



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS
MINUTES • AUGUST 12, 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

2. MOTION: Approve Agenda

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| <p>RESULT: ADOPTED [Unanimous] MOVER: Harley Wilcox SECONDER: Bob Heneage AYES: Cindy Riegel, Harley Wilcox, Bob Heneage</p> |
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2. ACTION ITEMS: CONSENT AGENDA

Move July 22nd minutes off consent agenda.

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| <p>RESULT: ADOPTED [Unanimous] MOVER: Harley Wilcox SECONDER: Bob Heneage AYES: Cindy Riegel, Harley Wilcox, Bob Heneage</p> |
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1. Board of County Commissioners - Special Meeting - Jul 25, 2019 8:00 AM

2. ACTION ITEM: Approve Certificates of Residency

3. ACTION ITEM: Approval of Claims

3. OPEN MIC

Donita Huebi, discussed short term housing rental regulations. She requested the Board consider placing regulations on short term housing rentals for safety reasons.

4. PUBLIC WORKS

Public Works Director Darryl Johnson presented the report. The Board requested that speed limit signs and road standards be put on the next agenda.

1. Public Works Report

Solid Waste Tipping Fee - Mr. Johnson presented a proposed tipping fee schedule for FY2020. The Board asked about the impact out of County fees would have on the budget. Mr. Johnson stated that the County doesn't currently track out of County visits to the Transfer Station so making an estimate is difficult. He will take an informal survey at the Transfer Station for two weeks to get an estimate of the number of out of County users. The Board discussed the means to identify out of County users at the Transfer Station.

N14500W Road - Mr. Johnson is working with the BLM and the landowners to determine where the parking lot will go. The landowners prefer the lot go at the current gate site. The BLM would like to explore having the parking lot on the BLM land. The County will host a Town Hall Meeting to get public input on the parking lot location and motorized/nonmotorized use. The Board clarified that the County does not have a role in managing the property, just the County road and access. Mr. Johnson will ask the BLM for a timeline if the parking lot were to be on the BLM property.

Teton Creek Flood District/Riprap rocks - The TCFD requested to purchase the County rocks stashed on the County Teton Creek property for \$6900. The Board clarified that the rocks could also be donated. The Board will vote on a Resolution to sell or donate the rocks at the next regular meeting. Restoration Director Mike Lien from Friends of the Teton River stated the rock will be used to mitigate flood hazards and will benefit the County.

Facilities position - Mr. Johnson is having difficulty getting applicants for this position. He is requesting health benefits for the position which would increase the budget by potentially \$11,500. The Board denied the request.

2. ACTION ITEM: 2019 Pathway Maintenance Contract

***MOTION:** Approve Professional Services Agreement with Imperial Asphalt LLC to provide pathway maintenance and slurry. Services to be paid from Road Levy; Repairs/Maintenance - Trails & Pathway line item.*

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

3. ACTION ITEM: Rocky Mountain Environmental Landfill Limit Investigation Request

John Rice from Rocky Mountain Environmental (RME) and Joselin Matkins from the Teton Valley Land Trust were present to answer questions. The Board requested that Mr. Johnson contact the City of Driggs to get permission to dig test pits along the County/City boundary.

Ms. Matkins clarified that the purpose is for due diligence, not value determination.

Commissioner Heneage approved amending the motion to read "due diligence and contingent upon gaining the approval of the City of Driggs."

***MOTION:** Approve the landfill limit site investigation on the 31-acre County owned parcel along Teton Creek by Rocky Mountain Environmental as described in the narrative provided for the*

purposes of conservation easement due diligence and contingent upon gaining the approval of the City of Driggs.

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

4. ACTION ITEM: N500W State/Local Agreement (Design)

MOTION: *Approve the N500W Reconstruction State/Local Agreement A021(983) and submit the \$6,000 for incidental services by the State. Funds to be paid from Special Road Levy Engineering line item*

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

5. ACTION ITEM: Cache Bridge State/Local Agreement (Construction)

MOTION: *Approve the Cache Bridge Rehabilitation State/Local Agreement A019(030) and submit the 7.34% County required match totaling \$51,836 to be paid from Road & Bridge Capital-Cash Match for Grants and Road & Bridge Reconstruct Road line items.*

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

5. PLANNING AND ZONING

1. Planning Department Update

Planning Administrator Gary Armstrong presented the report.

Code Revision Update - conference call with the consultant on Tuesday, August 13th to go over the code audit and implementing public involvement in the process.

Moose Creek has put their request for a CUP for a glamping campground on hold.

