



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS MINUTES

January 31, 2025
9:00 a.m.

First Floor Commissioners' Meeting Room
150 Courthouse Dr, Driggs, ID 83422

Commissioners Present: Michael Whitfield
Brad Wolfe
Ron James

Staff: Dan Reyes, County Manager
Kim Keeley, Clerk
Darryl Johnson
Jade Krueger
Wendy Danielson
Tiffany Hicks
Burkley Rudd

1. MEETING CALL TO ORDER

Called to order at 9:02 AM.

2. PLEDGE OF ALLEGIANCE

3. ADOPT AGENDA

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the agenda.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

4. ACTION ITEMS: CONSENT AGENDA

Pull the minutes of Nov 13th 1:30 PM to confirm the motion in item 2.1.

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the consent agenda as presented, with the minutes of Nov 13th 1:30 PM meeting minutes added to the next regular meeting agenda.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

1. Claims Report

Approve the Claims Report as presented.

2. Approve Alcoholic Beverage License

Approve the Alcoholic Beverage License(s) as presented.

a. Action Item – Liquor License Approval

Approve the liquor license transfer as presented.

3. Minutes for Approval

Approve the minutes as presented.

4. Action Item – Payroll Forms

Approve payroll form as attached.

5. OPEN MIC

Anthony Wilcox thanked the Board for meeting with Department Heads. He would like the Wildlife Committee Members to be scrutinized for conflicts of interest.

Curt Behle wished to speak regarding item 12.5 Dorothy Gayle Subdivision Denial of Extension. He was unaware he would have been able to speak at the Dec 23rd meeting when the item was discussed. He feels the process is unclear. He accused the prior Board of failing to seek legal advice and lying about various matters. Commissioner Whitfield replied that Mr. Behle misrepresented a lot of facts and there is documentation to back that up. He further stated that he is not aware of any illegal actions taken by the prior Board regarding Mr. Behle's applications.

Glen Moradian, spoke regarding the Dorothy Gayle Applicant. He stated that the Board of County Commissioners gave the developer numerous opportunities to address the conditions of approval. Repeated requests for documentation were not met.

Penny Vasquez stated that the new Commissioners were voted in because the people want change. She felt that the Department Head meeting with BoCC was enlightening and that "both sides" presented some half truths. She also stated that the Committees and Boards need to be more diverse.

Ida Hansen felt the Wildlife Committee should not have Intermountain Aquatic employees on it. She also commented on the timing of posting the agendas for meeting. She would like them posted earlier. She also asked why the County helps fund the Teton Regional Economic Coalition (TREC). She doesn't think TREC does anything. She would like the Land Development Code reconsidered.

Niki Richards from Valley Advocates for Responsible Development (VARD) acknowledged that there are two VARD Board members on the Wildlife Committee. She also agrees that personal property rights should be protected. She stated that Mr. Behle has presented a lot of incomplete applications. She also thanked the Board for meeting with their department heads.

The Board thanked all of the commenters.

6. PUBLIC APPEARANCE

1. Action Item – Proclamation 2025-0131

Ms. Janice Beller presented the Proclamation in support of Military Caregivers in Collaboration with Idaho's Daughters of the American Revolution and Hidden Heroes.

MOVER: Michael Whitfield

SECONDER: Ron James

Approve Proclamation 2025-0131, In support of Teton County's Military Caregivers, to wit:

PROCLAMATION 2025-0131 IN SUPPORT OF TETON COUNTY'S
MILITARY CAREGIVERS IN COLLABORATION WITH IDAHO'S DAR
AND HIDDEN HEROES

WHEREAS, the series of wars and conflicts in which our nation has been engaged over time, since World War II, has resulted in 14.3 million military and veteran caregivers who are parents, spouses, siblings and friends, caring for those wounded, ill or injured who have served our nation, as documented by the 2024 RAND study commissioned by the Elizabeth Dole Foundation; and

WHEREAS, the daily tasks of these military and veteran caregivers can include bathing, feeding, dressing and caring for the injuries of wounded warriors, administering medications, providing emotional support, caring for the family and the home, and working outside the home to earn essential income; and

WHEREAS, the nation provides multi-faceted support to our wounded, ill and injured veterans and service members through public, private and philanthropic resources, but their caregivers receive little support or acknowledgement; and

WHEREAS, most military and veteran caregivers consider the challenging work they do as simply carrying out their civic and patriotic duty, without

realizing they are, in fact, caregivers, and do not identify themselves as such; and

WHEREAS, an alarming number of military and veteran caregivers, according to research, are suffering numerous debilitating mental, physical and emotional effects as a result of their caregiving duties; and

WHEREAS, Teton County desires to recognize and support those who are serving in these vital roles in our own community;

