 email regarding Housing Preservation Pilot Program
31. John Fox 8/2/2021 email regarding Housing Preservation Program
32. Armando Menocal 8/2/2021 email regarding Proposed Climbing Gym
33. Melissa Turley 8/3/2021 email regarding Comments on This Year's Fair

34. Mike Faems 8/3/2021 email regarding Affordable Housing / DACA
35. Bobbie Dailey 8/3/2021 email regarding Taxes/Affordable Housing
36. Rebecca Bextel 8/3/2021 email regarding Housing Preservation Program
37. Robe38. Eunice Nicholson 8/3/2021 email regarding Safety Concerns on Hoback Junction South Road
39. Nanci Newcomb 8/3/2021 email regarding Affordable Housing
40. Destin Peters 8/5/2021 email regarding Travel and Tourism Board
41. Justin Adams 8/5/2021 email regarding BLM Land Transfer
42. Jeffrey Kochan 8/5/2021 email regarding BLM Land Transfer
43. Kristin Combs 8/6/2021 email regarding Feedgroudns Phase II
44. Stefan Fodor 8/9/2021 email regarding Agricultural ARUs
45. Mark Newcomb 8/9/2021 email regarding Non-Bearproof Trash Containers
46. Sandy Ress 8/9/2021 email regarding Ideas to Improve Life
47. Kelly Lockhart 8/9/2021 email regarding Agricultural ARU / Employee Housing
48. Beverly Boynton 8/10/2021 email regarding Grizzly Feeding / Concerns
49. Robert Frodeman 8/10/2021 email regarding South Hoback Junction Roadrt Frodeman 8/3/2021 email regarding Truck Traffic on South Hoback Junction RD

PUBLIC COMMENT

Public comment was given by Doug Loughry regarding a proposal for a park in Hoback Junction.

MATTERS FROM COMMISSION AND STAFF

5. Consideration of Contract Award for the 2021-26 Gros Ventre Road Snow Removal Project

Dave Gustafson, Road and Levee Division Manager, presented to the Board for consideration of approval the 2021-2026 Gros Ventre Road Snow Removal Project award and contract.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve the five-year contract with Ridgeline Excavation, Inc. for the Gros Ventre Road Snow Removal Project in the amount of \$80,000 for the first year snow removal season. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

9. Consideration of Contract for Public Engagement Website and Use of ARP Funds

Sarah Mann, General Services Director, presented to the Board for consideration of approval a contract for a new Teton County public engagement website and approval for the use of American Rescue Plan (ARP) funds.

General Services advertised an RFP for a public engagement website platform on June 3, 2021. Nine responses were received. After the initial review, three of the firms advanced to presentations. After review by the evaluation team, Public Input was selected as having the most dynamic resources available. The new website will host all County projects that would be of interest or seeking input from the public.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Newcomb to approve a three-year contract with Public Input in the amount of \$53,617.00 to be paid with American Rescue Plan (ARP) Funds. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

18. Consideration of a Contract – Megan Smith/EcoConnect for Technical Expertise on Natural resource LDR Updates

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to continue this item to a date uncertain. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

20. Consideration of Scope Modifications for Brown Property (Y2)

April Norton, Housing Director, presented to the Board for consideration of approval modifications to Y2 Consultants' Scope of Work for horizontal infrastructure, planning, and design.

In June 2020, Teton County purchased 445 E. Kelly Avenue ("Brown Property") for \$2,255,383.49. On January 19, 2021, the Board directed staff to work with Teton Habitat to develop 18 permanently deed restricted Affordable 50-80% MFI homes. That same meeting, the Board awarded a contract for horizontal infrastructure and site design to Y2 Consultants. During a workshop on July 12, 2021, the Board directed staff to work with Y2 to refine the additional work discussed at that meeting and to bring back a modified scope for consideration at a future meeting.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the modifications to the Contract for Services between Y2 Consultants and Teton County for Horizontal Infrastructure, Planning, and Site Design at 445 E. Kelly Avenue as presented today. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

21. Consideration of RFP for Benson/Brown Home Relocation and Restoration

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

In June 2020, Teton County purchased 445 E. Kelly Avenue ("Brown Property") for \$2,255,383.49. On January 19, 2021, the Board directed staff to work with Teton Habitat to develop 18 permanently deed restricted Affordable 50-80% MFI homes. That same meeting, the Board award a contract for horizontal infrastructure and site design to Y2 Consultants. During a workshop on July 12, 2021, the Board directed staff to release a Request for Proposals to relocate and restore the historic Benson/Brown Home and the historic water turbines located in its basement.

There was no public comment.

