



**TETON COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**MINUTES • MAY 28, 2019**

**Regular Meeting**

**1st Floor Meeting Room**

**9:00 AM**

150 Courthouse Dr, Driggs, ID 83422

**1. MEETING CALL TO ORDER - PLEDGE OF ALLEGIANCE**

**Commissioners Present:**

Cindy Riegel  
Harley Wilcox  
Bob Heneage

**Other Elected Officials and Department Heads Present:**

Kim Keeley, Clerk  
Holly Wolgamott, County Operations Manager  
Darryl Johnson, Public Works Director  
Gary Armstrong, Planning Administrator  
Joshua Chase, Senior Planner  
Greg Adams, IT & Emergency Mgt

**2. MOTION: Approve Agenda**

**RESULT:** ADOPTED [Unanimous]

**3. MOTION: Amend the agenda to add Eastern Idaho Public Health Public Appearance for the good faith reason that it was inadvertently left off and is time sensitive.**

**RESULT:** ADOPTED [Unanimous]  
**MOVER:** Bob Heneage    **SECONDER:** Cindy Riegel  
**AYES:** Cindy Riegel, Harley Wilcox, Bob Heneage

**2. ACTION ITEMS: CONSENT AGENDA**

Pull minutes from consent agenda for minor corrections.

**RESULT:** ADOPTED [Unanimous]  
**MOVER:** Bob Heneage    **SECONDER:** Harley Wilcox  
**AYES:** Cindy Riegel, Harley Wilcox, Bob Heneage

- 1. Alcoholic Beverage License 2019-65**
- 2. ACTION ITEM: Approve Alcohol Beverage License**
- 3. ACTION ITEM: Approve Catering Permit - Teton Valley Community Animal Shelter**

#### 4. ACTION ITEM: 5/24/19 Claims Approval Report

### 3. OPEN MIC

Dan Verbeten, Executive Director of Teton Valley Trails and Pathways, spoke about the artwork project in area pit toilets and the benefit of not only being beautiful artwork but according to numerous studies, keeps vandalism down. Mr. Verbeten also offered to answer questions regarding the Landfill Cap Amendment Contract to be addressed in item 8.3 (Public Works). The Board had no questions.

### 4. PUBLIC APPEARANCE

#### 1. ACTION ITEM: Teton Regional Economic Coalition Matching Funds Request

Brian McDermitt, Executive Director of Teton Regional Economic Coalition, was present to request a letter of support for TREC's application for Economic Development Grant funding with a Teton CO\ounty match of \$35,000. The Board requested a minor typo change in the support letter.

Commissioner Wilcox would like to see this figure shrink and TREC's membership dues grow.

***MOTION:*** Approve a letter of support for TREC's application for Economic Development Grant funding with a Teton County match of \$35,000 as modified.

<b>RESULT:</b>	APPROVED [2 to 1]
<b>MOVER:</b>	Bob Heneage <b>SECONDER:</b> Cindy Riegel
<b>AYES:</b>	Cindy Riegel, Bob Heneage
<b>NAYS:</b>	Harley Wilcox

### 5. 9:30 AM PLANNING AND ZONING

#### 1. Planning Department Update

#### 2. ACTION ITEM: Bitch Creek Subdivision Final Plat Review

Senior Planner Joshua Chase presented the application. The Board had no questions for Mr. Chase. Patrick Gilroy, representing the applicant, was present for questions. The Board had no questions for Mr. Gilroy.

Public Hearing was opened at 10:10 am. No one present wished to speak. Public Hearing closed at 10:10.

The Board had no discussion.

***MOTION: APPROVAL***

*Having concluded that the Criteria for Approval of a Subdivision Final Plat found in Title 9-3-2(D-2.h) can be satisfied, and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,*

*§ I move to APPROVE the Final Plat for Bitch Creek Ranch Subdivision as described in the application materials submitted January 24, 2019 and as supplemented with additional applicant information attached to this staff report.*

**RESULT:** APPROVED [Unanimous]  
**MOVER:** Harley Wilcox **SECONDER:** Bob Heneage  
**AYES:** Cindy Riegel, Harley Wilcox, Bob Heneage

## 6. 10:00 AM PUBLIC APPEARANCE

### 1. Community Resource Center of Teton Valley Non-Profit Funding Request

Betsy Hawkins, Executive Director of Community Resource Center of Teton Valley (CRCTV), was present to request \$12,000 funding for FY2020. Ms. Hawkins reviewed the services provided by CRCTV and the FY19 financials. The Board thanked Ms. Hawkins for the work the CRCTV does for the community.