The County has received no applicants for the P & Z Commission or Impact Fee Committee.

Code Enforcement Policy - the County Prosecutor recommends having a clearly defined policy for Code Enforcement. Mr. Armstrong will create a draft of a Code Enforcement policy and present it at the next regular meeting.

6. PUBLIC HEARING

1. ACTION ITEM: 10:00 AM Horseshoe Meadows Subdivision Vacation

Planning Administrator Gary Armstrong presented the Horseshoe Meadows application to vacate the subdivision.

Matt McMillan, representing the applicant, was present to answer questions.

Public Hearing opened at 10:16.

No one present wished to speak.

Closed hearing at 10:17.

MOTION: *Having concluded that the Criteria for Approval of an application to vacate a subdivision, as an insignificant plat amendment as outlined in Title 9-7-1 (B-3-a) can be satisfied,*

I move to APPROVE the vacation of the Horseshoe Meadows PUD Subdivision as described in the application materials submitted July 11, 2019 and as supplemented with additional applicant information attached to this staff report.

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

2. ACTION ITEM: Horseshoe Meadows Subdivision Vacation Resolution

MOTION: *NOW THEREFORE, BE IT RESOLVED by the Teton County, Idaho, Board of County Commissioners as follows:*

Section 1. That the Horseshoe Meadows Subdivision Final Plat and Master Plan filed of record as Instrument Number 177867 is hereby vacated.

Section 2. Vacation of the Horseshoe Meadows Subdivision Final Plat does not include vacation of North 7000 West as a County road.

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

3. ACTION ITEM: 10:15 AM Calvary Chapel School Conditional Use Permit

Mr. Armstrong presented the amendment to the original Conditional Use Permit. Mr. Armstrong recommends not limiting the applicant to four classrooms.

Roger Shea, Pastor of Calvary Chapel, requested that the church not be limited to the restrictions requested by the City of Driggs. Paul Mudrick, Church Elder, was available for questions.

Public comment opened at 10:34.

In favor:

Elizabeth Miller spoke in favor of the amendment to the CUP. She believes the school helps expand educational opportunities in the County.

Melissa Irwin spoke in support of the school and in favor of amending the CUP so the school can expand.

Sara Gibson spoke in favor of the school.

Cody Irwin, student at Calvary Chapel School, spoke in favor of the school.

Dave Johnson, member of the Church and volunteer at the school, spoke against restricting the number of classrooms.

Neutral:

No one present wished to speak.

Opposed:

No one present wished to speak.

Closed public comment at 10:45.

Board wished to clarify if the CUP is being amended or a new CUP. Mr. Armstrong said the CUP could be amended.

MOTION: *Having reviewed the application materials for the Calvary Chapel, as well as the additional material provided by Planning staff; I hereby move to APPROVE the amendment to the existing Conditional Use Permit for a school, having found that the application meets the criteria found in Driggs Zoning Ordinance 9-2B, with the conditions recommended in the City of Driggs Statement of Decision except for condition #1 regarding the number of classrooms.*

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

4. ACTION ITEM: 10:30 AM Drake Creek Subdivision Final Plat

Senior Planner Joshua Chase presented the application for final plat for Drake Creek Subdivision. Arnold Woolstenhulme with AW Engineering, was present to represent the applicant.

Public comment opened at 11:13.
No one present wished to speak.
Closed public comment at 11:14.

Discussion:

The Board asked Mr. Armstrong about all the blank spaces in the Development Agreement. Sharon Woolstenhulme, AW Engineering, pointed out that the process with the County Development Agreement does not have a logical sequence.

MOTION: *Having concluded that the Criteria for Approval of a Subdivision Final Plat found in Title 9-3-D can be satisfied as presented in the application materials, staff report, and presentations to the Board of County Commissioners,
§ 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 Drake Creek Reserve Subdivision as described in the application materials submitted July 12, 2019 and subsequent additions on file, 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

7. 12:00 PM ELECTED OFFICIAL AND DEPARTMENT HEAD MEETING

Elected officials and department heads met to discuss items of mutual concern.

Present: Cindy Riegel, Bob Heneage, Harley Wilcox, Bonnie Beard, Beverly Palm, Kim Keeley, Renee Leidorf, Rob Marin, Jenifer Shaum, Holly Powers

8. PUBLIC APPEARANCES

Executive Director of Teton Regional Economic Coalition Brian McDermitt presented a copy of the EDPro Grant Agreement.