A motion was made by Commissioner Barron and seconded by Commissioner Newcomb to approve the modifications to the Request for Proposals for the Benson/Brown Home Relocation and Restoration. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

22. Consideration of Fire Station 1 Construction Change Orders 38, 39, and 41

Brady Hansen, Fire Chief, presented to the Board for consideration of approval contingency funding for Fire Station 1 change orders #38, #39, #41 in the amount of \$44,253.95.

Fire Station 1 Renewed design includes complex layering of equipment and functions. The following change orders are needed to complete and provide code compliance within the structure and on the administrative campus. Additional change order requests are also listed awaiting further documentation from the contractor.

There was no public comment.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the expenditure of Contingency Funds for the Fire Station 1 Change Orders in the amount of \$44,253.95. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

23. Consideration of a Resolution Requiring Masks in Certain County Buildings

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval a Resolution requiring face coverings for certain Teton County buildings, specifically the Jackson/Teton County Recreation Center, Teton County Engineering/Housing Building, Emergency Operations Building, Health Building, Hansen Courthouse, and County Courthouse.

**TETON COUNTY BOARD OF COUNTY COMMISSIONERS TETON COUNTY, WYOMING
RESOLUTION NO.
JACKSON/TETON COUNTY RECREATION CENTER - TETON COUNTY HEALTH BUILDING -TETON COUNTY
EMERGENCY OPERATIONS CENTER - TETON COUNTY COURTHOUSE/HANSEN COURTHOUSE - TETON
COUNTY ENGINEERING/HOUSING BUILDING
FACE COVERING RESOLUTION**

WHEREAS, on March 16, 2020, the Board of County Commissioners of Teton County, Wyoming, met in regularly scheduled and public meeting of the Board of County Commissioners at the Teton County Administration Building, located at 200 S. Willow Street, in Jackson, Wyoming, and declared a state of emergency for Teton County, Wyoming due to the coronavirus disease (COVID-19) pandemic; and

WHEREAS, respiratory droplets from infected individuals are a major mode of SARS-CoV-2 transmission. Droplets do not only come from coughing or sneezing: in a-pre-symptomatic individuals, droplets are generated via talking and breathing. SARS- CoV-2, the virus that causes novel coronavirus disease (COVID-19), may be broadcast in respiratory droplets "from normal breathing;" and

WHEREAS, there has been an increase in the number of COVID cases throughout the month of August 2021 and the Teton County Public Health Director is recommending mask wearing in public indoor settings to slow the spread of COVID. As of August 10, 2021 Teton County is averaging 10.86 cases per day with 97 active cases. 4.48% of COVID-10 tests in the past weeks were positive. 60% of the cases in the past two weeks were due to community spread. Between July 27 and August 10, 2021 (14 days) 180 cases were detected, 123 of those cases were from people who live in Teton County, and 57 were from visitors, workers living in surrounding communities, and other non-Teton County cases who tested in Teton County; and

WHEREAS, the Teton County Health Building has many different people entering for a myriad of different medical reasons. Due to the medical nature of the use of the health building, the county will require face coverings upon entry into the Teton County Health Building and then staff can determine if the mask needs to remain worn throughout the visit; and

WHEREAS, the Director of the Teton County Health Department has requested that the Teton County Board of County Commissioners approve a resolution to require that face masks be required upon entry into the Teton County Health Building; and

WHEREAS, the Teton County Emergency Operations Center (EOC) is the building in which emergency operations are conducted throughout an emergency situation including throughout the COVID pandemic; and

WHEREAS, the Emergency Management Coordinator has requested that the Teton County Board of County Commissioners approve a resolution to require that face masks be required upon entry into the Teton County Emergency Management Building; and

WHEREAS, the Teton County Courthouse and the Hansen Courthouse require many individuals to remain present in a courtroom for a long period of time in some circumstances. For that reason, individuals will be required to wear a face covering upon entry into either courthouse, and the face covering shall remain on in all public areas of the two courthouses. However, each office or judge may determine if the face covering needs to remain on during the individual's entire visit to that particular office or courtroom depending on the discretion of that particular office or judge; and

WHEREAS, the Jackson/Teton County Recreation Center Building has many visitors throughout the day and the Director of Parks and Recreation has requested that mask be required throughout the recreation center; and
WHEREAS, the Teton County Engineering/Housing Building has visitors throughout the day, and both the Director of Public Works and the Director of the Jackson/Teton County Affordable Housing Department have requested that masks be required in the Teton County Engineering/Housing Building.

NOW THEREFORE BE IT RESOLVED, that having duly met on August 17, 2021, at a regularly scheduled meeting, which was properly noticed and open to the public, and having fully considered the matter at hand, the Board of County Commissioners hereby orders as follows:

1. All members of the public entering the Teton County Courthouse (2nd floor or 3rd floor) or the Hansen Courthouse must wear a face covering in all public areas of the courthouses and maintain at least six feet of separation from all other persons, unless they are family members. After entry, individual offices or courts can determine if the face covering should remain on throughout the visit to that particular office or courtroom.
2. All members of the public entering the Teton County Health Building shall be required to wear a face covering. After entry the staff can determine if the face covering needs to remain on during the individual's visit.
3. All members of the public entering the Teton County Emergency Operations Center shall be required to wear a face covering. After entry the staff can determine if the face covering needs to remain on during the individual's visit.

