

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

The Teton County Board of Commissioners met in regular session on **September 21, 2020** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:00 a.m.

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

ADOPT AGENDA

A motion was made by Commissioner Propst and seconded by Commissioner Epstein to adopt the agenda as presented. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

PUBLIC COMMENT

There was no public comment

ACTION ITEMS

1. Consideration of Payment of County Vouchers

A motion was made by Commissioner Propst and seconded by Commissioner Barron to approve the September 21, 2020 county voucher run in the amount of \$1,217,448.63. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

2. Consideration of Administrative Items

- a. 24-Hour Liquor Permits
- b. SLIB Drawdowns
- c. Tax Corrections
- d. Human Service/Community Development Contracts for Service
 - i. The Children's Learning Center
 - ii. Curran-Seeley
 - iii. Curran-Seeley Title 25
 - iv. Center of Wonder

Maureen Murphy, Teton County Clerk, presented to the Board for consideration of approval the authorization of signatures on Human Service/Community Development contracts for services approved by the Board of County Commissioners.

There was no public comment

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the contract for service pursuant to the adopted FY2021 budget appropriations for The Children's Learning Center, Curran Seeley, Curran Seeley Title 25, and the Center of Wonder as presented.

- e. Special Events Permits – Applications Pending (*for informational purposes, no action taken*)

3. Appointment of a Hearing Officer for an Appeal of a Planning director Decision

Maureen Murphy, Teton County Clerk, presented to the Board for consideration of approval the appointment of a Hearing Officer for an appeal of a Planning Director decision

There was no public comment.

A motion was made by Commissioner Propst and seconded by Commissioner Barron to approve the attached Order Appointing Hearing Officer appointing Melissa Owens as the Hearing Officer in the contested case of William and Amanda Dornan v. Teton County Planning Director. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

4. Consideration of Approval of Written Orders for 2020 Tax Appeals

Assessor Appeal Findings of Facts and Conclusions of Law. Hearings were held before the Teton County Board of Equalization August 31, 2020 and September 8, 2020. At the conclusion of each hearing, the Board of Equalization made a decision, and directed the prevailing party, to draft Findings of Facts and Conclusions of Law. Each of those documents were then sent to the appellant to review and submit any exceptions or corrections. After each appellant was given an opportunity to file an exception, the orders were sent to the hearing Officer for a review and to be signed off.

A motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the findings of Fact and Conclusions of Law for appeals as presented. Chair Macker called for the vote. The vote showed all in favor and the motion carried.

5. Consideration of Proposed Outgoing Commissioner Correspondence

- a. Letter to WYDOT Regarding Highway 22 STIP Project Acceleration Request

There was no public comment.

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

- b. Letter to Jennifer Scoggin regarding Office of State Lands and Investments and the State Loan and Investment Board

There was no public comment.

A motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the letter to the Honorable Jennifer Scoggin, Director, Wyoming Office of State Lands and Investments, dated September 21, 2020, as presented. Chair Macker called for a vote. The vote showed all in favor and the motion carried.

EXECUTIVE SESSION

There was no executive session.

DISCUSSION ITEMS

1. Known Matters for Discussion

A. Downstream CARES Act Funding

Alyssa Watkins, Board of County Commissioners Administrator, gave an update on the Downstream CARES Act, the allocations of funds, and the budget for this application.

2. Other Matters for Discussion

A. Heather Overholser, Director of Public Works, addressed the Board regarding plans for the BUILD Grant and answered questions from the Board.

B. Commissioner Barron addressed Highway 390 speed concerns and the recent fatality on Highway 22, and requested that the Commissioners draft a letter to the State of Wyoming addressing these concerns.

MATTERS FROM COMMISSIONERS

1. Calendar review - The Board reviewed their weekly calendar.

2. BCC Administrator – Alyssa Watkins, Board of County Commissioners Administrator, gave updates via email on Water Quality, Housing, Transportation, Culture of Leadership, LDRs, and Areas of Focus.

3. Liaison reports / Commission updates

- A. Commissioner Macker had no updates.
- B. Commissioner Epstein had no updates.
- C. Commissioner Barron had no updates.
- D. Commissioner Newcomb gave updates on the Library.
- E. Commissioner Propst had no updates.

