



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS MINUTES

April 14, 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: Ron James

SECONDER: Brad Wolfe

Approve the agenda.

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

Adopted (3 to 0)

- 4. ACTION ITEMS: CONSENT AGENDA**

MOVER: Brad Wolfe

SECONDER: Michael Whitfield

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. Certificate of Residency

5. OPEN MIC

Bruce Conray, spoke in regards to item 12.2. He is opposed to the wetlands variance. He concurred with the many public comments opposed to the variances, in particular John McIntosh's pointing out the landowner's propensity for not following the rules.

Joe Montesano spoke in regards to the Targhee expansion open house. He does not believe Rob Marin is a good ambassador for the County. He is also strongly opposed to privatizing the Transfer Station.

Ed Yeager spoke in opposition to any potential loan request by the Rec District.

Mike Merigiano commented on the Targhee expansion Town Hall. He thinks it is a good way for the public to voice their views but isn't necessary a good way to gather quantitative data.

6. PUBLIC APPEARANCE

1. 2:45 pm DISCUSSION ITEM – Rec District Representative Public Appearance

Sara Warhol, District 3 Director from the Teton Valley Parks and Recreation District. The District is working on creating the administrative infrastructure. The District will start collecting property tax in December of 2025.

Priorities are public outreach, insurance, training and networking, creating an updated Rec Plan, legal and accounting support, and hiring an admin asst or executive director.

2. 11:30 DISCUSSION ITEM – Next Generation 911

Eric Newman, statewide 911 Program Manager, was present to let the Board know of available grant money to upgrade the current legacy system to Next Gen 911. The grant would cover the network system and software. Mr. Newman is asking for a verbal commitment from the County and a signed MOA by April 24th.

3. 11:10 DEQ Regional Administrator Introduction

Troy Saffle, Regional Administrator for DEQ, was present to introduce himself and the role DEQ plays. Rensay Owens is the responsible for the Solid Waste part of the agency. Alex Bell is the Surface Water Quality Manager. Carlin Feisthamel is the Water Quality Engineering Manager. The Idaho Falls Office does a lot of inspecting, permitting is done out of the Boise Office.

7. PUBLIC WORKS

1. Report: Public Works Dept. Update

Public Works Director Darryl Johnson presented his report.

Road & Bridge Supervisor Blain Ball and ITD Representative Lucas Richins were present to answer questions. The Board asked how ITD and the County coordinate the highway/county road intersections. Mr. Ball stated that he and Mr. Richins do confer and coordinate on a regular basis.

Solid Waste Update - Mr. Johnson addressed the proposal to privatize the Transfer Station. He does not believe privatization is a good idea, but believes that if the Board wants to continue to explore the idea he recommends that a third party do an audit of the operation first.

Hook Truck analysis - The Transfer Station is in need of a hook truck. Mr. Johnson will have the Transfer Station Supervisor take a look at the details of the Salt Lake used hook truck and report back.

2. Action Item – 2025 Chip Purchase

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the purchase of 10,000 tons of crushed chips for 2025 & 2026 chip seal efforts from Action Excavation at \$21/ton with a not to exceed amount of \$210,000. Cost to be paid from 202-00-44089 & 202-00-43086.

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

Adopted (3 to 0)

3. Action Item -2025 Magnesium Supplier Contract

MOVER: Ron James

SECONDER: Michael Whitfield

Approve award of magnesium chloride contract to Mountain Valley Construction for not to exceed amount of \$97,985. Costs to be paid from 233-00-43084.

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

Adopted (3 to 0)

4. Action Item – Preliminary Site Design and Letter of Authorization Approval

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the preliminary Buxton equipment building site plan and letter of authorization necessary for building permit submittals

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

Adopted (3 to 0)

5. Action Item – Law Enforcement Center HVAC Compressor Replacement

MOVER: Ron James

SECONDER: Brad Wolfe

Approve the replacement of one HVAC compressor at the Law Enforcement Center as presented for a not to exceed cost of \$8,163.50. Replacement cost to be paid from remaining cash.

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

Adopted (3 to 0)

6. Action Item – SAR Buxton Change Order No. 2

MOVER: Ron James

SECONDER: Michael Whitfield

Approve Teton West Change Order No. 2 for landscaping and Buxton street improvements associated with the new Search & Rescue building for a not to exceed cost of \$83,952.00. Costs to be paid from Sheriff Impact Fees.

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

Adopted (3 to 0)

7. Action Item – W4000N Change Order No. 3

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the W4000N Change Order No. 3, extending project limits west to the intersection of N8000W as defined in the W4000N Phase II Reconstruction Drawings. \$650,000 not to exceed cost to be paid from line item 293-00-80100.

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

Adopted (3 to 0)

8. IT/EMERGENCY MANAGEMENT

1. DISCUSSION ITEM -2025 April IT/EM Monthly Report

IT/EM Greg Adams presented his report. He is waiting to hear if several grants that have been awarded will actually be funded.