4. All members of the public entering the Jackson/Teton County Recreation Center Building shall be required to wear a face covering.
5. All members of the public entering the Teton County Engineering/Housing Building shall be required to wear a face covering.
6. "Face Covering," as used in this Order, means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face.
7. A Face Covering is not required under the following circumstances:
 - a. When a person is in a personal office (a single room) where others outside of that person's household are not present as long as the public does not regularly visit the room, but that individual must put on a Face Covering when they are within 6 feet of a client, customer, volunteer, worker, or other member of the public.
 - b. Children who are under 12 years of age. However, children 3 to 11 years of age are encouraged to wear Face Coverings.
 - c. If a person has a medical condition, mental health condition, or disability that prevents him or her from wearing a Face Covering. This includes, by way of example, but is not limited to, persons with a medical condition for whom wearing a Face Covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a Face Covering without assistance. A person is not required to provide any documentation or explanation demonstrating that the person cannot wear a Face Covering for any medical condition, mental health condition, or disability.
 - d. Individuals who are hearing impaired, or communicating with an individual who is hearing impaired, where the ability to see the mouth is essential for communication.
 - e. Individuals for whom wearing a Face Covering would create a risk to the individual related to their work, as determined by local, state, or federal workplace safety guidelines.
 - f. When law enforcement asks an individual to remove a Face Covering for identification purposes.
8. This resolution and specifically the requirement to wear a face covering in the Jackson/Teton County Recreation Center, Teton County Courthouse, the Hansen Courthouse, the Teton County Emergency Operations Center, the Teton County Health Building, the Teton County Engineering/Housing Building shall expire on September 7, 2021 unless sooner ended by resolution.

RATIFIED AND AFFIRMED ON THIS ___ day of August, 2021.

Seal

Natalia D. Macker, Chairwoman

Teton County Board of County Commissioners

Attest: Maureen E. Murphy, Teton County Clerk

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Propst to approve the Resolution requiring face coverings in certain county buildings, specifically the Jackson/Teton County Recreation Center, the Teton County Engineering/Housing Building, the Emergency Operations Center, the Public Health Building, the Hansen Courthouse and the County Courthouse. Chairwoman Macker called for a vote. The vote showed three in favor and the motion carried 3-2 with Commissioners Barron and Epstein opposed.

The meeting recessed at 9:34 a.m. and reconvened at 9:40 a.m.

MATTERS FROM PLANNING & DEVELOPMENT

Findings of Fact, Conclusions of Law, and Order:

1. CUP2021-0002 – LEWIS, EVELYN LIVING TRUST ET AL

Keith Gingery, Deputy County Attorney, presented to the Board for consideration of approval the Findings of Fact, Conclusions of Law and Order for the Evelyn Lewis Living Trust Et Al, CUP2021-0002. This matter came before the Teton County Board of County Commissioners for public hearing on August 3, 2021, upon the application of Paul Duncker, on behalf of the Evelyn Lewis Living Trust, for approval of a Conditional Use Permit, pursuant to Section 8.4.2, Conditional Use Permit of the Teton County Land Development Regulations. The Board of Commissioners, being fully advised, found, concluded and ordered the approval of Findings of Fact and Conclusions of Law as presented.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the findings of fact and conclusions of law and order granting approval for the for conditional use permit CUP2021-0002. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

NEW BUSINESS

1. **Permit:** SD2021-0003 – **POSTPONED TO THE SEPTEMBER 20, 2021 MEETING**
Applicant: PROLOGO, COREY & PACE, STEPHANIE
Presenter: Hamilton Smith
Request: A request pursuant to Land Development Regulation Section 8.5.3 and 8.2.13 for a Plat Amendment, partial vacation & re-plat of Lot 26, Hufsmith Hill Third Filing.
Location: Lot 26, Hufsmith Hill Third Filing, located adjacent to South Park Loop Road, accessed by Matheson Hill Road. The lot is zoned Rural-2 (R-2) and is in the Scenic Resources Overlay.

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to postpone SD2021-0003 to the September 20, 2021 BCC Meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

2. **Permit:** SD2021-0005 – **POSTPONED TO THE NOVEMBER 16, 2021 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 Epstein and seconded by Commissioner Barron to continue SD2021-0005 to the November 16, 2021 BCC Meeting. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

- 3. Permit:** DEV2016-0002
Applicant: AJL DUERSCH, LLC
Presenter: Chandler Windom
Request: Request for a 2-unit Subdivision Planned Residential Development pursuant to Section 2320 of the 4th Printing of the 1994 LDRs.
Location: The subject property is located east of N State Line Road in Alta. The land is zoned Rural and is not within any overlays.

