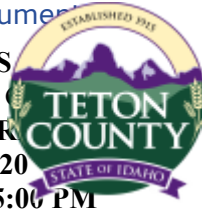


**TABLE 1. RIVER RIM PLAT AMENDMENT #7
PUBLIC MEETING CHRONOLOGY**

MEETING #	DATE	BOARD	SUMMARY / COMMENTS (see attached minutes for details)
1	6/23/2020	P&Z	Work Session Part 1 to introduce Amendment #7. The primary change is to bring back the golf course and related commercial uses. The amendment would also relocate lots displaced by driving range and golf operations site with no increase in density or reduction of open space. No Action Taken
2	11/20/2020	P&Z	Work Session Part 2 to present additional background information and prepare for plat amendment application. No Action Taken
3	3/9/2021	P&Z	Public Hearing, River Rim Substantial Plat Amendment. Approved Unanimously
4	5/24/2021	BoCC	Public Hearing, River Rim Substantial Plat Amendment. Remanded Back to P&Z with requests for additional information on employee housing, wildlife studies and commercial uses.
5	8/24/2021	P&Z	Public Hearing, Substantial Plat Amendment with additional information requested by the BoCC including employee housing plan and commercial uses associated with the golf operation. Approved Unanimously
6	10/14/2021	BoCC	Public Hearing, Preliminary Plat, with three conditions, Approved Unanimously
7	7/11/2022	BoCC	Public Hearing, Final Plat, Conditions addressed to BoCC satisfaction. Approved Unanimously

MINUTES
PLANNING & ZONING
PUBLIC HEARING
June 23, 2020
STARTING AT 5:00 PM



LOCATION: **150 Courthouse Dr, Driggs, ID 83422**
1st Floor Meeting Room

Commissioners Present:

- Jack Haddox
- Patrick McDonnell
- J.A. Michelbacher
- Chris Larson
- Sarah Johnston
- Commissioner Aidan Sullivan -- **Absent**
- Commissioner Erica Tremblay -- **Absent**

Staff Present

- Gary Armstrong
- Joshua Chase
- Sharon Fox

1. Approval of Minutes

• **Tuesday June 9, 2020**

There was not a quorum for a vote so no action was taken on the Minutes.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Sarah Johnston, Vice Chair
SECONDER:	Jack Haddox
AYES:	Jack Haddox, Patrick McDonnell, Commissioner, J.A. Michelbacher, Commissioner, Chris Larson, Chairman, Sarah Johnston, Vice Chair
ABSENT:	Aidan Sullivan, Commissioner, Erica Tremblay, Commissioner

2. Chairman Business

Ms. Johnston moved to change the order of the agenda so that the Walipini application will be heard first and Shady Grove will be heard second. Mr. Haddox seconded the motion. The motion was unanimously approved.

3. Administrator Business

There was no Administrator business.

Item #1. – ACTION ITEM - PUBLIC HEARING: Shady Grove Subdivision Concept Hearing Steve Kitto has applied for a five lot subdivision on a 34.42 acre parcel, located east of the City of Tetonia. The north end of the property

has existing access to County Road E 7000 North. The zoning is split between A/RR 2.5-acre and Agriculture-20 zoning. The property is located within the Wetlands and Waterways overlay and contains a section of Grouse Creek with associated wetlands, and an area in the Songbird/Raptor Breeding and Wintering Habitat.

Legal Description: RP06N45E239005; TAX #5621 SEC 23 T6N R45E AND RP06N45E239011; TAX #5921 SEC 23 T6N R45E

Ms. Johnston recused herself due to a conflict of interest on this application.

Mr. Chase reviewed the request for a five lot subdivision on 34.42 acre parcel. He explained the split zoning and the density calculation, overlay requirements for a Natural Resource Analysis and NP Study at the Preliminary stage, the proposal for fire suppression, and the proposed access.

APPLICANT REBUTTAL:

Ms. Jen Zung with Harmony Design & Engineering, representing the applicant, discussed the LOMAR done on the site in 2008 and the wetland delineation done at the same time when the first Concept hearing was held and the reason for the delay on moving forward. She discussed the NP study done in 2008 and stated they would be updating that study to present with the Preliminary application and the proposed Natural Resource Analysis.