NOW, THEREFORE, BE IT RESOLVED

1. That Teton County, announces its support of military and veteran caregivers in our communities.
2. That Teton County seeks to identify military and veteran caregivers residing in our communities and determine the unique challenges they face.
3. That Teton County will work to ensure that our government, organizations, employers and non-profits are aware of the unique challenges of military and veteran caregivers and are encouraged to create supportive environments and opportunities for assistance.
4. That Teton County encourages all who care for and support veterans and service members to extend that support to their caregivers.
5. That Teton County shall designate a point of contact for our community, for citizens and organizations wanting to offer support and caregivers seeking that support.
6. That Teton County uses the Elizabeth Dole Foundation's Military Caregiver Experience Map to understand the state of the military caregiver journey and use it as a tool to encourage community understanding and support.
7. That Teton County shall work in concert with the Idaho State Society, Daughters of the American Revolution (ISSDAR) to execute these tasks, thereby ensuring Idaho's Military Caregivers are identified, acknowledged for their service, and supported wherever possible.

ADOPTED by the County of Teton, State of Idaho, on this 31st day of January, 2025.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

2. DISCUSSION ITEM – Introductions to Eastern Idaho Public Health

James Corbett, Director of Eastern Idaho Public Health and Board Chair Blair Dance (Commissioner from Fremont County) were present to

introduce themselves to the new Board. The Board asked about the funding formula, in particular the 30% based on assessed value. Commissioner Whitfield volunteered to be the representative from Teton County.

Mr. Dance welcomed the new Commissioners and thanked them for their participation.

7. PUBLIC WORKS

1. Report: Public Works Dept. Update

Public Works Director Darryl Johnson presented his report.

N500W Construction - Mr. Johnson asked the Board for direction on selecting three ITD approved firms. Mr. Johnson also needs to have three individuals join the CE&I RFI proposal selection/scoring committee. Commissioner James volunteered to sit on the selection committee.

Super 8 Motel Expansion - The Super 8 is asking for funds to help connect to City Water which would potentially benefit the Fairgrounds in the future. The Board asked for a cost estimate as well as confirmation that the Fairground would not need to be annexed into the City.

Mr. Johnson discussed additions of turn lanes onto Access Road.

Solid Waste - In response to a question regarding the claim for shipping batteries, Mr. Johnson clarified that there is a cost to diverting batteries. The claim was for three years worth of batteries.

Mr. Johnson gave a brief overview of the Transfer Station Audit and its recommendations. The hope is to start construction of a second scale house and crew building this year and complete in FY26.

2. Action Item – Remaining Surplus Equipment to Salvage

MOVER: Michael Whitfield

SECONDER: Ron James

Approve outdated or unused Road & Bridge equipment that did not sell through the Public Surplus web site to be salvaged.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

8. IT/EM

1. Action Item -2024 SHSP Grant Award

MOVER: Michael Whitfield

SECONDER: Ron James

Sign the 2024 SHSP grant award document and MOU as presented.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

9. CLERK

1. Action Item – BoCC Regular Meeting Dates Approval

MOVER: Ron James

SECONDER: Michael Whitfield

Approve moving the BoCC Regular Meetings to May 27th, September 22nd, and October 14th as presented.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

2. FY25 1ST Qtr. Financial Report

This will be moved to the next Regular Meeting agenda.

10. OPERATIONS

1. Action Item – Group Quote Request

MOVER: Michael Whitfield

SECONDER: Ron James

Approve requesting a quote from Gem Plan for eligibility and cost.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

11. COMMISSIONERS

1. EXECUTIVE SESSION: 74-206(1)(F) Legal & (B) Personnel

MOVER: Brad Wolfe

SECONDER: Ron James

Go into executive session per IC74-206(1)(f) to communicate with the legal.

Roll call vote.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

2. COMMISSIONER'S REPORTS

Commissioner Whitfield Reports

Attended the Agricultural Protection Area Commission.

Jan 23rd Eastern Idaho Solid Waste District - Approved claims. District training for Transfer Station employees will be conducted in April, to be funded by a grant.

IAC Legislative Conference Jan 27-30. Met with Lt Gov Bedke and discussed the water situation and the proposed Tourism Tax legislation. Met with Director of Idaho Dept of Water Resources and discussed ground water use in Teton Basin.

All three Commissioners as well as the Clerk, Treasurer, Assessor and County Manager attended the IAC Legislative Conference in Boise.