Chandler Windom, Senior Planner, Planning and Building Services, presented to the Board for consideration of approval A Development Permit pursuant to Section 2320 of the 2015 Teton County Land Development Regulations (LDRs) for a 2-unit Subdivision Planned Residential Development.

The applicant, Y2 Consultants, on behalf of the property owners, AJL Duersch, LLC and PWD Duersch, LLC, are requesting a Development Permit to subdivide a 48.03-acre parcel into 2 lots using the Planned Residential Development (PRD) option. This original application was submitted in March of 2016 as a 4-unit PRD. It was put on hold in February of 2017 in order for the applicant to work on outstanding requirements and to collaborate with neighbors to address their concerns. It was deemed that the applicant was not unresponsive, and instead was actively working on resubmittal requirements. The applicant waived the timeline for review of the application as outlined in the LDRs. Since this application was deemed sufficient on March 26, 2016 the project is to be reviewed under the PRD standards effective at that time. This was prior to the adoption of the most recent Teton County Land Development Regulations on April 1st, 2016.

Ms. Windom presented EAS2021-0001 in conjunction with DEV2016-0002:

- 4. Permit:** EAS2021-0001
Applicant: AJL DUERSCH, LLC & PWD DUERSCH, LLC C/O LYNCH, ALLEN J
Presenter: Chandler Windom
Request: Request to accept a new easement to the Teton County Scenic Preserve Trust to allow approval of a 2-unit Planned Residential Development (DEV2016-0002)
Location: The subject property is located east of N State Line Road in Alta. The land is zoned Rural and is not within any overlays.

Chandler Windom, Senior Planner, presented to the Board for consideration of approval Request to the Teton County Scenic Preserve Trust (TCSPT) to accept a new conservation easement in Alta associated with the Duersch Planned Residential Development, Teton Vista Ranches (DEV2016-0002).

This request is to dedicate 70% of the subject parcel as conservation area held under easements by the TCSPT in order to meet the requirements for approval of a Planned Residential Development (PRD). The applicant previously submitted EVA2019-0002 in association with the PRD. The TCSPT Board voted to deny that application at their November 10, 2020 meeting. The applicant has now made revisions to DEV2016-0002 and is therefore presenting an updated open space configuration with this new TCSPT easement application.

Hal Hutchinson, for the Applicant, commented on the application.

There was no public comment.

MOTION FOR DEV2016-0002

A motion was made by Commissioner Newcomb and seconded by Commissioner Barron to approve DEV2016-0002, revised April 30, 2021, for a 2-unit Planned Residential Development, with the following conditions, being able to make the five (5) findings for a Development Plan pursuant to Section 5100, as recommended by the Planning Director.

1. Prior to recording of the subdivision plat, the applicant shall pay to Teton County an affordable housing fee in the amount of \$54,813.
2. Prior to recording of the subdivision plat, the applicant shall pay to Teton County a development exaction fee in the amount of \$6,083.15.

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

In order to consider EAS2021-0001, a motion was made by Commissioner Epstein and seconded by Commissioner Barron to convene as the Teton County Scenic Preserve Trust. Chairwoman Macker called for a vote. The vote showed all in favor and the motion carried.

The Scenic Preserve Trust convened at 10:10 a.m.

There was no public comment on EAS2021-0001

MOTION FORR EAS2021-0001

A motion was made by Commissioner Propst and seconded by Commissioner Newcomb to approve EAS2021-0001, dated May 4, 2021 for requested acceptance of a new conservation easement by Teton County Scenic Preserve Trust to meet the conservation area requirements of the Planned Residential Development DEV2016-0002, being able to make the findings in the Open Space Resources Resolution of Teton County, Wyoming with the three conditions listed below:

1. Prior to release of the signed easement document from Planning Staff to the applicant for recordation, the applicant shall pay an easement stewardship fee of \$13,200 to the Teton Count Scenic Preserve Trust.

2. A Transfer Agreement is required to be recorded by the applicant in the Office of the Teton County Clerk concurrent with recordation of the easement as a separate document and shall travel with the title of the easement-encumbered property. The Transfer Agreement shall be composed of the sample agreement provided in the Open Space Resources Resolution of Teton County, Wyoming, adopted December 22, 2015.
3. Prior to release of the signed easement document from Planning Staff to the applicant for recordation, the applicant shall provide a final legal description of the open space, prepared by a Wyoming Licensed Land Surveyor.

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

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

The Board of County Commissioners reconvened at 10:13 a.m.

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 10:14 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