2. Action Item -2025 Local Emergency Planning Committee (LEPC) Officers Appointment

MOVER: Ron James

SECONDER: Brad Wolfe

Appoint Bruce Smithhammer as chair of the Teton County Local Emergency Planning Committee, Dan Reyes as the vice-chair and Ronn Carlentine as secretary beginning in May of 2025 and ending in May 2027.

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

Adopted (3 to 0)

3. Action Item – Office Suite Purchase

MOVER: Ron James

SECONDER: Michael Whitfield

Approve Greg to proceed with the purchase of the new Office suite for \$48,141.80 from fund 1-14-44067.

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

Adopted (3 to 0)

4. Action Item –Operation Cyber Idaho

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the Idaho State and Local Cybersecurity Grant Program consent form for fiscal year 22-23 and the Apprentice agreement with the Idaho Office of Information Technology Services that will provide a funded IT apprentice that will serve Teton County for about 2,000 hours.

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

Adopted (3 to 0)

5. Action Item – IT Project Plan

MOVER: Ron James

SECONDER: Brad Wolfe

Approve and sign the domain consolidation project plan.

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

Adopted (3 to 0)

9. CLERK

1. Action Item: Approve the Minutes

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the minutes of 3/10 3/24 and 3/26 2025 as amended.

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

Adopted (3 to 0)

2. DISCUSSION ITEM – Employee Bonus

The Board discussed using the funds from the missed roll for an employee bonus. The Clerk will present the proposal as an action item at the next Regular meeting.

10. OPERATIONS

1. 9:00 Action Item, Public Hearing – Fee Increase for Commercial Use Permits on the Teton River

County Manager Dan Reyes presented the item. The Board discussed why outfitters are not collecting the fees. Outfitters pay fees to the Idaho Outfitters & Guides Assoc.

Public comment was opened at 9:18 AM.

No one wished to speak.

Public comment was closed at 9:19 AM.

The Board commented on the somewhat unfair practice of collecting fees from the two commercial users and not the other lower profile commercial users. The Board agreed to pursue some sort of annual pass in the near future.

MOVER: Ron James

SECONDER: Michael Whitfield

Approve the increase from \$1 to \$5 per person on the Commercial Use Permit for commercial operations on Teton County Waterways.

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

Adopted (3 to 0)

2. Action Item – Memorandum of Understanding with Madison County for Probation Services

This item will be moved to a future agenda.

Approve the Memorandum of Understanding between Teton County and Madison County for Probation Services

3. County Manager's Update

County Manager Dan Reyes presented his report.

4. Action Item: Minutes

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the Minutes of April 8, 2025 and December 23, 2024 as presented

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

Adopted (3 to 0)

11. COMMISSIONERS

1. ELECTED OFFICIALS & DEPARTMENT HEADS MEETING

2. 3:10 pm EXECUTIVE SESSION: 74-206(1)(f) legal

MOVER: Michael Whitfield

SECONDER: Ron James

Go into executive session per IC74-206(1)(f) Legal and (a) hiring.

Roll call vote.

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

Adopted (3 to 0)

3. EXECUTIVE SESSION: 74-206(1)(a) hiring

To go into executive session per Idaho Code 74-206(1)(a) hiring

4. Action Item – Teton County to attend Forest Service Open House

The Board discussed having all commissioners attend the meeting to gather information on the proposed expansion. No action item was needed.

5. DISCUSSION ITEM – Targhee Town Hall

Commissioner Whitfield requested that a brief presentation be given by Rob Marin regarding socio economic impacts, and Hilary Eisen regarding recreation and wildlife impacts.

6. COMMISSIONER'S REPORTS

Commissioner Whitfield

3/11 Henry's Fork Watershed Meeting. Discussed habitat work being done in Foster Slough.

3/17 Teton Basin Water Users Assoc. Working on finding grants to map surface and ground water to include irrigation.

3/20 Eastern Idaho Solid Waste Distric.

4/4 Ceremony for Darby Pozenel, executive director of EISWD. She recently passed away.

4/10 Interviews for Senior Planner position.

Commissioner James Reports

4/9 Swore in Maddi Strong as the new Fair Board member.

Commissioner Wolfe Reports

Met with Altura to discuss potential loans for funding big capital projects.

Met with Josh Wheeler to discuss a potential fee for Grand Targhee patrons that would be passed to Idaho to mitigate impact of the expansion.

12. **PLANNING AND ZONING**

1. 1:00 PM – ACTION ITEM - PUBLIC HEARING: Lone Pine Springs Subdivision Final Plat

Planning Administrator Joshua Chase presented the staff report for the Lone Pine Springs subdivision final plat hearing.

Brayden Olson, representing the applicant, was present to answer questions. The Board asked if the applicant was okay with the three remaining conditions of approval. Mr. Olson stated that the applicant is okay with those conditions.

Public comment was opened at 1:18 PM.

No one present wished to speak.

Public comment was closed at 1:19 PM.

Board deliberation. The Board had no further deliberation.

