



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS MINUTES

May 12, 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

Commissioner Wolfe joined the meeting via zoom for items 13.2 -13.6 at the end of the meeting.

Michael Whitfield joined the meeting at 8:43 am.

Dan Reyes, County Manager joined the meeting at 8:43 am.

Kim Keeley, Clerk joined the meeting at 8:43 am.

Darryl Johnson joined the meeting at 8:43 am.

Burkley Rudd joined the meeting at 8:43 am.

Ron James joined the meeting at 8:43 am.

2. PLEDGE OF ALLEGIANCE

3. ADOPT AGENDA

MOVER: Ron James

SECONDER: Michael Whitfield

Approve the agenda.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

4. ACTION ITEMS: CONSENT AGENDA

MOVER: Ron James

SECONDER: Michael Whitfield

Approve the consent agenda as presented.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

1. Claims Report

Approve the Claims Report as presented.

2. Certificate of Residency

3. ACTION ITEM : Approve Alcohol Beverage Licenses

4. Action Item - Payroll Form

Approve payroll form as attached.

5. OPEN MIC

Robert Boyles spoke in regards to the multiple code violations on Pine Dr.

Curt Behle spoke about disagreeing with the requirement for communication infrastructure before getting a subdivision approved.

Anthony Wilcox thanked Commissioner Whitfield for serving as County Commissioner.

Ida Hansen spoke in regards to the employee bonuses. She believes that the money proposed to be spent on bonuses should be left in the General Fund. She also would like the County website to have all of the calendars match.

Penny Vasquez also spoke in regards to the employee bonuses. She believes there are some good employees and some not so good ones. She also stated that the accusations that the Board partook in a non public committee to red line the Land Development Code was untrue.

Niki Richards thanked Commissioner Whitfield for his service.

Commissioner Whitfield clarified that the Land Code red-line committee had been initialized by Commissioner James and Commissioner James had acknowledged that in a public meeting.

6. PUBLIC APPEARANCE

1. 2:30 pm PUBLIC APPEARANCE – Jason Nelson East Idaho Area VP Silver Star

Jason Nelson, area Vice President for Silver Star Communications, was present to give an update on current ongoing projects including expanding access to broadband internet.

2. 10:30 am DISCUSSION ITEM – Waterways & Recreation Advisory Committee Appearance

Joe McFarland, Chairman of the Waterways Committee, gave a brief history of the Committee and what they have been working on. The challenges they are facing are the multiple agencies that own the access points as well as the start up cost for infrastructure to collect fees.

The Committee is proposing a voluntary donation of \$5 per user in addition to the current commercial fee. The Committee will bring back a proposal for the donation signs at a future meeting.

7. PUBLIC WORKS

1. Report: Public Works Dept. Update

Public Works Director Darryl Johnson presented his report. The Board asked about the road vacation process. In particular the process of approving or validating roads on the County Road Map. Mr. Johnson gave a brief history of all of the issues. Mr. Johnson will schedule a public hearing on July 14 for road vacations.

The current haul contract with RAD expires the end of June. The Eastern Idaho Solid Waste District (EISWD) will takeover hauling to Circular Butte at a reduced rate. that agreement will be in place until the new landfill opens. The Board clarified that the EISWD has strict guidelines for hauling through the agricultural land and only EISWD employees would be allowed to haul.

2. Action Item – E5000N Change Order No. 2

MOVER: Ron James

SECONDER: Michael Whitfield

Approve Change Order number 2 for utility re-routing on the E5000N Road Reconstruction Project. \$10,226.50 cost to be paid from 233-00-43086

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

8. IT/EMERGENCY MANAGEMENT

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

IT/EM Director Greg Adams presented his report.

2. Action Item -June IAC Meeting

MOVER: Michael Whitfield

SECONDER: Ron James

Allow Greg Adams to attend the Idaho Association of County IT meeting in June that is held with the Idaho Association of County meeting in Coeur d'Alene.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

9. CLERK

1. FY25 2nd Qtr. Financial Report

The Clerk presented the 2nd Quarter Financial report.

2. Action Item: Resolution 2025-0512 2nd Quarter Budget Adjustments

MOVER: Ron James

SECONDER: Michael Whitfield

Approve Resolution 2025-0512 2nd Quarter Budget Adjustments and Exhibit A as presented.

WHEREAS, on August 26th, 2024 the Board of County Commissioners adopted the Teton County Budget for Fiscal Year 2025;

WHEREAS, since that date the specific needs and expenses within several Funds have changed;

WHEREAS, since that date unanticipated revenues may have become available;

WHEREAS, since that date monies budgeted to be spent during the previous fiscal year were not spent, resulting in unanticipated cash carryover into the current fiscal year;

WHEREAS, pursuant to Idaho Code 31 Chapter 16, the Teton County Auditor may not issue, and the Teton County Board of Commissioners may not approve, any claim for any expenditure in excess of a budget appropriation; and

WHEREAS, specific accounts within several Funds do not have sufficient amounts appropriated, while other specific accounts within those Funds have excess amounts appropriated.

NOW, THEREFORE, BE IT UNANIMOUSLY RESOLVED that the Board of Teton County

Commissioners do hereby approve the following transfers of budget appropriations as itemized in Exhibit A.
APPROVED by the Board of Teton County Commissioners on May 12, 2025

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

3. Action Item: Employee Bonus

The Board decided to address this item during the budget process.

10. OPERATIONS

1. Action Item – Tax Exemption for TVBC

MOVER: Michael Whitfield

SECONDER: Ron James

Approve Tax Exemption for RPA0014013000B as presented.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

2. Action Item – Commercial Use Permits for River Shuttle Services

MOVER: Ron James

SECONDER: Michael Whitfield

Approve CUP's for Waimauna, to expire May 24, 2028 and Teton River Supply LLC to expire May 27, 2028 as presented.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

11. COMMISSIONERS

1. ELECTED OFFICIALS & DEPARTMENT HEADS MEETING

Elected Officials and Department Heads met to discuss issues of mutual importance and give updates on department business.

2. 11:00 am EXECUTIVE SESSION: 74-206(1)(f) Legal

The executive session was not required.

3. COMMISSIONER'S REPORTS

Commissioner James Reports

Senator Harris spoke to the Government classes at the High School. He spoke about the potential Lodging Tax and continuing to try to get that passed.

Commissioner Whitfield clarified that he had made an inquiry about the zoning on his property but never applied to split his lot.

4. Action Item – Letter to Nonprofits Regarding Funding Requests

County Manager Dan Reyes presented a letter for approval to send to local non profits seeking funding.

MOVER: Ron James

SECONDER: Michael Whitfield

Approve the letter to nonprofits regarding fiscal year 2026 funding requests.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

12. GIS

1. Action Item – Memorandum of Agreement between Teton County and Idaho Public Safety Communications Commission

County Manager Dan Reyes presented the item.

MOVER: Ron James

SECONDER: Michael Whitfield

Approve the Memorandum of Agreement between Teton County, Idaho and Idaho Public Safety Communications Commission.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

13. PLANNING AND ZONING

1. 1:00 PM - ACTION ITEM - PUBLIC HEARING: Zone Change - Settler's Place Zone Change

Minutes of April 14, 2025: 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.

Minutes of May 12, 2025: The applicant produced the requested Development Agreement Friday morning so it did not make it in to meeting packet. Planning staff recommended continuing the public hearing to a later date.

MOVER: Michael Whitfield

SECONDER: Ron James

Notice a new public hearing on a future agenda.

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

2. ACTION ITEM - 1:15 PM - PUBLIC HEARING: Gavin Lot 7 Ee-Da-How Acres Subdivision – Significant Plat Amendment

Commissioner Wolfe joined the meeting via zoom.

Planning Administrator Joshua Chase presented the staff report.

Public comment was opened at 1:23 PM.

No one present wished to comment.

Public comment was closed at 1:24 PM.

Board deliberation. The Board discussed the close proximity of lots for sewer and water.

MOVER: Ron James

SECONDER: Brad Wolfe

Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in Title 9-3-2(C-8) can be satisfied, I move to APPROVE the Amended Preliminary Plat for Lot 7 of the Ee-Da-How Acres Subdivision as described in the application materials submitted on December 1, 2024 with the following conditions:

1. Applicant to submit drafted deeds for the proposed new parcels.
2. The access and utility easement for Lot 7W & 7E be updated to reflect that only utilities are allowed in northern portion and that the easement is not an intended stubbed access easement to the northern property.

AYES (2): Brad Wolfe, and Ron James

NAYS: (1): Michael Whitfield

Adopted (2 to 1)

3. ACTION ITEM - 1:30 PM - PUBLIC HEARING: JC Ranches Subdivision Final Plat Hearing

Mr. Chase presented the staff report.

Megan Nelms, representing the applicant, clarified that all conditions of approval have been met.

Public comment was opened at 1:35 PM.

Chris Dedrikson, pointed out that there are four canals and asked how the irrigation water was going to be diverted.

Ms. Nelms stated that the irrigation water is not being diverted, the applicant has an agreement with the irrigation district.