3. Action Item – Committee Assignments

The Board divided up the various Boards and Committees they serve on as follows:

Committee or Board	Assignment 2025
Probation/ Drug Court Liason	Wolfe
5C Juvenile Detention Center	Wolfe
Teton Regional Economic Coalition (TREC)	James
Driggs Urban Renewal Agency (DURA)	James
City of Tetonia	James
Systems of Care - Local non-profits	Whitfield
School Board	Wolfe
Council of Governments	Whitfield
High Country Resource Conservation and Development	Wolfe
Magistrate Commission (chair)	Wolfe
City of Victor	Wolfe
Quarterly Judicial Process Meeting	

Teton Food and Farm Coalition	James
Teton Creek Collaborative Committee	Wolfe
Eastern Idaho Community Action Partnership	Wolfe
Eastern Idaho Solid Waste District	Whitfield
Teton Water Users Association	Whitfield
Fair Board	James
Eastern Idaho State Fair	Hallie
City of Driggs	Whitfield
Henry's Fork Watershed Council	Whitfield
Eastern Idaho Public Health (EIPH)	Whitfield
ITD District 6	Wolfe
Teton County Idaho Joint Housing Authority (TCIJHA)	James
Wildlife Advisory Committee	Whitfield
Historic Preservation Commission	Doug Self
Waterways and Recreation Advisory Committee	James
Planning and Zoning Commission	Wolfe
Mosquito Abatement District	Ronn Carlentine
Impact Fee Committee	James
Victor Urban Renewal	Wolfe
Upper Valley Board of Guardians (UVBOG)	Whitfield
Teton Valley Early Learning Collaborative	Whitfield
Agricultural Protection Commission	Whitfield

Altura	Wolfe
LEPC	Dan

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the Commissioner meeting assignments as discussed and determined.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

12. PLANNING AND ZONING

1. 1:00 PM- ACTION ITEM - PUBLIC HEARING: Eustachy Wysong Preliminary Plat Hearing

Contract Planner Jade Krueger gave the staff report for Eustachy Wysong Preliminary Plat. This is a re-hearing due to a procedural error. County legal review has recommended that approval be explicitly dependent upon adjudicated access.

Brent Husk Crowther, representing the applicant, stated that the applicant rebuttal was not allowed in the initial hearing and that is the reason the hearing is being repeated. He questioned who would request the judicial review on the access issue.

Public comment opened at 1:27 PM.

Penny Vasquez stated that she is in favor of this application if the applicant has ticked all the boxes. She thinks neighbors need to work out differences.

Ida Hansen spoke in favor of the subdivision.

Curt Behle spoke neutrally regarding the subdivision. He has a pending application to the south of Eustachy Wysong subdivision. He spoke at length about why he believes the property has legal access.

Glen Moradian narrated a video taken by Natalie Behring showing the properties in question. He contends that the development does not fit the

area, and it does not benefit the community. Based on County Code, the County can require an additional access. According to Mr. Moradian, the burden is on the development to provide water to existing farmland if they pull the pivot. He is requesting vegetative screening if the development is approved. The access is described as a farm road in all title documents.

Dan Burr spoke in opposition to the development.

Brent Petersen owns a neighboring property. He objected to the accuracy of the staff report. He is concerned about losing the ability to water his ground.

Marri Moradian pointed out that some of the studies were based on one home per lot, but the development is seeking two homes per lot.

Chris Petersen asked who's property rights' are more valued, his or the developers?

Niki Richards from Valley Advocates for Responsible Development protested the hijacking of the public hearing by Mr. Behle. The applicant has not shown that access is legal.

Public comment was closed at 2:20 PM.

Mr. Crowther stated that the public comments were not based on the Land Code. He contends that the Right to Farm Act is not relevant. He stands by his NP Evaluation.

The Board asked Mr. Crowther who owns the pivot. Anecdotally the pivot is owned by the farmer that leases the land.

The Board asked Ms. Krueger about what is in dispute with the access. She stated that the size of easement is in dispute, whether there are sufficient easements to allow bringing the roads up to County standards and if there is sufficient access for fire suppression. The Board asked if anything in the testimony were concerning. Ms. Krueger stated that there was testimony that surrounding properties were not held to the same standard. Those properties may have fallen outside the overlays that are included on this parcel.

The Board commented that the Agricultural Protection Area does not apply as the County does not currently have any Ag Protection Areas.

The Board discussed whether the application complies with the Code.

MOVER: Michael Whitfield

SECONDER: Ron James

Having concluded that the Criteria for Approval of a Preliminary Plat found in Title 9-3-2-C can be satisfied, I move to APPROVE the Preliminary Plat for Eustachy-Wysong Subdivision as described in the application materials

submitted on May 20, 2024 and additional information attached to the staff report, with the following conditions of approval:

1. Final application approval shall be contingent upon the Fire Marshall's approval of fire mitigation. To meet that obligation through a shared fire pond agreement with the proposed Dorothy Gayle Subdivision, the Dorothy Gayle fire pond must be constructed, inspected and approved before the final plat of Eustachy Wysong may be recorded. Further, a notarized and recorded legal agreement must be submitted with the final plat application.
2. The financial guarantee of 125% of the total cost estimate needs to be provided by the time of final plat application.
3. Final application approval shall be contingent upon the applicant's provision of documented proof of legal access through judicial or other means, such as an agreement with all easement owners, for an access road built to Teton County Road standards.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

2. 1:20 PM- ACTION ITEM - PUBLIC HEARING: Artistic Stone Special Use Permit Hearing:

Assoc Planner Torin Bjorklund presented the staff report for the Artistic Stone Special Use Permit (SUP).