1. ACTION ITEM: 1:00 PM Rural Idaho Economic Development Professional Grant

MOTION: *Approve the Rural Idaho Economic Development Professional Grant as presented.*

RESULT: APPROVED [Unanimous]

9. IT/EMERGENCY MANAGEMENT

Emergency Manager Greg Adams presented the report.

1. IT/EM Monthly Report August 2019

2. ACTION ITEM: Continuity of Government Prioritization of Essential Functions

MOTION: *Approve the attached top 10 Essential Functions list to aid in planning and preparing for disaster response and recovery.*

RESULT: ADD TO NEXT AGENDA

3. ACTION ITEM: Critical Power Grant Project Additional Funds Opportunity

Mr. Adams and Clerk Keeley will discuss potential funding options.

MOTION: *Accept the additional HMGP grant funds and provide up to \$17,682.99 of cash match for the Critical Power grant project.*

RESULT: ADD TO NEXT AGENDA

4. ACTION ITEM: Permission for Emergency Manager to attend the Idaho Preparedness Conference

MOTION: *Allow Greg Adams to attend the Idaho Preparedness Conference on October 1st and 2nd.*

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

5. ACTION ITEM: Authorize Ronn Carlentine to be a Grant Administrator

MOTION: *Authorize Ronn Carlentine to be a grant administrator for Homeland Security grants.*

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

10. GIS

GIS Coordinator Rob Marin presented the City of Driggs GIS contract. The item was not properly noticed so no vote was taken.

1. Approval of Renewed Intergovernmental GIS Agreement Between Teton County and the City of Driggs

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| RESULT: | ADD TO NEXT AGENDA |
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11. PROSECUTOR

1. Executive Session per IC 74-206(1) (f) Imminent or Pending Litigation

Roll call vote:

Commissioner Riegel - aye

Commissioner Heneage - aye

Commissioner Wilcox - aye

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

2. ACTION ITEM: Arthur Williams and John Stanchfield Settlement Agreement for Hill Gravel Pit

MOTION: Approve Arthur Williams and John Stanchfield settlement agreement for the Hill Gravel Pit as presented.

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

12. CLERK

1. FY19 3rd Quarter Financial Report

2. ACTION ITEM: 3rd Quarter FY19 Budget Adjustment Resolution 2019-0812

MOTION: Approve Resolution 2019-0812(B) making budget adjustments for the third quarter of FY 2019.

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

3. ACTION ITEM: Compassionate Leave / Donation of Leave Time Policy

MOTION: *Approve the Compassionate Leave/Donation of Leave Policy as presented.*

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

4. MOTION: *Executive Session per IC 740206(1) (d) Indigent*

Roll call vote:

Commissioner Riegel - aye

Commissioner Heneage - aye

Commissioner Wilcox - aye

RESULT: ADOPTED [Unanimous]

5. MOTION: *Deny Indigent case #IT-2019-10012 on the grounds that the applicant is not a resident of Teton County.*

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

6. MOTION: *Deny Indigent case #IT-2019-10011 on the grounds that the applicant failed to cooperate with the investigation.*

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

13. OPERATIONS MANAGER

Operations Manager Holly Powers presented the report.

1. Operations Manager Report

Employee Appreciation Party scheduled for Thursday, Sept 12th at the Victor City Park.
 Ms. Powers asked the Board for topics to be included in the County newsletter.

14. COMMISSIONERS

1. Executive Session per IC 74-206(1)(b) Personnel

Roll call vote:

Commissioner Riegel - aye

Commissioner Heneage - aye

Commissioner Wilcox - aye

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| <p>RESULT: APPROVED [Unanimous] MOVER: Harley Wilcox SECONDER: Bob Heneage AYES: Cindy Riegel, Harley Wilcox, Bob Heneage</p> |
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2. Board of County Commissioners - Regular Meeting - Jul 22, 2019 9:00 AM

Motion: Approve the July 22nd minutes as amended.

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| <p>RESULT: ACCEPTED [Unanimous] MOVER: Harley Wilcox SECONDER: Bob Heneage AYES: Cindy Riegel, Harley Wilcox, Bob Heneage</p> |
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3. Committee Reports

Commissioner Heneage attended the Land Use Code Steering Committee meeting. The committee is tasked with keeping the process on time and to make sure the consultants adhere to the RFP.

15. ADJOURNMENT

MOTION: *Motion to Adjourn at 3:30 at*

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| <p>RESULT: ADOPTED [Unanimous] MOVER: Harley Wilcox SECONDER: Bob Heneage AYES: Cindy Riegel, Harley Wilcox, Bob Heneage</p> |
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 Cindy Riegel, Chairperson

ATTEST: 
 County Clerk or Deputy