



**TETON COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**MINUTES • FEBRUARY 25, 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  
Darryl Johnson, Public Works Director  
Bonnie Beard, Assessor

Operations Manager Holly Wolgamott and Planning Administrator Gary Armstrong joined by phone.

**2. MOTION:** *Approve Agenda*

<p><b>RESULT:</b> ADOPTED [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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**2. ACTION ITEMS: CONSENT AGENDA**

<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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1. **ACTION ITEM: Approve Certificate of Residency**
2. **Board of County Commissioners - Regular Meeting - Jan 28, 2019 9:00 AM**
3. **Board of County Commissioners - Special Meeting - Jan 30, 2019 9:00 AM**
4. **Board of County Commissioners - Regular Meeting - Feb 11, 2019 9:00 AM**
5. **ACTION ITEM: Claims Approval**

**3. OPEN MIC**

Josh Volcko requested that the County help plow 10000 S connector between Little Pine Ln and Hwy 26.

#### 4. PUBLIC APPEARANCES

##### 1. ACTION ITEM: Extension to Pay Homeowner's Exemption Recapture for Molly Stewart

Molly Stewart called in, unable to make it to the Courthouse due to Teton Pass closure, asking for a 3 month extension to avoid penalties and interest.

The Board will amend the motion at the next meeting to reflect a blanket change in the time period allowed to pay without penalty and interest, applicable to everyone assessed the vacation of Homeowner's Exemption tax.

**MOTION:** *Approve an extension to pay homeowner exemption recapture taxes owed by Molly Stewart without interest until June 30, 2019 for parcel #RPA02290000240A Lot 24 Rendezvous Townhomes Creekside Meadows PUD.*

**RESULT:** ADD TO NEXT AGENDA

##### 2. ACTION ITEM: Cancellation of Property Taxes for Kristina Goetz

Kristina Goetz appeared before the Board. She was not aware that she had to pay Idaho income tax. Amend motion to "contingent upon proof of filing Idaho income tax via a letter provided by her accountant" at the end of the motion.

**MOTION:** *Approve the cancellation of taxes owed by Kristina Goetz for parcel #RP03N45E167204A Tax #5458 SEC 16 T3N R45E in the amount of \$683.10 due to satisfying residency requirements and thus qualifying for the Idaho homeowner's tax exemption, contingent upon proof of filing Idaho income taxes via a letter provided by her accountant.*

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

#### 5. PUBLIC WORKS

##### 1. Public Works Report

Public Works Administrator Darryl Johnson presented the report.

Mr. Johnson added an announcement of the joint effort Construction and Demolition Waste Rebates Town Hall Meeting this evening from 6-7:30.

##### Road and Bridge

- W10000S snow plow request by Josh Volcko. Mr. Johnson is requesting guidance on how to handle this and similar requests in the future. The Board made it clear that though there is no agreement in place, Mr. Volcko can ask Road and Bridge for a one time clean up. The Board also requested that Mr. Volcko obtain a permit to help plow that portion of W10000S.

##### Engineering

- Action Excavation will be awarded the Stateline Road Improvements Project.

#### 6. PLANNING AND ZONING

##### 1. ACTION ITEM: Teton Creek Resort Insignificant Plat Amendment

No Planning staff present due to road closures, but Planner Joshua Chase was available via phone for questions. Patrick Gilroy from Y2 Consultants (applicant) was present. The Board asked for clarification on the timing of recording the previous two amendments. Mr. Gilroy said he is waiting for the snow to melt to set the survey monuments.

***MOTION:*** *I move to APPROVE THE PROPOSED AMENDMENT FOR Teton Creek Resort Planned Unit Development, as submitted on January 22, 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. PUBLIC HEARING

### 1. ACTION ITEM: Road & Bridge Facility Conditional Use Permit

The Planning Dept was not present due to closed roads but was available by phone.

Public Works Director Darryl Johnson presented the new information regarding the five potential sites to the Board in the form of a matrix. Based on the matrix, Mr. Johnson considers the three best sites to be Cemetery Road, the Armory, and Driggs Centre.

**Chair Riegel opened the public hearing at 1:21 pm.**

**In Favor:** no comments

**Neutral:** no comments

**Opposed:**

Shawn Hill, ED of VARD spoke against the current CUP.

Diane O'Leary, resident of Aspen Pointe, spoke against the CUP.

**Chair Riegel closed the Public Hearing at 1:26 pm.**

Mr. Johnson mentioned that the County could sell the Cemetery Road site to help fund a different site.

The Board discussed the merits/drawbacks of the Cemetery Road site.

