



**TETON COUNTY
BOARD OF COUNTY COMMISSIONERS MINUTES**

**February 10, 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
Burkley Rudd

- 1. MEETING CALL TO ORDER**
- 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**

MOVER: Michael Whitfield
SECONDER: Ron James

Pull the minutes of 1/31/2025 and approve the consent agenda as presented.

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

Adopted (3 to 0)

1. Claims Report

Approve the Claims Report as presented.

2. Minutes Approval

Approve the minutes of Nov 13th as presented.

5. OPEN MIC

Jeff White spoke in support of the citizen advisory groups and deemed them valuable and necessary.

Howie Garber spoke in support of the citizen advisory groups. He spoke in particular about the Wildlife Advisory Committee (WAC) and their expertise. He submitted his written comments to the Board (attached to the agenda). He volunteered to help inform the Board regarding the Grand Targhee expansion.

Alice Stevenson spoke in support of the WAC, citing their expertise. She asked why the Board would reject experts in their field volunteering their time to assist the Board.

Mike Abbott spoke in support of the WAC. He believes that the majority of valley citizens support protecting wildlife and the environment. He believes the effort to eliminate the WAC is being done to fast track development.

Don Carpenter spoke in support of the WAC and the Natural Resource Overlays (NRO). He recognizes there is a trade off with increasing the cost of development but believes it is worth it to protect our natural resources.

Liz McCane, leader of the local WHALES group, which has over 600 local members. She spoke in favor of the WAC. The WAC is tasked with ensuring that environmental concerns are considered in all new development.

David Whitman spoke in regards to the assertion that a 1200' square foot home cost \$16,000 in building fees. He did some research on the actual cost of the fees, and the cost of an NRO review is \$2000, or 3 tenths of one percent of the total cost of a 1200' sq foot home. He spoke in support of the WAC and the NRO's.

Marlene Griffon spoke in favor of the WAC and the NRO.

Steve Summers stated he was 100% in support of the WAC.

Carol Gregory spoke in favor of the WAC and the NRO's. She stated that the value of wildlife cannot be understated in regards to the importance of protecting the environment as well as the local economy.

Amy Dery spoke in favor of the WAC and NRO's. She cannot fathom why the Board would disregard or disband the WAC.

Lyn Sandmann spoke in favor of the WAC. She stated that she knows many builders and developers that support strong development regulations.

Kay Finley spoke in favor of the WAC and the NRO's. She has witnessed the effects of development on elk migration routes near her residence over the last thirty years.

Heidi Blischke spoke in favor of the WAC and NRO's.

Sue Muncaster congratulated the the new Board members. She spoke in favor of the WAC and the NRO's and made a connection between stewarding the environment goes hand in hand with stewarding the local economy.

John Norton spoke in favor of the WAC. He thanked the Board for taking on their role in the County.

John Unland spoke in favor of the WAC. He believes the WAC has produced a product that helps protect wildlife and the environment but also helps protect the economy.

Sheree Petroni spoke in support of the WAC and NRO's. She reiterated that we are part of the very unique Yellowstone ecosystem and it needs to be protected.

Don Weber speaking on behalf of himself and several other members of the public. Mr. Weber shared photographs of several species of wildlife that reside in the valley. He was in support of coming together as a community and protecting the local environment and wildlife.

Deb Taylor spoke in favor of the WAC and NRO's. She treasures the open space and wildlife that is adjacent to the subdivision she lives in. She believes the work done by the WAC is based on science and data.

Mary Lisa Lombardi spoke in favor of the WAC and NRO's.

Maggie Shaw spoke in favor of the WAC and NRO's. She cited the success of the bald eagle population rebound as an example of the importance protecting the environment. She urged the Board to make decisions based on science and data and not the wants of a few developers.

Porter Broughton spoke in favor of the WAC and NRO's.

Joanie Paranka spoke in favor of the WAC and NRO's. She believes there is a growing number of people that value wildlife and the protection of the environment. She appreciates the WAC's science and data based approach.

Rob Dupree spoke in favor of the WAC and NRO's. He urged the Board to listen to the WAC and their expertise.

Janna Rankin spoke in favor of the WAC and NRO. She urged the Board to listen to the WAC members.

Cindy Riegel emphasized the importance of citizen advisory committees. She cited several County adopted plans that require protection of the environment and wildlife. The overlays are required to be updated based on the best available data. Ms. Riegel also mentioned the SS4A grant that the County has been

awarded that will study local highways and propose mitigation projects to She would like the WAC and NRO's to be a model for other counties in the Greater Yellowstone Ecosystem.

John Beller spoke in favor of the WAC. He pointed out that this community is largely run on volunteerism. He appreciates the expertise that volunteers bring in their respective fields.

Anthony Wilcox spoke on agenda item 15.4 (sic). He too appreciates wildlife but believes that the WAC has members that have conflicts of interest. He wants the committees to be paused and investigated for conflicts of interest.

Jan Betts spoke in favor of the WAC and NRO's. She urged the Board to make decisions based on facts. She urged the Board to take time to understand the processes in place before changing them.

Harley Wilcox spoke about the upcoming Fair Board member appointment. He believes the prior Board appointed the last Fair Board appointment based on their dislike of Mr. Wilcox. He believes there are applications for the current opening that are not in the agenda packet. He asked the Board to pause the current committees and overlays to determine if the Committees were organized properly.

Phillip Hanamakai stated the length of time someone has lived in the County should have no bearing on the weight of importance of their opinion. He supports data based decisions but believes the committees need more diversity of backgrounds and opinions.

Penny Vasquez commented on how many people were at this meeting. She commented that the budget should be a main concern for the Board. She believes that the advisory committees should be more diverse.

Susan Eirich asked the Board to take a holistic approach when making decision.

Curt Behle cited the need for the County to adhere to the law, in particular open meeting laws and ethics in government. He does not believe that has happened.

Reverend Nancy Grossheart stated that she has a reverence for everything in creation, land wildlife and human beings. She urged the Board to consider the land, the wildlife and humans equally when making decisions.

Hallie Poirer clarified that Harley Wilcox's daughter has not put in an application for the open Fair Board position.

Ida Hansen stated that the wildlife has been protected by a hundred years by the farmers. She also thinks the WAC is stacked and not diverse. She doesn't think that the wildlife studies are always necessary. Personal property rights should trump wildlife.

Niki Richards representing Valley Advocates for Responsibility Development (VARD). She thanked the Board for not dismantling the WAC and for investigating conflicts of interest on all advisory committees. She thanked an

earlier speaker for debunking the \$16,000 building fee by a previous speaker. She reminded the Board that the WAC is an advisory committee and the Board are the decision makers.

Marshall White believes the WAC needs to be more diverse politically.

Anthony Reynolds stated that he believes all the people that spoke today did so at the behest of VARD and Teton Valley Rises and had no actual knowledge of the issues. He believes the WAC used unsound data. He recommended that the Board send back the overlay to the committee, re-organize the committee, and re do the overlay.

Molly Nash commented on agenda item 14.8 Immigration Concerns. She asked the Board to consider the impacts to families when parents of children are deported.

The Board thanked the public for their input.

6. PROSECUTOR

1. Action Item – Contracted Position Conversion to Full-Time County Position

Prosecutor Bailey Smith requested a new FT Deputy Prosecutor starting in September.

MOVER: Michael Whitfield

SECONDER: Ron James

Defer the item to the next Regular Meeting on February 24.

2. Action Item – Finding of Necessity & Engagement Agreement

MOVER: Brad Wolfe

SECONDER: Michael Whitfield

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

Adopted (3 to 0)

7. PUBLIC APPEARANCE

1. DISCUSSION ITEM – Bison Drive

This item will be added to a future agenda.

2. DISCUSSION ITEM – Public Appearance - Jenny Wade

This item will be added to a future agenda.

8. PUBLIC WORKS

1. Report: Public Works Dept. Update

Public Works Director Darryl Johnson presented his report.

Road Validation Hearing Initiations - Mr. Johnson explained the process for identifying potential roads to validate. The Board asked that both packets (#1 the roads that are recommended for validation and #2 roads being recommended to remove from the map that were never properly validated) be presented in the Road Map public hearing.

Little Pine Lane - In 2024 the Board recommended that the Aspen Grove HOA should address the debris in the creek to return the creek to its historic flow. The Board saw no reason to change that stance.

2. Action Item – Fox Creek & Badger Creek Bridge Design Request for Qualifications

Mr. Johnson requested already budgeted funds for the design of two bridges.

MOVER: Michael Whitfield

SECONDER: Ron James

Approve contract with Keller Associates for bridge design and development of bid documents for Fox Creek bridge on W6000S and Badger Creek bridge on W12000N to be paid out of 233-00-44000.

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

Adopted (3 to 0)

3. Action Item – BLM Right-of-Way Agreement – North Leigh Creek

Representatives from the BLM have asked if the County wants to extend the thirty year old agreement that expires this year. The Board discussed extending the easement for thirty years or trying to make it permanent.

MOVER: Brad Wolfe

SECONDER: Michael Whitfield

Approve renewing the 30 year 60-foot wide Right-of-Way Grant with the BLM, Serial Number WYW-132772, providing access to Idaho land parcels RP06N46E290900 and RP06N46E290749.

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

Adopted (3 to 0)

4. Action Item – 70 W Buxton Boundary Line Adjustment

The City of Driggs is requesting a boundary line adjustment in order for the Search & Rescue Building to adhere to City required setbacks.

MOVER: Michael Whitfield

SECONDER: Ron James

Approve contracting with Badger Aerial Mapping to prepare a Record of Survey for Boundary Line Adjustment at 70 W Buxton Ave for a cost not to exceed \$4600 from an account to be determined by the Clerk.

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

Adopted (3 to 0)

9. IT/EMERGENCY MANAGEMENT

1. Action Item – 2024 EMPG Grant Award

Emergency Manager/IT Director Greg Adams presented the item.

MOVER: Michael Whitfield

SECONDER: Brad Wolfe

Accept the 2024 Emergency Management Performance Grant of \$13,063.19 and sign the subrecipient agreement.

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

Adopted (3 to 0)

2. DISCUSSION ITEM -2025 February IT-EM Monthly Report

Mr. Adams presented his report.

The Board asked for a cybersecurity brief on a future agenda.

3. Action Item – IT Equipment Disposal

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the IT department to e-cycle the equipment listed on the Jan 2025 IT Equipment Disposal spreadsheet.

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

Adopted (3 to 0)

4. Action Item – National Qualification System Adoption Resolution

MOVER: Brad Wolfe

SECONDER: Ron James

Approve and adopt resolution 2025-0211 formally adopting the Teton County National Qualification System Implementation Plan dated December 2024.

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

Adopted (3 to 0)

10. SHERIFF'S DEPARTMENT

1. ACTION ITEM- OHS Grant

Deputy Christensen requested permission to apply for a grant that will 75% paid by ITD in the first year, then 50%, and then 25% in year three. Year one would require a \$44,500 for the first year. This grant will add \$145,000 to the FY27 and future budgets.

MOVER: Michael Whitfield

SECONDER: Brad Wolfe

Approve the OHS Step Grant proposal and application with a match requirement of \$44.

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

Adopted (3 to 0)

11. CLERK

1. FY25 1ST Qtr. Financial Report

The Clerk presented this item.

2. Action Item – Resolution 2025-0210 1st Quarter Budget Adjustments

MOVER: Michael Whitfield

SECONDER: Ron James

Approve Resolution 2025-0210 FY25 1st Quarter Budget Adjustments with Exhibit A as presented.

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

Adopted (3 to 0)

12. FAIR

1. Action Item – Fair Board Appointment

County Manager Dan Reyes presented the item. The vacant seat will be advertised for one more month and the item will be added to a future agenda.

MOVER: Brad Wolfe
SECONDER: Michael Whitfield

Table the decision to allow one additional month for more applications to be submitted to the Board.

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

Adopted (3 to 0)

13. OPERATIONS

1. COUNTY MANAGER'S REPORT

County Manager Dan Reyes presented his report.

Mr. Reyes asked the Board what the subject matter for the Town Hall meetings will be. One will be the Advisory Committee issues listening session on March 5 at 6-8 PM. The second will be a Road specific listening session on February 27 at 6 PM.

Mr. Reyes highlighted his discussion on Road & Bridge funding in his report. He summarized the limited funding options available to the County. The temporary road levy will be on the ballot in May of 2026. The County could put a permanent road levy on the May 2025 ballot.

14. COMMISSIONERS

1. ELECTED OFFICIALS & DEPARTMENT HEADS MEETING

This item will be moved to the next Regular Meeting Agenda.