Madeline Newell-Resin, the applicant, was available to answer questions.

Public comment was opened at 2:53 PM.

No one wished to speak.

Public comment was closed at 2:54 PM.

Board deliberation. The Board had no further comments.

MOVER: Ron James

SECONDER: Brad Wolfe

Having reviewed the application materials for the Artistic Stone Special Use Permit for Employee Housing as well as the additional materials provided by staff and other agencies, and having found that the application meets the criteria found Teton County Land Development Code Section 4-8, Section 3-2, and Section 3-9-5 , I hereby move to recommend approval of the SUP application, with the following conditions:

1. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of the LDC, Section 4-8. Teton County Dark Sky Ordinance should also be enforced.

2. Onsite Inspection: The planning administrator may determine that there is a need for an inspection at any time.

3. Artistic Stone shall annually supply documentation that the residents of the unit are employees.

4. Employee housing unit will not be used for short term rentals.

5. Any additional units would require an SUP modification. The additional units must be clustered with existing employee housing unit and meet all setback requirements.

6. Employee housing units on all future development will require septic connection permitting from the City of Driggs.

7. Employee housing shall be on the same parcel as Artistic Stone will be operating out of.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

3. 1:40 PM- ACTION ITEM - PUBLIC HEARING: Wandering Moose Short Plat Subdivision Final Plat Hearing

Mr. Bjorklund presented the staff report.

Gerald Williams believes everything brought up in the Preliminary Plat stage has been addressed. The Board asked how wide Carson Road is. Mr. Williams stated that the road is 22' wide.

Public comment was opened at 3:04 PM.

No one present wished to speak.

Public comment was closed at 3:04 PM.

Board deliberation. The Board had no further comments.

MOVER: Michael Whitfield

SECONDER: Ron James

Having concluded that the Criteria for Approval of a Final Plat found in Title 9-3-2-D can be satisfied, I move to APPROVE the Final Plat for the Wandering Moose Subdivision as described in the application materials submitted on December 2nd, 2024, and additional information attached to the staff report, with the following conditions of approval:

1. Technical survey review is required before recordation.

2. Subdivision sign and landscaping is needed in the improvement plans (9-4-1-H) and 9-4-2(b-11). Applicant does include a 20' landscaping easement in the improvement plans.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

4. 2:00 PM: Action Item - PUBLIC HEARING: White Owl Subdivision Final Plat Hearing

Mr. Bjorklund stated that this is a continuation for legal review. The angle of the driveway does not meet County requirements, it needs to be between 70-90 degrees.

Taylor Cook, representing the applicant, agreed to change the angle to fall within County requirements. Regarding landscaping, Mr. Cook stated that the applicant would prefer to not buffer Lot 2 to the east until the building permit is issued.

MOVER: Michael Whitfield

SECONDER: Brad Wolfe

Having concluded that the Criteria for Approval of a Final Plat found in Title 9-3-2-D can be satisfied, I move to APPROVE the Final Plat for White Owl Subdivision as described in the application materials submitted on October 31st, 2024, and additional information attached to the staff report, with the following conditions of approval:

1. The need for screening of all buildings with native shrubs and trees and the associated irrigation needs shall be included as a plat note as recommended in the restoration plan.

2. Address Public Works Comments:

a. The current access location was negotiated to establish safe stopping distance between driveways. The proposed driveway needs to remain in the same general location as the existing driveway.

b. Maximum driveway slope is 10%. The Slope Survey Exhibit suggests driveway slopes that exceed the maximum 10% without variance approval from the Fire Marshal. Approval by the Fire Marshal should be confirmed.

c. Skewed intersections are not allowed to exceed 45°, desired not to exceed 20°. The road intersection with Old Jackson Highway should not skew more than 45°.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

5. ACTION ITEM: Written Decision for Dorothy Gale Subdivision Denial of Extension

MOVER: Michael Whitfield

SECONDER: Brad Wolfe

Approve the written decision for Dorothy Gayle Subdivision denial of extension as presented.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

13. ADJOURNMENT

MOVER: Brad Wolfe

SECONDER: Ron James

Adjourn the meeting.

AYES (3): Michael Whitfield, Brad Wolfe, and Ron James

Adopted (3 to 0)

Cindy Riegel, Chairperson

County Clerk or Deputy