PUBLIC COMMENT:

Ms. Noelle Hansen, an adjacent neighbor, asked about the timeline and cost on the wildlife studies, the fire pond distance and the option for relocating some of the building envelopes.

Ms. Penny Vasquez, member of the public, commented she wanted to see the access identified and thought the public should be able to speak after the Commission discussion.

Ms. Jen Zung, representing the applicant, stated the applicant will pay for the studies and improvements and the time frame on the studies is five years, which is why they have to update the studies. She stated the building envelopes could be negotiated with the neighbors if necessary and the fire pond is within the required distance per the Fire Marshal. She also commented that the driveway would be approved by the Director of Public Works according to his standards.

COMMISSION DELIBERATION:

The Commission had no issues with the application.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied, and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan, I move to APPROVE the Concept Plan for Shady Grove Subdivision as described in the application materials submitted March 27, 2020 and as updated with additional applicant information attached to this staff report.

RESULT:	APPROVED [4 TO 0]
MOVER:	Jack Haddox
SECONDER:	Patrick McDonnell, Commissioner
AYES:	Jack Haddox, Patrick McDonnell, Commissioner, J.A. Michelbacher, Commissioner, Chris Larson, Chairman
ABSENT:	Aidan Sullivan, Commissioner, Erica Tremblay, Commissioner
RECUSED:	Sarah Johnston, Vice Chair

Item #2. – ACTION ITEM - PUBLIC HEARING: Walipini Subdivision Preliminary Hearing Bradley Dickey is proposing a 3 lot subdivision on a parcel containing 8 acres located at 10645 Old Jackson Hwy. Two lots will be 2.5 acres, and the third lot will be 3 acres. The property is located within the Scenic Corridor as well as the Hillside Overlay and Big Game Migration Corridor and Seasonal Range overlays.

Legal Description: RP03N46E198100; TAX #6313 SEC 19 T3N R46E

Mr. Armstrong explained that the applicant was requesting a three lot subdivision on 8 acres located on Old Jackson Highway. He reviewed the existing overlays, fire suppression options, and the Natural Resource Analysis, which has not been responded to yet as they have a 45 day window. He also stated they had completed their NP study. Mr. Armstrong recommended tabling the application until the 45 day response time for Fish & Game to comment on the Natural Resource Analysis has been achieved. He stated they applicant has identified building envelopes based on the Natural Resource Analysis results and he discussed the applicants' intent to phase the lots so that they have time to obtain the fire suppression required for a three lot subdivision.

Ms. Jen Zung with Harmony Design & Engineering, representing the applicant, provided a power point presentation for the project. She stated there would be no improvements in the Scenic Corridor and that the NP study concluded that there would be negligible impact on the water table from the proposed development. She then discussed the applicant's desire to sell the existing house before installing the required improvements, which would make Lot 1 the first phase and the remaining two lots would be Phase 2. Lots 2 & 3 would be described as one lot until they are ready to install improvements and then the plat would go through a plat amendment to create lots 2 & 3 as the second phase improvements are installed.

PUBLIC COMMENT:

There was no public comment in person or through Zoom participation.

COMMISSION DELIBERATION:

Mr. Larson recommended the application be tabled due to the lack of Fish & Game response. The Commission was in agreement with waiting for Fish & Game. Ms. Johnston agreed with waiting for Fish & Game comments and requested the Development Agreement be cleaned up and revised to reflect the phasing prior to the next hearing and that the Improvement Plan be revised to include the fire pond. Mr. Haddox also thought it was best to wait for Fish & Game response.

Mr. Ken Werlin, representing the applicant, briefly discussed the Natural Resource Analysis done by his company for Under Canvas on the same site and stated he included the guidance from that hearing when putting together the conclusions for Walipini's project.

MOTION: I move to continue the Walipini Subdivision Preliminary Plat review to the July regular meeting in order to give Fish & Game a chance to respond during their review window and to give the applicant a chance to put together the additional information discussed by two weeks prior to the scheduled meeting.

RESULT: TABLED [UNANIMOUS]

MOVER: Sarah Johnston, Vice Chair

SECONDER: J.A. Michelbacher, Commissioner

AYES: Jack Haddox, