



**TETON COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**MINUTES • AUGUST 26, 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:**

Holly Wolgamott, County Operations Manager  
Kim Keeley, Clerk  
Darryl Johnson, Public Works Director  
Gary Armstrong, Planning Administrator

**2. MOTION: Approve Agenda**

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

Moved Approval of Claims action item to 8. Commissioners.

<p><b>RESULT:</b> ADOPTED [Unanimous] <b>MOVER:</b> Harley Wilcox    <b>SECONDER:</b> Bob Heneage <b>AYES:</b> Cindy Riegel, Harley Wilcox, Bob Heneage</p>
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- 1. Board of County Commissioners - Regular Meeting - Aug 12, 2019 9:00 AM**
- 2. ACTION ITEM: Solid Waste Fee Refund Requested Name Changes**
- 3. ACTION ITEM: Approve Certificates of Residency**
- 4. ACTION ITEM: Updated Job Description Facilities Maintenance Worker**
- 5. ACTION ITEM: Approval of Renewed Intergovernmental GIS Agreement Between Teton County and the City of Driggs**

### 3. OPEN MIC

Herb Heimerl - represents petitioner for Hill Gravel Pit Permit CUP Judicial review. Mr. Heimerl encouraged the Board to comply with the spirit of the settlement agreement and adopt their own findings, not those of a passed Board. Mr. Heimerl pointed out that the Board does have the option to hold another public hearing as per the settlement agreement.

John Stanchfield - reminded the Board that the P & Z voted 4-1 against the pit because it was clearly inappropriate for the neighborhood. The P & Z had also recommended that a wildlife study be done, but Mr. Hill declined to do one. Mr. Stanchfield asked the Board to deny the CUP.

Dan Verbeten - Executive Director of Teton Valley Trails and Pathways (TVTAP), commented on the Transportation Plan. Believes Transportation Plan lacks a cohesive plan for motorized and non motorized modes of transportation. It lacks a single capital improvement project that is for non motorized vehicles. Mr. Verbeten provided the Board with a chart that shows impact speeds between motorized and non motorized and asked that it be included in the Plan. Would like a map for the preferred alternative non motorized route from Driggs to Tetonia.

### 4. COMMISSIONERS

The Board gave a brief history of the Hill Gravel Pit CUP. At a Public Hearing in November of 2018 the Hill Gravel Pit CUP was approved. In January 2019 the Board received a petition for Judicial review from Williams & Stanchfield. A Settlement Agreement with amended findings was reached in July of 2019. The Board then discussed the settlement agreement.

#### 1. ACTION ITEM: 9:00 AM Hill Gravel Pit CUP

Commissioner Wilcox moved to "Approve proposed findings for the Hill Gravel Pit CUP as presented." Commissioner Heneage amended the motion "to approve the proposed findings of the 2018 Board of County Commissioners for the Hill gravel Pit CUP as presented", Commissioner Wilcox accepted the amendment.

Commissioner Riegel stated she would vote no on the new findings and wished to discuss the settlement agreement. The Board discussed whether to re-open the Public Hearing. Commissioner Heneage stated he was not comfortable voting on approving the findings of another Board with out more information and intended to abstain.

Planning Administrator Gary Armstrong, suggested speaking with the County Prosecutor for next steps.

**MOTION:** *Approve proposed findings for the Hill Gravel Pit CUP as presented.*

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

### 5. PUBLIC WORKS

Public Works Director Darryl Johnson, presented the report.

#### 1. Public Works Report

Transportation Plan update:

- Aaron Swenson, representing Forsgren & Assoc., was present to discuss the Transportation Plan update. Mr. Swenson highlighted a few statistics. \$370,000 is the minimum to keep the paved

roads as they are. Paving a gravel road makes sense when Average Daily Traffic (ADT) reaches 200/day.

- Mr. Swenson said including intermodal capital projects would be easy to add.
- He requested input from the Board on the Capital Improvement Plan.

Mr. Johnson suggested reviewing the document and schedule a work session in October.

Tipping Fee update - The Transfer Station did a brief study on the number of out of county users. They estimated 10% of users were out of county, and with the proposed OOC rates as presented, would increase revenue by 2.5%. The Board requested that OOC fees equal in county fees in Teton County Wyoming. Mr. Johnson will make that adjustment and re-present.

Speed Limit Memo - Mr. Johnson recommends using the USLIMIT2 software recommended by LHTAC. Commissioners could adopt the USLIMIT2 method and use it as the engineering study.

Road Standard Memo - Mr. Johnson will add to the two memos and bring recommendations to a future meeting.