2. 11:15 am EXECUTIVE SESSION: 74-206(1)(A) Hiring

MOVER: Michael Whitfield
SECONDER: Ron James

Go into executive session per IC74-206(1)(a) Hiring Personnel. Roll call vote.

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

Adopted (3 to 0)

3. 12:30pm EXECUTIVE SESSION: 74-206(1)(f) legal

MOVER: Michael Whitfield
SECONDER: Ron James

Go into executive session per IC74-206(1)(f) legal. Roll call vote.

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

4. COMMISSIONER'S REPORTS

Commissioner James met with John Beller of the Recreation District and agreed to attend Recreation District Board meetings as the Board liaison.

Commissioner Whitfield

Feb 4th met with Driggs Mayor August Christiansen. There is a proposal for a massive subdivision near the airport that could impact the County.

Feb 5th attended Water Users Meeting. A ground water irrigating district or a joint ground/surface water irrigating district will be required within the next year.

Feb 6th met with East Idaho Public Health (EIPH) Board. Discussed new fees for subdivision reviews and septic permits.

Commissioner Wolfe

Had no committee report.

5. DISCUSSION ITEM – Teton County Advisory Commissions

This was the first item on Tuesday at 9:00 of this continued meeting.

The Board clarified that this item was added to discuss accusations from the public regarding formation of the Advisory Commissions, including but not limited to the Wildlife Advisory Committee (WAC) and the Waterways & Recreation Advisory Committee.

The Board started by listing comments they have heard from the public.

Potential conflicts/issues as heard from the public:

Jeff Klausmann owns a business that performs the required Natural Resource studies.

The WAC needs more diverse representation.

Commissioner James discussed the possibility of re-forming the WAC, requiring all seats to be re-filled through an application process in order to get more diversity. He stated that the WAC is a crucial tool for the County. He would like members of the WAC to bring practical applications for issues like wildlife collisions.

Commissioner Whitfield pointed out that the WAC is an advisory committee on wildlife issues and should have experts in the field of conservation. He gave a brief history of the purpose and history of the WAC. It started as an ad-hoc group to and eventually became an official advisory committee through the processes set by Code.

A Natural Resource Overlay Map update had not been done since 2006 as required by Code. The WAC undertook the task of gathering data from Fish & Game and local conservation organizations. Commissioner Whitfield countered the assertion that the wrong data was used by stating that the data used was the best available data per Fish & Game and approved USGS modelling. Regarding the assertion that Mr. Klausmann has a conflict of interest, Commissioner Whitfield stated that Mr. Klausmann was asked to be on the Board because of his extensive experience in ecology, wildlife conservation and hunting. When the WAC started discussing potential policy changes, Mr. Klausmann was asked to recuse himself.

Chair Wolfe would like to put an action item on the agenda in a month in order to allow time for the Board to gather more information on the public's allegations.

The Board will have joint meeting with the WAC on February 18th at 4:30 PM.

The Board asked that the public submit written comments regarding all citizen advisory committees to the Clerk.

The Board committed to review all committees in the next thirty days.

6. 2:30pm EXECUTIVE SESSION: 74-206(1)(f) Legal

MOVER: Michael Whitfield

SECONDER: Ron James

Go into executive session per IC74-206(1)(a) Hiring Personnel. Roll call vote.

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

Adopted (3 to 0)

7. Action Item – Commerce Grant Amendment

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the Grant Amendment for the FY25 Economic Development grant to the Teton Regional Economic Coalition.

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

Adopted (3 to 0)

8. DISCUSSION ITEM: IMMIGRATION CONCERNS

Commissioner Whitfield attended a roundtable hosted by the Mayor of Driggs to discuss the push for Immigration and Customs Enforcement (ICE) coming into the County. The processes used by ICE were discussed. Sheriff Clint Lemieux assured attendees that the Teton County Idaho Sheriff Dept is cooperating with ICE but he does not anticipate ICE going into schools, churches and hospitals.

Sheriff Lemieux wants the public to know that they should not be afraid to call 911 if there is a crime being committed. The Sheriff's Dept does not ask people their status.

The Board discussed how to get more Hispanic Community participation on County boards and committees.

15. PLANNING AND ZONING

1. 1:00 PM - ACTION ITEM: Hillman Farms Subdivision Extension Request

Contract Planning Administrator Jade Krueger presented the staff report for the Hillman Farms Subdivision Extension Request.