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 Lone Pine Springs Subdivision as described in the application materials submitted on January 27, 2025 and additional information attached to the staff report. With the following conditions of approval:

1. A final technical survey review must be completed before recordation.
2. Update Section 2 of the develop agreement with reference to Improvement Plans by specific name and write in instrument number at time of recording.
3. Plat should note that the 60' access easement is for shared access to Lots 1 & 2.

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

Adopted (3 to 0)

2. 1:15 PM - ACTION ITEM - PUBLIC HEARING: Fraiz Wetland Variance Appeal

Mr. Chase presented the staff report for the Fraiz Wetland Variance Appeal.

Brian Fraiz, the applicant, presented an explanation for why he needs the variance to build his home and guest home.

Public comment was opened at 1:54 PM.

Niki Richards, executive director of Valley Advocates for Responsible Development, pointed out that the property owners were aware of the encumbrances with the property when they purchased it, so there is no undue hardship. She asked that the Board make it very clear should they approve the variance, as to why this property is special.

Anna Trentadue read her letter on behalf of her clients into the record. It was missed in the agenda packet. The letter will be added to the packet.

Joshua Chase read a letter from Rich Huntsman that was also missed in the packet.

Rich Huntsman spoke apposed to the variance. He stressed the importance of considering the impact on local water quality issues.

Brayden Olson clarified that with the 50' setback on the property makes a 202 sq foot buildable area on upland one.

Clayton Dennington, adjacent landowner, spoke in favor of the variance.

Applicant rebuttal. Mr. Fraiz reiterated that upland one does not have sufficient space to build on. Kathy Spitzer, representing the applicant, reiterated that this is about the setback, not the wetlands. Mr. Fraiz is requesting a variance from the setback.

Public comment was closed at 2:47 PM.

Board deliberation. Commissioner Wolfe re-stated IC 67-5416. Commissioner Whitfield believed the request does not meet variance review criteria #6, "requesting the minimum variance that will make possible the proposed use of the land." The Board determined that legal review of the criteria is necessary.

MOVER: Brad Wolfe

SECONDER: Ron James

Having Reviewed the Criteria for and Appeal and Variance found in the Teton County Land Development Code, Sections 4-9, 5-2-3, and 5-4-2, I move to CONTINUE the Board of County Commissioner's Public Hearing with the purpose to get legal advice to April 28, 2025 at 2:15 PM.

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

Adopted (3 to 0)

3. 1:35 PM - ACTION ITEM - PUBLIC HEARING: Appeal of Zoning on property (Victor AOI) Sean Litton

Mr. Chase gave a brief review of the prior decision. He pointed out that the Comp Plan supports Rural Neighborhood zoning for the lots in question.

Sean Litton, the owner of the property, presented a brief history of his request for reconsideration.

Public comment was opened at 3:31 PM.

Kim Kolner with the City of Victor was available for questions during Board deliberation.

Public comment was closed at 3:33 PM.

Board deliberation. The Board discussed if this was spot zoning.

MOVER: Brad Wolfe

SECONDER: Ron James

Having concluded that the Review Criteria of a request for reconsideration for a zoning change found in the Teton County Land Development Code, Sections 4-5, 4-15, can be satisfied I move to OVERTURN the written

decision only in relation to the requested parcels and APPROVE the request for a rezone for Victor Outpost to the RN-5 zoning as requested in the application materials submitted January 6th, 2025 with the following findings:

Given the uncertainty of the future with both the applicant and the City of Victor and considering the surrounding area and abutting RN5 areas, it does not conflict with the Comp Plan and it is in the County's best interest to approve this action.

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

Adopted (3 to 0)

4. 1:55 PM - ACTION ITEM - PUBLIC HEARING: Zone Change - Settler's Place Zone Change

Mr. Chase directed the Board to focus on the P & Z recommendations. He pointed out that a Conditional Use Permit may be required for lots depending on their intended use.

Husk Crowther, representing the applicant, ran through the six conditions.

Public comment opened at 4:04 PM.

Cindy Riegel spoke in opposition to the proposal. She pointed out that zone changes are discretionary. She encouraged a detailed Development Agreement, which is not present in this application. She believed further scrutiny of what uses will be allowed should be done. She is concerned that it is not tied into City sewer or water, like the neighboring Rocky Road subdivision. She encouraged the Board to deny the application until a robust Development Agreement is in place.

Mr. Crowther stated that property fits with the IR zone uses.

Charlie Gaudet, the applicant, was present to answer questions. He does not believe he should provide a development agreement.

Public comment closed at 4:14 PM.

Board deliberation. Commissioner Whitfield recommended continuing until there is a detailed development agreement. The property borders wetlands and conservation easements.

MOVER: Michael Whitfield

SECONDER: Ron James

I move to continue the public hearing for the Settlers Place Subdivision Zoning Map Amendment in order to obtain additional information from the

applicant or other agencies with regard to a complete and detailed development agreement between the applicant and Teton County to May 12th 1:00 PM.

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

Adopted (3 to 0)

13. ADJOURNMENT

Adjourn the meeting.