### 2. Eastern Idaho Public Health Update and Fy2020 Funding Request

Director of Eastern Idaho Public Health Geri Rackow and local EIPH Board Member Bill Leake were present to request funding for FY2020. EIPH is requesting \$80982, a 10% drop from FY19. The Board thanked Ms. Rackow and Mr. Leake for their service to the community.

## 7. 10:30 AM PUBLIC APPEARANCES

### 1. University of Idaho Extension Office Program Update

Extension Coordinator Jen Werlin presented an update about programming that she has done this spring.

Ms. Werlin brought the aging Extension truck to the Board's attention and requested direction on whether to keep repairing or request a new vehicle in the budget process. She is also concerned about where Extension will be after the current lease expires. Commissioner Riegel and Ms. Werlin will tour the Armory to work out space requirements.

## 8. PUBLIC WORKS

### 1. Public Works Report

Public Works Director Darryl Johnson presented the report.

RAD Q1 report shows amount of recyclables being brought in were down significantly versus the same time period last year. Mr. Johnson will keep the Board updated.

Transfer Station Hours - the transfer Station has experienced a significant increase in users. Mr. Johnson presented three potential staffing change scenarios and an estimate for a new weigh house to be considered during the budget process.

Road & Bridge Facility Update - Scott Green has listed his 20 acre property with mined out gravel pit and shop for \$1.1 million, and a 20 acre undisturbed lot at \$550,000. Mr. Johnson asked for direction on where his efforts should be to keep the momentum going on the R & B Facility project. The Board asked Mr. Johnson to gather all the information for renovating the Armory and present at the next meeting.

### 2. ACTION ITEM: Horseshoe Vault Toilet Mural

***MOTION:*** Approve the proposed mural painting by local artist Cy Whitling for the inside of the Horseshoe Canyon vault toilet.

<b>RESULT:</b>	APPROVED [Unanimous]
<b>MOVER:</b>	Cindy Riegel <b>SECONDER:</b> Bob Heneage
<b>AYES:</b>	Cindy Riegel, Harley Wilcox, Bob Heneage

### 3. ACTION ITEM: Landfill Cap Post Closure Plan Amendment Contract

**Amend contract 1.01 (pg. 2), strike "or if required because of changes in the Project":**

"1.01 Basic Agreement and Period of Service

A. Engineer shall provide or furnish the Services set forth in this Agreement. If authorized by Owner, ~~or if required because of changes in the Project~~, Engineer shall furnish services in addition to those set forth above ("Additional Services")."

**Amend 5.01 H (pg. 5), strike (2):**

"H. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for

or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project, ~~and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$25,000 or the total amount of compensation received by Engineer, whichever is greater.~~"

***MOTION:*** Approve the Agreement with Forsgren Associates with the above noted amendments, for the post-closure plan amendment and submittal to the DEQ. Services to be paid through Teton Valley Trails and Pathway donation to Teton County.

<b>RESULT:</b>	APPROVED [Unanimous]
<b>MOVER:</b>	Cindy Riegel <b>SECONDER:</b> Bob Heneage
<b>AYES:</b>	Cindy Riegel, Harley Wilcox, Bob Heneage

### 4. ACTION ITEM: 2019 Magnesium Chloride Source

***MOTION:*** Approve the purchase of magnesium chloride for the 2019 construction season at the rate of \$0.47/gallon from Mountain Valley Construction, Inc. Purchase of magnesium chloride to be paid from Special Road Levy Line Item 33-00-520.

<b>RESULT:</b>	APPROVED [Unanimous]
<b>MOVER:</b>	Bob Heneage <b>SECONDER:</b> Harley Wilcox
<b>AYES:</b>	Cindy Riegel, Harley Wilcox, Bob Heneage

### 5. ACTION ITEM: 2019 Gravel Crushing Contract

***MOTION:*** Award the Teton County 2019 Gravel Crushing contract to C.M. Owen Construction, LLC. Estimated cost of \$306,960 to be paid from Road & Bridge Line Item 02-00-689 and Special Road Levy Line Item 33-00-521

<b>RESULT:</b>	APPROVED [Unanimous]		
<b>MOVER:</b>	Bob Heneage	<b>SECONDER:</b>	Harley Wilcox
<b>AYES:</b>	Cindy Riegel, Harley Wilcox, Bob Heneage		

