

4:30 PM 03/11/10

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

The Board of County Commissioners, Teton County, WY met in Special Session at 9:00 a.m. in the Commissioners Chambers, **March 9, 2010**, Teton County Administration Building.

Present: Hank Phibbs-Chair, Andy Schwartz, Leland Christensen and Paul Vogelheim - Commissioners. Ben Ellis was absent. Mike Barton – Hearing Officer, Jim Radda and Nicole Krieger– County Deputy Attorneys, Scott Garland– Garland Law Office, Sandy Birdyshaw–Deputy Clerk, Lani Lewis - Court Reporter and from the Planning Department: Jeff Daugherty, Amy Kuszak, Jennifer Anderson.

Chairman Phibbs called the meeting to order at 9:08 a.m. for the purpose of hearing Contested Case No. 10-0002: Fred and Martha Weiss versus the Teton County Planning Director and turned the hearing over to Mike Barton as the Hearing Officer.

Scott Garland representing Fred and Martha Weiss made opening statements and presented a binder with exhibits numbered 1-83 to be submitted into the record.

Nicole Krieger representing the Planning Director made opening statements.

Mr. Garland called Bill Collins as a witness.  
Ms. Krieger questioned Mr. Collins.  
Mr. Garland continued with Mr. Collins as the witness.  
Mr. Barton discussed enforcement of wetland regulations with Mr. Collins.  
There was discussion between Mr. Collins and the Board.

Mr. Garland called Fred Weiss as a witness.

The hearing was recessed at 11:01 a.m. for a short break and reconvened at 11:18 a.m.

Mr. Garland continued with Mr. Weiss as the witness.

The meeting was recessed for lunch at 11:58 a.m. and reconvened at 1:19 p.m.

Ms. Krieger questioned Mr. Weiss.  
Mr. Garland questioned Mr. Weiss.  
Mr. Barton and the Board had no further questions for Mr. Weiss.

Mr. Garland called Jeff Bates, of Jorgensen Engineering, as a witness.  
Ms. Krieger questioned Mr. Bates.  
Mr. Barton had no further questions for Mr. Bates.  
The Board questioned Mr. Bates.

Mr. Garland called Tom Campbell as a witness.  
Ms. Krieger questioned Mr. Campbell.  
Mr. Barton and the Board had no further questions for Mr. Weiss.

Mr. Garland called no further witnesses.

Ms. Krieger called Amy Kuszak as a witness.

The meeting was recessed for the day at 2:56 p.m. and reconvened on March 10, 2010 at 8:00 a.m.

Present: Hank Phibbs-Chair, Andy Schwartz and Paul Vogelheim - Commissioners. Leland Christensen and Ben Ellis was absent. Mike Barton – Hearing Officer, Jim Radda and Nicole Krieger– County Deputy Attorneys, Scott Garland– Garland Law Office, Sandy Birdyshaw–Deputy Clerk, Lani Lewis - Court Reporter and from the Planning Department: Jeff Daugherty, Amy Kuszak, Jennifer Anderson.

Chairman Phibbs reconvened the special meeting of the Teton County Commissioners at 8:00 a.m. and turned the hearing over to Mike Barton as the Hearing Officer.

Mr. Garland questioned Amy Kuszak as witness.  
(Commissioner Leland Christensen arrived at 8:05 a.m.)  
Ms. Krieger questioned Ms. Kuszak.  
Mr. Barton had no further questions for Ms. Kuszak.  
The Board questioned Ms. Kuszak.  
Mr. Garland questioned Ms. Kuszak.  
Ms. Krieger questioned Ms. Kuszak.

The meeting was recessed at 9:10 a.m. and reconvened at 9:21 a.m.  
Commissioner Andy Schwartz left the meeting at 9:18 a.m.

Ms. Krieger called Jeff Daugherty as a witness.  
Mr. Garland questioned Mr. Daugherty.  
Ms. Krieger questioned Mr. Daugherty.  
Mr. Garland questioned Mr. Daugherty.  
Mr. Barton had no further questions for Mr. Daugherty.  
The Board questioned Mr. Daugherty.

Ms. Krieger called Ray Shriver as a witness.  
Mr. Garland questioned Mr. Shriver.  
Mr. Barton had no further questions for Mr. Shriver.  
The Board questioned Mr. Shriver.

As there were no more witnesses, the case was considered submitted by the Hearing Officer. Attorneys were directed to prepare their submittals and provide them to the Hearing Officer and Commissioners within two weeks of today's date. The court reporter's transcription would also be available within two weeks.

The next hearing date was set for Tuesday, April 13, 2010 at 1:30 p.m. and would consist of 20 minute summations from each side, followed by Board deliberations.

**ADJOURNMENT**

Mr. Vogelheim moved for adjournment, seconded by Mr. Christensen. Motion passed unanimously. Meeting adjourned at 10:35 a.m.

TETON COUNTY BOARD OF COMMISSIONERS

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Hank Phibbs, Chair

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ABSENT

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Ben Ellis, Vice-Chair

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Andy Schwartz, Commissioner

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Paul Vogelheim, Commissioner

ATTEST:

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Sherry L. Daigle, Clerk

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Leland Christensen, Commissioner