## 2. ACTION ITEM: Danny O'Donnell Promotion to Solid Waste Operator

**MOTION:** *Approve the proposed promotion of Danny O'Donnell from Solid Waste Laborer to Solid Waste Operator at a Pay Grade 5; 90% Market Rate of \$18.12/hour.*

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

## 6. PLANNING AND ZONING

Planning Administrator Gary Armstrong presented the report.

### 1. Planning Update

Discussion of non conforming (or "grandfathered") uses. The big challenge is defining the baseline use dating back to the 1996 decision.

Code Enforcement - The Board discussed processes for code enforcement. County Prosecutor Siddoway explained the legalities of code enforcement.

### 2. ACTION ITEM: Teton Reserve Insignificant Plat Amendment

**MOTION:** *Having found that the proposed plat amendment for Teton Reserve Subdivision, Peregrine Phase, complies with the requirements of Title 9-7-1 (B-3b), based on the findings prepared in the staff report, I move to approve the application submitted on August 1, 2019.*

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

## 7. IT/EMERGENCY MANAGEMENT

IT/Emergency Manager Greg Adams presented the report.

**1. ACTION ITEM: Generator Procurement for Critical Power Project**

Mr. Adams corrected the amount to \$95754.03 due to a shipping charge error he found.

**MOTION:** *Approve the purchase of two 100KVA generators for the Critical Power Grant Project for the price of \$95,754.03 from Generac out of line 86-11-546.*

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

**2. ACTION ITEM: Additional Grant Funds for Critical Power Project**

Move to not accept the additional grant funds because the County has not budgeted for the match.

**MOTION:** *Decline the additional grant funds for the Critical Power Project because the funds were not budgeted for.*

<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: Critical Power Grant Match**

**MOTION:** *Approve the expenditure of up to \$81,343 of match funds for the HMGP Critical Power Grant project out of remaining cash in the current fiscal year.*

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

**8. COMMISSIONERS****1. ACTION ITEM: Approval of Claims**

Discussion of Billie Siddoway claim for two laptops.

with the exception of the reimbursement to the Prosecuting Attorney for the purchase of two un budgeted laptop computers last summer in the amount of

**MOTION:** *Approve claims as presented for 8.26.19 with the exception of the reimbursement to the Prosecuting Attorney for two unbudgeted laptop computers.*

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

**2. 1:00 PM Executive Session per IC 74-206(1) (b) Personnel**

Roll Call Vote:

Commissioner Riegel - aye

Commissioner Wilcox - aye  
 Commissioner Heneage - aye

<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. Committee Reports

Commissioner Heneage attended a TREC meeting where they reviewed FY20 budget and discussed strategies to increase Chamber membership. He had a follow up with 5C Juvenile regarding the 3% COLA rate increase. The 5C Board unanimously passed the 3% COLA adjustment. Commissioner Heneage also attended the Probation Officer interviews and reported that a new Probation Officer had been hired.

Commissioner Riegel had two meetings that were postponed.

County Operations Manager Holly Powers reported on the employee committee. The committee met and finalized plans for the Sept. 12 Employee Party. Commissioner Heneage will help with giving out the awards. Commissioner Riegel will give the welcome and farewell.

## 9. CLERK

### 1. ACTION ITEM: 2:00 PM Adopt Budget for FY 2020

Open for public comment at 2:02.  
 No one present, closed at 2:03.

**MOTION:** *Approve Resolution 2019-0826 adopting a \$15,375,538 Teton County budget for FY 2020.*

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

### 2. ACTION ITEM Approve FY2020 Indigent Defense Grant Agreement

**MOTION:** *Approve and sign the FY2020 Indigent Defense Grant Agreement in order to receive a \$25,000 grant from the Public Defense Commission.*

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

### 3. ACTION ITEM: Compassionate Leave/Donation of Leave Policy Changes

The Board amended the policy to in paragraph three to read, " Donated leave will be converted to sick leave on a dollar to dollar basis."

**MOTION:** *Approve proposed changes to the Compassionate Leave/Donation of Leave Policy as amended.*

<b>RESULT:</b> APPROVED [Unanimous] <b>MOVER:</b> Harley Wilcox <b>SECONDER:</b> Bob Heneage <b>AYES:</b> Cindy Riegel, Harley Wilcox, Bob Heneage
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**4. Executive Session per IC 740206(1) (d) Indigent**

**10. TREASURER**

**1. ACTION ITEM: Cancellation of Penalty & Interest**

**MOTION:** Approve to rescind penalty and interest on parcels RP 002600000070A AND RP002600000050A due to misplacement of payment.

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

**MOTION:** Motion to Adjourn at 2:35 PM

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

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