## 9. TETON COUNTY/CARIBOU-TARGHEE NATIONAL FOREST

### 1. Wildland Fire Management Preseason Coordination Meeting

Present: South Fork Zone Fire Management Officer Spencer Johnston, Commissioner Harley Wilcox, Teton County Fire Chief Bret Campbell, Fire Commissioner Jason Letham, Deputy Fire Chief Earl Giles, South Fork Zone Fuels Assistant Fire Management Officer Deb Flowers, Commissioner Cindy Riegel, Commissioner Bob Heneage, County Operations Manager Holly Wolgamott, County Emergency Manager Greg Adams, Palisades District Ranger Tracy Hollingshead, South Fork Zone Operations Assistant Fire Management Officer Martell Gibbons

Representatives from local and federal agencies met to discuss fire management strategies in private and public lands in Teton county.

Henderson Fire Scenario - Spencer Johnston lead a Fire Incident scenario to familiarize all parties with the protocols in place for dealing with a wild land fire in Teton County.

Fuel treatment projects - Deb Flowers discussed upcoming prescribed burns.

Bret Campbell discussed the availability of fuel reduction projects on private land using grant money.

## 10. CLERK

### 1. FY 2020 Budget Memo #3

Clerk Kim Keeley presented the report. The Board requested a work meeting to discuss the Capital Improvement Plan and Impact Fees. A work session was scheduled on June 24th at 9:30 am.

## 11. 3:00 PM PUBLIC APPEARANCE

### 1. ACTION ITEM: Land Use Code Revision Change in Scope of Work

Planning Administrator Gary Armstrong discussed a few changes in the scope of work for the Land Use Code Revision. Representatives from Logan Simpson, Jim Carter and Jennifer Gardner, joined by phone. Senior Planner Joshua Chase was present as well.

The Board requested that Mr. Carter and Ms. Gardner get the contract back to the Board with the changes as discussed changes by Wednesday May 29th. Mr. Carter and Ms. Gardner would like to start public outreach efforts by the end of June. Mr. Armstrong requested a meeting between Mr. Carter and Ms. Carter and the Planning and Zoning Commission.

The Board discussed the budget for the Land Use Code Revision.

Tabled until June 10th meeting.

***MOTION:*** *Table the revised scope of the Land Use Code Revision project and associated contract with Logan Simpson as presented until the June 10th meeting.*

<p><b>RESULT:</b> TABLED [Unanimous]  <b>MOVER:</b> Bob Heneage <b>SECONDER:</b> Harley Wilcox  <b>AYES:</b> Cindy Riegel, Harley Wilcox, Bob Heneage</p>
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**12. COMMISSIONERS**

**1. Executive Session per IC 74-206(1) (c) Real Property Acquisition**

Roll Call vote:  
Commissioner Wilcox - Aye  
Commissioner Riegel - Aye  
Commissioner Heneage - Aye

<p><b>RESULT:</b> APPROVED [Unanimous]  <b>MOVER:</b> Cindy Riegel <b>SECONDER:</b> Bob Heneage  <b>AYES:</b> Cindy Riegel, Harley Wilcox, Bob Heneage</p>
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**2. Committee Reports**

Commissioner Heneage attended a Board of Equalization training.  
Commissioner Riegel attended the Western Interstate Region Conference in Spokane Washington.

**3. Board of County Commissioners - Regular Meeting - May 13, 2019 9:00 AM**

Remove motions that are not voted on.  
Change Plan to Code on p. 3 item 1.  
Remove Accela generated item numbers.

<p><b>RESULT:</b> TABLED [Unanimous]  <b>MOVER:</b> Bob Heneage <b>SECONDER:</b> Harley Wilcox  <b>AYES:</b> Cindy Riegel, Harley Wilcox, Bob Heneage</p>
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**13. ADJOURNMENT**

**MOTION:** *Motion to Adjourn at 4:15 PM*

<p><b>RESULT:</b> ADOPTED [Unanimous]  <b>MOVER:</b> Harley Wilcox <b>SECONDER:</b> Cindy Riegel  <b>AYES:</b> Cindy Riegel, Harley Wilcox, Bob Heneage</p>
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BY: \_\_\_\_\_  
Cindy Riegel

ATTEST: \_\_\_\_\_  
Clerk or Deputy Clerk