***MOTION:*** *Having reviewed the application materials, the Teton County Road and Bridge Facility, as well as the additional material provided by planning staff, other agencies, and the public; I hereby move to deny the application having found that the application does not meet the criteria found in section 9-2B-2 of the Driggs Area of Impact Agreement (Ordinance #325-11).*

<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. WORK SESSION: NEXT STEPS WITH ZONING MAP AND LAND USE CODE

Present: Commissioner Riegel, Commissioner, Commissioner Heneage, GIS Coordinator Rob Marin, Clerk Kim Keeley, Planning Administrator Gary Armstrong (phone).

### Land Use Zoning Map

Mr. Marin presented a report highlighting the discrepancies in the Land Use Zoning Map and parcels, particularly in the A20/A2.5 interface. Mr. Marin gave an example of a "cleaned map" he had created by aligning the zoning map to parcel and property boundaries. In this example, 70-80% of the changes to the map are minor and would be largely administrative. The remaining 20-30% would require a public process to make the changes and would be a lengthy process. Mr. Marin asked the Board for direction on how to approach fixing the Land Use Map. Possibilities range from continuing to work with the current map as is, fix the current map, finish the proposed map from 2015, or start over.

#### Board Discussion:

- **Fixing current map seems inefficient. The Board cited fixing the short plat process as an example.**
- **The Planning Dept. has identified the city Areas of Impact (AoI) as the areas with the most inconsistencies. This is largely due to three sets of rules within the AoI - the City's, the County's, and the AoI. Each entity uses different terms, definitions, etc. These need to be brought into alignment.**
- **Victor and Driggs are both hiring consultants to update their AoI codes. In the interest of efficiency, allowing them to complete that process before working to align the three entities makes sense.**
- **When the cities have completed their changes, the Board will request that the P&Z bring the County into alignment with the AoI.**

### Land Use Code

Mr. Armstrong suggested the Board needs to first decide whether to fix the old code or create a new code and then come up with the process to accomplish that.

#### Board Discussion:

- **Because compliance for existing subdivisions is based on the Code used at the time of their adoption, the current Code needs to be cleaned up.**
- **Work was done in 2012 to codify the Code by a consultant. Clerk Kim Keeley will check on the status of that work.**
- **The Board determined that public outreach will be essential to get buy in for any major changes made to the code and Land Use Map.**
- **The Board asked Mr. Armstrong to research RFQ's from the 2012 Comp Plan process for code work.**

## 9. BUILDING

### 1. Building Department Update & Review of Work Session Items

Building Dept. Manager Wendy Danielson was not present due to closed roads.

#### Fire District Review of Permit Applications

- The Board requested more information about the County collecting fees for the Fire District. Clerk Kim Keeley will get more information about the logistics of setting up a pass through fund and present at the next meeting.

## 10. CLERK

### 1. Change in Workman's Comp Rate

Clerk Kim Keeley let the Board know that the Unemployment Insurance experience rating jumped over 25% resulting in an unanticipated rise of \$38,000 in the invoice from the State Insurance Fund that would need to be accounted for in the 2nd quarter budget adjustment.

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

Roll call vote:

Commissioner Heneage - aye, Commissioner Wilcox - aye, Commissioner Riegel - aye.

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

### **MOTION:** *Deny Indigent Case IT-2019-10006 because applicant is not medically indigent.*

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

## 11. PROSECUTOR

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

Roll call vote:

Commissioner Heneage - aye, Commissioner Wilcox - aye, Commissioner Riegel - aye.

The Board returned from Executive Session at 11:50.

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

## 12. OPERATIONS MANAGER

Operations Manager Holly Wolgamott called in to answer any questions.

### 1. ACTION ITEM: Approval of Letter of Support for CHC Grant for Cowboy Village Themed Playground

The Fair Board requested that the motion be amended by removing the request for matching funds at this time.

### **MOTION:** *Approve a letter of support for a CHC grant requesting funds for a cowboy themed playground at the fairground.*

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

**13. COMMISSIONERS**

**1. Committee Reports**

Commissioner Heneage gave a report on the Wildfire Meeting in Idaho Falls sponsored by the Univ. of Idaho, Idaho Lands and Idaho Smart Growth. Spencer Johnston the Zone Fire Mngmt Officer for Caribou-Targhee National Forest would like to give a presentation to the Board. The Board discussed the interface zone and potential appropriate ordinances.

**14. ADJOURNMENT**

**MOTION:** *Motion to Adjourn at 2:42 PM*

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

BY: \_\_\_\_\_  
Cindy Riegel

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