Ida Hansen stated that the water comes from the Teton Creek Canal will end up on the property but it is not in canals and is up to the landowner to deal with.

Public comment was closed at 1:39 PM.

Board deliberation. The Board had no further deliberation.

MOVER: Ron James

SECONDER: Michael Whitfield

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 JC Ranches Subdivision as described in the application materials submitted on March 17, 2025 and additional information attached to the staff report, with the following conditions of approval:

1. A final technical survey review is required before recordation.
2. Provide an agreement for providing a proportionate share for turn lanes based on the traffic impact study.

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

Adopted (3 to 0)

4. ACTION ITEM - 1:50 PM - PUBLIC HEARING: Log Cabin Subdivision Final Plat Hearing

Mr. Chase presented the staff report.

Taylor Cooke, representing the applicant, stated that the applicant does not wish to change the zoning in the future.

Public comment was opened at 1:57 PM

No one present wished to speak.

Public comment was closed at 1:58.

Board deliberation. The Board asked Mr. Chase if all of the conditions have been satisfied do they need to be included in the motion.

MOVER: Michael Whitfield

SECONDER: Ron James

Having concluded that the Criteria for Approval of a Final Plat found in LDC Section 4-13-E can be satisfied, I move to APPROVE the Final Plat for the Log Cabin Subdivision as described in the application materials submitted on March 12, 2025 and additional information attached to the staff report, with the following conditions of approval:

1. A final technical survey review is required before recordation.
2. In the event that the landowner implements industrial improvements permitted under the IR zone, landowner will meet all general development standards for the IR zone as outlined in the then current land development code for the IR zone.

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

Adopted (3 to 0)

5. ACTION ITEM - Eustachy-Wysong Ranch Subdivision Request for Reconsideration of Written Decision for Extension

The Board and Mr. Chase discussed whether the item should be a public hearing. The extension was considered on March 10 at which time no public comment was allowed. The Board discussed if the applicant has standing to bring the application and determined that the applicant does not have standing.

The Board deliberated the merits of the application.

MOVER: Brad Wolfe

SECONDER: Ron James

The Board does not believe the applicant has standing due to being an LLC and therefore, having concluded that the criteria for a request for extension found in the Teton County Subdivision ordinance title 9-3-2 (D-2-l.ii) and County application forms have been satisfied, I move to AFFIRM the original approval for an extension for Eustachy Wysong subdivision in the application materials submitted January 31, 2025, for the following reasons:

1. The studies required for the development were time intensive.
2. Denying this project would be a hardship to the neighboring Development Dorothy Gayle which shares road, utilities, stormwater management and fire suppression costs.
3. The application is in the public interest as it provides housing.
4. Applicant states there were delays in scheduling.
5. Applicant lists procedural error from the November 2024 BoCC Meeting.

AYES (2): Brad Wolfe, and Ron James

NAYS: (1): Michael Whitfield

Adopted (2 to 1)

6. ACTION ITEM - Dorothy Gayle Subdivision Request for Reconsideration of Written Decision for Extension

MOVER: Brad Wolfe

SECONDER: Ron James

Having concluded that the criteria for a request for extension found in the Teton County Subdivision ordinance title 9-3-2 (D-2-I.ii). and county application forms, have been satisfied, I move to AFFIRM the original approval for an extension in the written decision of March 6, 2025, for the following reasons:

1. The developer has diligently pursued the completion of final plat approval and the preliminary plat has been approved.
2. The application was continued by the commission for special studies, i.e.: Traffic, NP, Wetland, Wildlife etc.
3. The denial of the extension would cause undue hardship to a neighboring property.
4. It is in the public interest.
5. Delays have been the result of federal, state or local agency demands, lengthy/unusual review agency timeframes, or required studies that can only occur during a limited time(s) of the year.
6. Application of Title 9 regulations (as amended November 14, 2008) would not significantly alter the extended subdivision's design or dedications.
7. County negotiations for non-required public benefit delayed progress in the project.

AYES (2): Brad Wolfe, and Ron James

NAYS: (1): Michael Whitfield

Adopted (2 to 1)

7. ACTION ITEM - Eddyline Ranch Subdivision Preliminary Plat Written Decision

Mr. Chase presented the item.

MOVER: Michael Whitfield

SECONDER: Ron James

Approve the written decision for the Eddyline Subdivision with the amendment to the title as "Preliminary Plat Written Decision."

AYES (2): Michael Whitfield, and Ron James

Absent (1): Brad Wolfe

Adopted (2 to 0)

14. ADJOURNMENT

MOVER: Michael Whitfield

SECONDER: Ron James

Adjourn the meeting.

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

Adopted (3 to 0)