DISCUSSION ITEMS

2. Other Matters for Discussion (Continued)

C. Maureen Murphy, Teton County Clerk, gave an elections update.

The meeting recessed at 9:31 a.m. and reconvened at 10:31 a.m.

WORKSHOPS

Brian Schilling, Pathways & Trails Program Coordinator, Gary Kofinas, Teton Backcountry Alliance, and Amy Ramage, Manager of Public Works Department Engineering Division, addressed the Board regarding the FLAP Grant Opportunities. This workshop is to discuss with and obtain direction from the BCC regarding potential projects to apply for funding for through the Federal Lands Access Program (FLAP) grant program.

FLAP provides funding to state, county, tribal, or city government agencies to improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands. The Wyoming FLAP program is accepting applications through December 8, 2020. Teton County has applied for and been awarded FLAP grants in the past, most recently for the Gros Ventre Road (currently under construction) and Teton Pass Centennial Pathway (in design). FLAP grants are particularly compelling as they are a “cradle to grave” grant. This means that the grant does not simply award funds, but the projects that are selected for award are taken on by Federal Highway Administration (FHWA) staff who perform all of the project management, engineering, permitting (including NEPA, when needed) and construction administration. Construction projects have generally been more successful in receiving funding than planning or report generating-type projects, but all are encouraged for submittal.

To date, two potential projects have emerged, for both of which Teton County is being recommend as the project lead applicant or co-applicant. 1) SAGEBRUSH PATHWAY: One of the projects under consideration is the 0.8-mile Sagebrush Pathway Connector. This connector would link the Teton County-owned pathway along Spring Gulch Road that terminates at the Grand Teton National Park (GTNP) boundary at the north end of JH Golf and Tennis to the GTNP pathway system at Gros Ventre Junction. The project would improve safety for non-motorized travelers who currently use Spring Gulch Road and Sagebrush Drive (both of which are two-lane roads with no shoulder and a posted 35MPH speed limit) to access the GTNP pathway system at Gros Ventre Junction. The Sagebrush Connector is identified in both the 2007 Teton County Pathways Master Plan and the 2006 Grand Teton National Park Transportation Plan. In 2012, GTNP conducted a Bike Road Safety Audit and Value Analysis process that recommended a separated shared-use pathway located parallel to Sagebrush Drive as the long-term solution for this area. GTNP has completed design work and is ready to bid the project. The engineer’s estimate (2017) is \$1.87m. GTNP has listed the project in its construction programming for 2026 however, it is not a guarantee that funding will become available through this channel. This project was considered for submission in 2017 during the last FLAP cycle, but ultimately was not chosen to pursue at that time.

Pros:

- Project timeline - the construction will likely occur 3-5 years sooner if FLAP funds are procured than if the project is programmed and funded through Federal Lands Transportation Program funding.

- If awarded, 90% of the project construction costs would be provided by federal FLAP funds. Friends of Pathways (FOP) and GTNP have offered to assist with some portion of the local match; therefore, Teton County costs for construction would likely be under \$100,000.

Cons:

- Ownership: FLAP requires the acquisition of the infrastructure by the local governmental entity; therefore, if awarded, Teton County would be required to take ownership of the pathway asset. This ownership would create short- and long-term budgetary and staff impacts associated with construction, maintenance, operations, and eventual replacement.
- Construction costs: Teton County would be responsible for partially funding the construction of the pathway (9.51% local match), although, as stated above, FOP and GTNP have committed to assisting in funding some portion of the local match along with Teton County. County staff would be involved in construction coordination.
- Maintenance: Routine maintenance costs would be borne by Teton County and there are also workload impacts for Pathways staff and Parks and Rec staff.
- Operations: Pathways staff time would be required to manage any operational items that arise for this section of pathway, including coordination with GTNP and fielding public inquiries.
- Replacement: As owner, Teton County would be responsible for the eventual replacement of the pathway in 25-35 years and in all subsequent future cycles.

TETON PASS:

Stakeholders have generated many conceptual ideas for Teton Pass area improvements that are potential FLAP grant candidates. FLAP applicants must be a non-federal agency, and the maintenance responsibility is generally vested with the State or local government. There may be opportunities to share long term maintenance needs through MOUs with state, private and/or the USFS for certain project elements. Agreements do not have to be finalized, but outlined, prior to submission of the grant. Candidate projects are listed in the table below, with opportunities for additional presentation and discussion during the workshop. Many of these concepts lie within WYDOT Highway 22 right-of-way, but do not necessarily reside within WYDOT's "mission," such as trailhead or parking improvements, and therefore would likely not be prioritized or pursued directly by WYDOT. WYDOT generally does not submit for FLAP grants and their Chief Engineer sits on the project decision committee for FLAP grant awards. County staff has had preliminary conversations FHWA FLAP program staff regarding whether the County is the appropriate non-federal lead agency to pursue such projects through FLAP and has received affirmation and examples of similar circumstances in other states.

Staff seeks direction from the Board of County Commissioners on the two candidate projects presented. The scope and scale of the Teton Pass project needs further direction should the Commission choose to advance that project.

Tim Young, Wyoming Pathways Executive Director answered questions from the board

Linda Merigliano Recreation Wilderness Program Manager, US Forest Service, answered questions from the Board.

Chris Finlay, Grand Teton National Park, answered questions from the Board.

There was no public comment.

ADJOURN

A motion was made by Commissioner Epstein and seconded by Commissioner Barron to adjourn. Chair Macker called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 11:18 a.m.

Respectfully submitted,
Chalice Weichman
Deputy County Administrative Clerk

TETON COUNTY BOARD OF COMMISSIONERS

Natalia D. Macker, Chair

Greg Epstein, Vice-Chair

Mark Barron

Mark Newcomb

Luther Propst

ATTEST:

Maureen E. Murphy, County Clerk

**TETON COUNTY CLERK'S OFFICE
09-21-2020 WARRANTS**

Warrant Number	Name	Amount
392955	ACE HARDWARE	229.36
392956	ADVANCED GLASS & TRIM LLC	300.00
392957	AIRGAS USA LLC	745.46
392958	ALLEGIANCE BENEFIT PLAN MGMT	76,093.69
392959	ALTA PLANNING & DESIGN INC.	2,218.50
392960	AMAZON CAPITAL SERVICES, INC.	4,265.01
392961	AMAZON CAPITAL SERVICES INC.	730.76
392962	ARCHITECTURAL BUILDING SUPPLY	72.00
392963	ASCENTIS CORPORATION	24,590.10
392964	AXIS FORENSIC TOXICOLOGY INC.	882.00
392965	BADGER AERIAL MAPPING & SURVEYING	1,840.00
392966	BAT & SUPPLY	213.50
392967	BIOTA RESEARCH & CONSULTING, INC.	835.00
392968	BLUE SPRUCE CLEANERS, INC.	67.08
392969	BOB BARKER COMPANY, INC.	351.80
392970	BOUNDTREE MEDICAL	1,566.85
392971	BRUCE HAYSE, MD	72.00
392972	BSN SPORTS	121.90
392973	BUCK FAIRBANKS ELECTRIC INC	2,820.49
392974	BUCHKO STRUCTURAL ENGINEERING LLC	4,740.00
392975	CANYON TRUCKING	897.50
392976	CENTURYLINK	1,310.55
392977	COPRO EFP LLC	321.87
392978	CURRAN-SEELEY FOUNDATION	30,172.50
392979	DANI BOETTCHER	216.66
392980	DEPARTMENT OF FAMILY SERVICES	100.00
392981	DENTON & YVETTE KANOUFF	3,416.00
392982	DELCON, INC.	168.13
392983	DUBBE-MOULDER ARCHITECTS, P.C.	1,046.75
392984	DWS/LABOR STANDARDS	40.00
392985	ELECTION SYSTEMS & SOFTWARE	493.00
392986	ENTENMANN-ROVIN CO.	464.00
392987	E.R. OFFICE EXPRESS INC.	1,869.36
392988	EVANS CONSTRUCTION COMPANY	95.29
392989	EXPOSURE SIGNS INC.	98.00
392990	FAAC INC.	1,152.50
392991	FRIENDS OF PATHWAYS	111,324.65
392992	GRAINGER	265.68
392993	GREG EPSTEIN	60.00
392994	GREEN WORKS, INC.	112.00
392995	HIGH COUNTRY LINEN SUPPLY LLC	2,644.47
392996	HM-HANSEN MEADOWS HOA	287.53
392997	JACKSON CURBSIDE, INC	3,399.00
392998	JAMES TEMPLE	183.99
392999	JACKSON WHOLE FAMILY HEALTH	760.00
393000	JACKSON HOLE AIR	15,000.00
393001	JH MOUNTAIN RESORT	300.00
393002	JACKSON HOLE SECURITY LLC	600.00
393003	JIRDON	1,611.46
393004	JTR INC.	66.95
393005	JORGENSEN ASSOCIATES PC	15,890.10
393006	KLINE LAW OFFICE PC	4,816.00
393007	LOWER VALLEY ENERGY	9,518.05
393008	LUTHER PROPST	60.00
393009	MAURENE GUSTAFSON	29.97
393010	MAUREEN MURPHY	250.99
393011	MALLORY SAFETY AND SUPPLY	90.17
393012	MCKESSON MEDICAL- SURGICAL INC.	29.03

