

1. 10.7.24 FY 25 Claims Report
Approve the 10.7.24 Claims Reports for FY25 as presented.

2. Minutes Approval
Pull minutes from consent agenda.

MOVER: Bob Heneage

SECONDER: Cindy Riegel

Approve the minutes as amended.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

3. 10.7.24 FY24 Claims Report
Approve the 10/7/2024 FY24 Claims Report as presented.

4. Action Item - Payroll Forms
Approve Payroll Forms as attached

5. OPEN MIC

Jenny Wade spoke regarding an illegal gravel pit in her neighborhood on 5500S. The operation has been ceased, but she is still concerned about operations there and would like illegal land use in general be addressed by the County.

Gena Howald, spoke regarding Pine Dr. and the numerous code violations in that neighborhood.

Julie Martin, also spoke about the issues on Pine Dr.

Ida Hansen, believes that the Fee Hearing notice was posted incorrectly.

David Hibberd, also believes the Fee Hearing was posted incorrectly.

6. CLERK

1. Action Item: 9:10 AM Public Hearing for FY25 Fee Increases

Building Official Wendy Koch was present to explain the building fees. The residential fees are based on an IIBC formula. This item will be re advertised and moved to a future meeting.

2. Action Item: 9:20 AM Public Hearing for FY24 Budget Opening

Clerk Keeley presented the item.

Public comment was opened at 9:25 AM.

No one present wished to speak.

Public comment was closed at 9:25 AM.

MOVER: Michael Whitfield

SECONDER: Bob Heneage

Approve Resolution 2024-1007B FY24 opening several funds for the FY24 as presented.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

3. Action Item: Rolling Over Funds From FY24 to FY25

MOVER: Bob Heneage

SECONDER: Michael Whitfield

Approve using remaining cash to increase the Training Acct 001-09-42000 by \$2000.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

7. Public Appearance

1. Discussion Item- ITD

Mark Hayes, Idaho Transportation Dept. (ITD), was present to update the Board on current projects. The passing lanes south of Victor are close to being done. ITD intends to get a corridor plan done in the near future. The Board expressed concern over wildlife/vehicle collisions.

8. PUBLIC WORKS

1. Report: Public Works Dept. Update

Public Works Director Darryl Johnson presented his report.

Mr. Johnson has received numerous complaints about the timing of the light on 4000N (Packsaddle). He will work with the contractor to get it shortened during non-work hours.

Construction on the SAR Building at the Buxton site will start in the next month.

Teton Valley Trails and Pathways is asking for the Board to re-commit to a long term lease for the District 33 Grooming District Shed at the Buxton site. The Board commented that they continue to support the construction of the Grooming Shed and are willing to work on creating an MOU.

A potential gravel pit option has presented itself near 7000S, just north of Victor. The site is in the proposed Victor AOI. Road & Bridge Supervisor Blaine Ball stated that the biggest dust impact would be to Teton Reserve.

The County has worked with Rocky Mountain Environmental on reporting data produced by the landfill monitoring wells. DEQ recently increased the reporting requirements. Rocky Mountain Environmental will come to a near future meeting to explain the changes and associated costs to the Board.

2. Action Item – E5000N Hog Canal Reconstruction Change Order No. 1

MOVER: Michael Whitfield

SECONDER: Bob Heneage

Approve E5000N Hog Canal Reconstruction Change Order No. 1 modifying the substantial completion date to August 31, 2025.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

3. Action Item – Chip Spreader Purchase

R&B chip sealed 4 of 13 planned miles this year due the chip sealer breaking down.

MOVER: Bob Heneage

SECONDER: Michael Whitfield

Approve the purchase of a refurbished 1999 Geffs Manufacturing chip spreader with 5 year warranty for \$265,000 from line 202-00-43085 and 202-00-44089

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

4. Action Item – Facility Manager Training

MOVER: Cindy Riegel

SECONDER: Michael Whitfield

Approve for Facilities Manager Suzanne Astle to enroll in the Virtual Instructor-led Facility Management course offered through the International Facility Management Association, \$1,595 course fee to be paid from 001-09-42000.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

5. Action Item – W4000N Change Order No. 1

W4000N (Packsaddle) will require 1800 CY of unsuitable material to be removed which will cost an additional \$128,700.

MOVER: Bob Heneage

SECONDER: Michael Whitfield

Approve W4000N Change Order No. 1 in the amount of \$128,700 for quantity overruns primarily due to the necessary removal of unsuitable material discovered within the proposed traveled way out of 233-00-43086.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

6. Action Item – Weeds 2024 RAM 2500 Pickup Purchase

R&B will purchase the current Weeds truck and sell an older R&B pickup to the Fair.

MOVER: Michael Whitfield

SECONDER: Bob Heneage

Approve the Weeds Department purchase of a 2024 RAM Tradesman Pickup as presented. Purchase to be paid from 227-00-80200; Capital-Equipment.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

9. Coronor

1. Coronor Action Item: Pathology Agreement with Ada County for FY25

Coroner Theresa Lerch presented the annual Ada County contract for autopsy services. She also updated the Board on the potential East Idaho facility. There will be a trial run at the Pocatello hospital from November through January for autopsy services. If the new facility succeeds it will provide faster turn around with similar costs.

MOVER: Michael Whitfield

SECONDER: Cindy Riegel

Approve the FY25 Pathology Services Agreement between Teton County and Ada County as presented.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

10. IT/EMERGENCY MANAGEMENT

1. Action Item -2024 Preparedness & Cybersecurity Conference

Emergency Manager IT Director Greg ADams presented the item.

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Approve Greg Adams to attend the IOEM Annual Preparedness and Cybersecurity Conference December 2-5.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

2. Action Item –Copier/Printer Replacements

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Approve and sign the order form for printers for the Sheriff's and Prosecutor's Offices, payment not to exceed \$6,251.80 out of account 1-14-80200.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

3. DISCUSSION ITEM -2024 September IT/EM Monthly Report

The Board will hold a special meeting on Thursday Oct 10 at 9 AM to consider the \$56,000 claim for the damage due to a lightning strike on the Law Enforcement Center.

4. Action Item –UPS Purchase

MOVER: Michael Whitfield

SECONDER: Cindy Riegel

Approve Greg Adams to proceed with the budgeted purchase of UPS's (Uninterruptable Power Supplies) for \$32,103.18 and the installation of the largest UPS for up to \$3,000 out of budget line 1-14-80200.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

11. OPERATIONS

1. Action item – Request to Place Sculptures along the Teton Creek Corridor

Minutes from August 26: Nikki Richards, Executive Director for Valley Advocates for Responsible Development (VARD), presented the item. The proposal is to place three sculptures along the Teton Creek Corridor pathway to honor the Shoshone Bannock Tribe's Teton Valley legacy. The sculptures were created by Shoshone-Bannock Tribe member No Sun Brown. The partners in the project are not asking for any resources.

County Manager Dan Reyes will work with Ms. Richards to put an action item on future agenda.

Minutes from October 7: The Board asked who will maintain the sculptures. There is no agreement in place for maintenance.

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Approve the placement of three sculptures along the Teton Creek Corridor as part of the Teton Creek Collaborative which commissioned sculptures from No Sun Brown of the Shoshone Bannock tribe.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

2. Action Item – Policy Proposal, Paid Medical Leave

MOVER: Cindy Riegel

SECONDER: Michael Whitfield

Approve the update to the Family Medical Leave Policy to include six weeks of paid time off for FMLA qualifying reasons.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

12. SHERIFF'S DEPARTMENT

1. Action Item: Tasers purchase

Chief Deputy Bridger Smith presented the item. The Purchasing Agreement has been reviewed by the Prosecutor's Office.

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Approve the first year payment for the Sheriff's Department purchase \$14,623.20 of tasers from fund 001-04-80200 Capital Equipment.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

13. COMMISSIONERS

1. ELECTED OFFICIALS & DEPARTMENT HEADS MEETING
2. EXECUTIVE SESSION: 74-206(1)(b) for personnel & (f) for legal

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Go into executive session per IC74-206(1)(b) for personnel.

Roll call vote.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Go into executive session per IC74-206(1)(b) for personnel.

Roll call vote.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

3. COMMISSIONER'S REPORTS

The Board will add this item to the next Regular agenda.

4. Action Item: Vicious Dog Expenses

MOVER: Cindy Riegel

SECONDER: Bob Heneage

Approve creating a line item in the sheriff's budget for expenses related to vicious dogs housed at the PAWS facility, move \$2000 from Contingency, 001-18-42326 to the new line item..

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

5. Action Item: Wildflower Reserve PUD Reconsideration

Minutes from September 20:

Board Chair Cindy Riegel gave a brief history of the application. Wildflower PUD application was initially denied. The applicant requested mediation or reconsideration of the written decision. The Board denied mediation but is hearing arguments today regarding the request for reconsideration.

Glen Lent, representing the applicant, believes the PUD falls within the relevant Code and believes that the reasons for denial are baseless.

The Board took the matter under advisement pending legal advice and will render a decision prior to the final deadline, which is Oct 8th.

Minutes from October 7:

The Board had a few edits for the document. Planning Administrator Jade Krueger was present to answer questions.

MOVER: Cindy Riegel

SECONDER: Michael Whitfield

Approve the amended written decision for the Wildflower Reserve Planned Unit Development as presented.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

6. Action Item: Associate Planner & Floodplain Manager.

MOVER: Cindy Riegel

SECONDER: Michael Whitfield

Approve hiring Torin Bjorklund to a new position, Assc Planner/Floodplain Manager at a pay grade 9, to a level of \$31.75 per hour.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

7. Discussion Item: Agriculture Protection Areas

Commissioner Whitfield gave a summary of the Agricultural Protection Area Act, which requires the Board create an Ordinance and appoint a Commission. The Act does not offer any incentives for ag property owners to take part in it. The Board needs to adopt an ordinance by Jan 1, 2025.

8. Action Item – Settlement Agreement

Planning Administrator Jade Krueger gave a brief background. The agreement will allow the Varnau family to occupy their house while bringing the road up to County standards.

MOVER: Bob Heneage

SECONDER: Michael Whitfield

Approve the Settlement Agreement between Teton County, Joseph Varnau and Erika Varnau.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

9. Code Compliance

This item will be moved to a future agenda.

14. PLANNING AND ZONING

1. PUBLIC HEARING: Hunnidale Subdivision Preliminary Plat Hearing - WITHDRAWN

2. 1:00 PM -- PUBLIC HEARING: Blackhorse Ranch Subdivision Preliminary Plat Hearing {Continued}

Asst Planner Torin Bjorklund presented the staff report for the Blackhorse Ranch Subdivision Prelim Plat hearing. This item was continued from 9/20/2024 to receive legal review.

Taylor Cook, representing the applicant, was present to answer questions.

Planning Administrator Jade Krueger summarized the legal review - it is within the Boards' purview to restrict building envelopes to either twice the distance of the width of the stream or outside of the Special Flood Hazard Area (SFHA) boundary.

Public comment was opened at 1:30 PM.

Jason Belice pointed out that Warm Creek is an artesian spring and therefore won't flood.

Public comment was closed at 1:31 PM.

Board deliberation. The Board discussed reducing the size of the building envelopes on lots 5, 2 and 4 to one acre.

MOVER: Michael Whitfield

SECONDER: Cindy Riegel

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 Blackhorse Ranch Subdivision as described in the application materials submitted September 7, 2022, and additional information attached to the staff report, with the following conditions of approval:

1. Applicant will need to obtain both access permits from road and bridge and submit with the final plat application.
2. Any crossing of Warm Creek for the agricultural building requires a permit from IDWR.
3. The revised NP study needs to be reviewed by the technical consultant. All requirements must be addressed before final plat. All plat notes must be adjusted to reflect the NP findings.
4. Plat will be updated in the following ways: a. A plat note should be added indicating that 275' setbacks are required for leach fields. b. Plat note should be adjusted to reflect 5 lots instead of 6 under the "Project Totals." c. Comprehensive Plan Waterway Corridor be removed from the plat but kept as a plat note. d. Lot 5 plat note: Insert "Agriculture" in front of barn, only one allowed barn and that no residential uses or occupancy will be allowed on the north side of Warm Creek.
5. The residential building envelope for the new lot 5 is still within the preliminary floodplain mapping and should be reduced to two acres outside of the floodplain and the north side non-residential envelope reduced to one acre.
6. An updated cost estimate needs to include the following: a. Driveway from S 2000 W b. Landscaping plan c. Subdivision Sign
7. The 20' pathway easement will be required on the final plat.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

3. 1:30 PM -- PUBLIC HEARING: Lone Pine Springs Subdivision Preliminary Plat [Continuation] Hearing

Ms. Krueger presented the staff report for Lone Pine Springs Subdivision Prelim Plat hearing. This was continued from 8/26/2024 to receive additional information from the applicant relating to building envelopes and CC&R's.

Mr. Cook, representing the applicant, discussed the mitigation report for lot 3. There is .16 acres to be mitigated.

Public comment was opened at 2:19 PM.

No one present wished to speak.

Public comment was closed at 2:20 PM.

Board deliberation. The Board discussed minor changes in the CC&R's.

MOVER: Michael Whitfield

SECONDER: Cindy Riegel

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 Lone Pine Springs Subdivision as described in the application materials submitted on April 4, 2024 and additional information attached to the staff report. With the following conditions of approval:

1. Public Works comments must be addressed: The access permit for all points of access onto S 2000 E should be obtained from Road & Bridge prior to final plat application.
2. If the applicant maintains individual driveway plans, the entire driveway shall be constructed to confirm the grading & revegetation plans, contour and grading plans, and slope stabilization plans.
3. Applicant included utilities in the improvement plans. The Cost Estimate should be updated to incorporate the utilities for the subdivision.
4. Existing ag development on the property should be shown on the plat unless it is proposed to be removed.
5. CC&R's shall be updated to require bear proof trash containers and securement of bear attractants.
6. Impacts in the hillside overlay on lot 3 shall be mitigated at a 3:1 ratio, as described in the Intermountain Aquatics Mitigation Plan.
7. If the access driveways for lots 1 and/or 2 cross Sorenson creek, an IDWR permit will be obtained.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

4. 2:00 PM -- PUBLIC HEARING: Elite Peaks Subdivision – Modified Final Plat Hearing

Ms. Krueger presented the Elite Peaks Subdivision Modified Final Plat Hearing.

Cody Thompson, representing the applicant, was present to answer questions.

Public comment was opened at 2:35 PM.

No one present wished to speak.

Public comment was closed at 2:35 PM.

The Board had no further deliberation.

MOVER: Bob Heneage

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 amended Final Plat materials for Elite Peaks Subdivision as described in the application materials submitted August 26, 2024 and additional information attached to the staff report, with the following conditions of approval:

1. Cul-de-sac radius is not called out in the plans. Minimum radius must be 50'.
2. Cost estimate should be stamped by the engineer of record, Conditions of Approval from the Original Final Plat review and are still applicable.
3. Final Plat will be amended to reflect that the building area for Lot 5 will be located in the SE quarter of the lot.
4. The plat will display the perpetual access easement #253522.
5. The plat will be amended to reflect the PZC chairperson as the planning signature.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

5. 2:20 PM - Minor Plat Amendment - Daydream Ranch Lot 10

Mr. Bjorklund presented the item. The Board discussed requiring a building envelope with the location to be determined by the owner of the property.

MOVER: Bob Heneage

SECONDER: Michael Whitfield

Having found that the proposed plat amendment for Lot 10 of Daydream Ranch 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 September 18th, 2024, with the following conditions of approval:

1. A final technical survey review be completed before mylars are printed.
2. A 100' by 100' building envelope be maintained within the confines of Teton County setbacks at a location to be determined by the owner.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

6. 2:40 PM - Minor Plat Amendment - Shooting Star Lot 44

Mr. Bjorklund presented the Shooting Star Lot 44 Minor Plat Amendment.

Taylor Cook, representing the applicant, was present to answer questions.

MOVER: Michael Whitfield

SECONDER: Bob Heneage

Having found that the proposed plat amendment for Lot 44 of Shooting Star Ranch 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 August 13th, 2024, with the following conditions of approval:

1. A final technical survey review be completed before mylars are printed.
2. The boundary adjustment plat be submitted, reviewed and approved.
3. The combined lots will need the same RP number and address.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

7. 3:00 PM -- HEARING: Osprey Landing Subdivision Extension Request Hearing

Ms. Krueger presented the extension request for the Osprey Landing Subdivision. The Board asked for clarity on the timeline for the application.

Brenda Youngkin, Y2 Consultants, representing the applicant, described the Natural Resource Analysis process. The field analysis was almost complete in 2023 and then the Natural Resource Overlay was rescinded in January of 2024, changing the requirements and causing the delay..

Jafaar Darwiche, the applicant, stated that the intentions was to put forward a complete application in a timely manner.

The Board discussed the timeline and how it has taken so long to get the materials in for Prelim Plat review.

MOVER: Bob Heneage

SECONDER: Cindy Riegel

I move to deny the Subdivision Extension Request for Osprey Landing as requested in the application submitted on August 29, 2024, for the lack of sufficient justification.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

8. 3:30 PM -- PUBLIC HEARING: Osprey Landing Subdivision Preliminary Plat Hearing

Because the extension request was denied, this item was not necessary.

15. ADJOURNMENT

MOVER: Michael Whitfield

SECONDER: Bob Heneage

Adjourn the meeting.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

Adopted (3 to 0)

Cindy Riegel, Chairperson

County Clerk or Deputy