



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS
MINUTES | FEBRUARY 5, 2024

1st Floor Meeting Room

150 Courthouse Dr, Driggs, ID 83422

9:00 AM

1) CALL TO ORDER
ZOOM LINK

Commissioners Present:

Cindy Riegel
Bob Heneage
Michael Whitfield

Other Elected Officials and Department Heads Present:

Kim Keeley, Clerk
Dan Reyes, County Manager

2) SPECIAL TOPICS

2.1) EXECUTIVE SESSION 74-206(1)(B) PERSONNEL

Department: Operations

Cover Page

MOTION: *Go into executive session per IC 74-206(1)(b) personnel.*

<p>RESULT: ADOPTED [Unanimous] MOVER: Bob Heneage SECONDER: Cindy Riegel AYES Cindy Riegel, Bob Heneage, Michael Whitfield NAYES None ABSTAINNone</p>

Roll call vote

2.2) ACTION ITEM: ENGAGEMENT AGREEMENT FOR ATTORNEY SERVICES OF RACHEL SMITH 2024

Department: Operations

Cover Page

Prosecutor Bailey Smith presented the item.


Rachel Smith Engagement Agreement (Partially executed).pdf

MOTION: *Approve Engagement Agreement for Attorney Services of Rachel Smith.*

RESULT: ADOPTED [Unanimous] MOVER: Michael Whitfield SECONDER: Bob Heneage AYES Cindy Riegel, Bob Heneage, Michael Whitfield NAYES None ABSTAIN None
--


2.3) **EXECUTIVE SESSION 74-206(1)(F) LEGAL**


Department: Operations

[Cover Page](#) 

2.4) **ACTION ITEM: ADDENDUM TO FY24 WELCH LAW PC AGREEMENT FOR LEGAL SERVICES**

Department: Operations

[Cover Page](#) 

[Addendum to FY24 Welch Law PC Agreement-Best case \(Execution Version\).pdf](#) 


MOTION: *Approve Addendum to FY24 Welch Law PC Agreement for Legal Services.*

RESULT: ADOPTED [Unanimous] MOVER: Bob Heneage SECONDER: Michael Whitfield AYES Cindy Riegel, Bob Heneage, Michael Whitfield NAYES None ABSTAIN None
--

2.5) **ACTION ITEM: Open Meeting Law Violation of the Wildlife Advisory Committee and Waterway and Recreation Advisory Committee**

Department: Commissioners

Commissioner Whitfield clarified that the committee members provided accurate agendas. The open meeting law violation issue was with the posting of the agendas by County staff.

[Cover Page](#) 


[Action Item - Open Meeting Law Violations \(2.2.24 11.38 am\).pdf](#) 

MOTION: *Having been informed that the above mentioned meetings of the Teton County Wildlife Advisory Committee and the Teton County Waterway Recreation Advisory Committee were held without proper notice to the public, the Board of County Commissioners acknowledges that the above meetings were conducted in violation of Idaho Code Title 74 Chapter 2. In accordance with Idaho Code 74-208(1), any actions taken during those meetings are null and void. The Board recognizes it has a duty to the public to comply with and ensure its advisory committees and employees comply with the law and to ensure transparency in County legislative and administrative processes. Therefore: 1. The Board repeals the Natural Resource Overlay map adopted on January 9, 2023 that was based on the recommendation of the Teton County Wildlife Advisory Committee. The Natural Resource Overlay map will revert to the 2006 version until a new map is presented and formally adopted by the BoCC in compliance with Idaho Code 74-208. 2. The Board will, through Commissioner Whitfield, the Board's liaison to the Teton County Wildlife Advisory Committee, work with the Teton County Wildlife Advisory Committee to acknowledge its Open Meeting Law violations and take appropriate curative actions. 3. The Board will, through Commissioner Whitfield, the Board's liaison to the Teton County Waterway and Recreation Advisory Committee, work with the Teton County Waterway and Recreation Committee to acknowledge its Open Meeting Law violations and take appropriate curative actions. 4. The Board will cooperate with the inquiry of a special prosecutor appointed to review the violations as outlined in Idaho Code 74-208(5).*

RESULT: ADOPTED [Unanimous] MOVER: Bob Heneage SECONDER: Cindy Riegel AYES Cindy Riegel, Bob Heneage, Michael Whitfield NAYES None ABSTAIN None


2.6) **ACTION ITEM: COMMENTS FOR MILL CREEK BLOWDOWN TO CARIBOU-TARGHEE NATIONAL FOREST**

Department: Operations


Cover Page 

The Board made some minor edits to the letter.

20240109 Mill Creek Extent Map.pdf 

20240110 Mill Creek Blowdown Scoping Letter.pdf 

20240109 Mill Creek Blowdown Map.pdf 

Mill Creek blowdown letter.pdf 

MOTION: *Approve Comment letter regarding Mill Creek Blowdown to Caribou-Targhee National Forest*

RESULT: ADOPTED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES Cindy Riegel, Bob Heneage, Michael Whitfield
NAYES None
ABSTAIN None

3) **ADJOURN**

MOTION: *Adjourn the meeting.*

RESULT: ADOPTED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Cindy Riegel
AYES Cindy Riegel, Bob Heneage, Michael Whitfield
NAYES None
ABSTAIN None

Cindy Riegel, Chairperson
ATTEST: _____
County Clerk or Deputy