393013	MOUNTAIN ALARM/WATCHGUARD	2,072.50
393014	MOST WANTED PERFORMANCE LLC	164.99
393015	NATHANIEL HAGOOD	320.00
393016	NAVITUS HEALTH SOLUTIONS, LLC	27,343.12
393017	NATALIA D. MACKER	60.00
393018	PARTSMASTER	120.12
393019	PLAINSMAN PRINTING & SUPPLY	359.11
393020	R&D SWEEPING & ASPHALT MAINT LC	75,828.22
393021	RIDGELINE EXCAVATION INC.	440.00
393022	ROCKY MOUNTAIN COMPETITIVE SOLUTION	197.26
393023	WYOMING RETIREMENT SYSTEM	38,259.15
393024	SALT RIVER MOTORS INC.	11,000.00
393025	SCOTT SHERVIN	799.98
393026	SHERVIN'S INDEP. OIL	51.51
393027	SILVER STAR COMMUNICATIONS	3,529.98
393028	SLEEPING INDIAN ELECTRIC	4,939.37
393029	SQUARE ONE CONSTRUCTION	12,792.00
393030	ELIOR INC.	3,479.94
393031	TETON COUNTY ENVIRONMENTAL HEALTH	80.00
393032	TETON CO. SCHOOL DISTRICT #1	7,853.44
393033	TETON COUNTY SOLID WASTE/ RECYCLING	175.00
393034	TETON COUNTY TREASURER	96,607.12
393035	TETON COURIER	67.50
393036	TERRA FIRMA ORGANICS, INC.	8,976.00
393037	TELEFLEX	1,211.50
393038	TETON MEDIA WORKS INC.	5,838.03
393039	TETON PATHOLOGY PC	2,400.00
393040	TETON TRASH REMOVAL INC.	30.00
393041	TETON YOUTH & FAMILY SERVICES	28,133.69
393042	THOMSON REUTERS-WEST	1,248.00
393043	THYSSENKRUPP ELEVATOR CORP.	752.01
393044	TIAA COMMERCIAL FINANCE INC	230.63
393045	TOWN OF JACKSON	2,223.81
393046	TOWN OF JACKSON	2,019.94
393047	TOWN OF JACKSON	89.25
393048	TOWN OF JACKSON	18,874.15
393049	TREES INC.	6,600.00
393050	TWIGS, LLC	248.55
393051	UNITED PARCEL SERVICE	16.68
393052	UTAH SAFETY COUNCIL	225.00
393053	VAUGHN DISTRIBUTING	104.85
393054	LOCAHAN LLC dba VALLEY OFFICE SYST	10,102.00
393055	VISA	2,335.52
393056	WEST BANK SANITATION	168.99
393057	WEST BANK SANITATION	14,046.52
393058	WESTERN STATES EQUIPMENT	2,525.00
393059	WILLIAM R. SMITH M.D.	250.00
393060	WY ASSOCIATION OF FIRE MARSHALS	105.00
393061	WYOMING RETIREMENT SYSTEM	223,598.53
393062	WYOMING RETIREMENT SYSTEM	1,012.50
393063	WYOMING RETIREMENT SYSTEM	37.50
393064	WYOMING RETIREMENT SYSTEM	225,776.33
393065	WYOMING RETIREMENT SYSTEM	38,737.92
393066	XEROX FINANCIAL SERVICES	518.01
393067	XEROX CORPORATION	554.76