Curt Behle, representing the applicant, was available for questions.

MOVER: Michael Whitfield

SECONDER: Ron James

I move to approve the Subdivision Extension Request for the Hillman Farms Subdivision for 6 months for the reasons listed in the materials submitted on December 18, 2024, which would allow the applicant to receive final plat approval on or before June 18, 2025.

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

Adopted (3 to 0)

2. 1:30 PM - ACTION ITEM - PUBLIC HEARING: Peaked Mountain Ranch Subdivision Modified Final Plat Hearing

Ms. Krueger presented the staff report for the Peaked Mtn Ranch Modified Final Plat Hearing. The Prosecuting Attorney's Office has raised some issues with the Development Agreement (DA). The DA was amended after Prosecutor Review.

Allison Ahlert, representing the applicant, stated that the applicant is not requesting a plat modification. She contends that the change to the DA was made prior to the public hearing for the preliminary plat. The applicant would like the final plat approval to include the version of the DA approved during preliminary plat approval. Matt Luck, the applicant, explained the issues with obtaining water for the development. The City of Driggs is

requiring Mr. Luck to provide the City with water rights in order to obtain a will serve letter. He would prefer to not use individual wells.

Public comment was opened at 2:06 PM.

Jennifer Zung from Harmony Design & Engineering, stated that she had just forwarded the email about the updated development agreement to the Board and Ms. Ahlert.

Carol White asked for clarification on whether the applicant is asking for the right to provide water to the lots with individual wells.

Ted White, asked if there was any option of a community well.

Public comment was closed at 2:13 PM.

The Board clarified that State statute does not allow community wells in subdivisions. The Board discussed potential changes to water law at the State level. The Board further discussed the need for additional legal review due to the requirements of the City potential conflicting with Idaho Dept of Water regulations and new laws likely to pass in the 2025 Legislative Session.

Mr. Luck stated he would like to keep the option to use individual wells as stated in the amended DA. He would however agree to remove the requirement in the interest of moving the project forward.

MOVER: Michael Whitfield

SECONDER: Ron James

Having concluded that the Criteria for Approval of a Subdivision Final Plat found in Teton County Title 9-3-2(D) can be satisfied, I move to APPROVE the Final Plat for Peaked Mountain Ranch Subdivision as described in the application materials, with the following conditions:

1. Applicant will need to a) submit an updated and current will-serve letter from the City of Driggs for water and sewer connections for 16 connections and b) comply with water and sewer main extension requirements found in section 7.3.13 of the City Code and Public Works Standards.
2. The plat needs to be amended to reflect the current will serve letter date.
3. Final technical survey review be complete before mylars can be printed.
4. We are approving the Development Agreement as prepared prior to May 29, 2024.

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

Adopted (3 to 0)

3. ACTION ITEM: Flying I Minor Plat Amendment

Asst Torin Bjorklund presented the staff report for the Flying I minor plat amendment.

Ms. Ahlert stated that the applicant is amenable to adding the fire turn around.

The Board had no further discussion.

MOVER: Michael Whitfield

SECONDER: Ron James

Having found that the proposed plat amendment for the Flying I Subdivision complies with the requirements of the Teton County Land Development Code 4-14-D (6) based on the findings prepared in the staff report, I move to approve the application submitted on December 23rd, 2024, with the following conditions of approval:

1. A final technical survey review be completed before recordation.
2. Resolution of the fire turn-around be submitted prior to submission of documents for recordation.

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

Adopted (3 to 0)

4. ACTION ITEM: Written Decision - Denial of Extension for La Duranzo Subdivision

MOVER: Michael Whitfield

SECONDER: Ron James

Approve written decision for the denial of the subdivision request for La Duranzo subdivision as presented.

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

Adopted (3 to 0)

16. **ADJOURNMENT**

MOVER: Michael Whitfield

SECONDER: Ron James

Adjourn the meeting.

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

Adopted (3 to 0)

MOVER: Michael Whitfield

SECONDER: Ron James

Continue the meeting until 9:00 AM to discuss items 9 IT, 13 County Mngr report, 14 Commissioners.

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

Adopted (3 to 0)

Cindy Riegel, Chairperson

County Clerk or Deputy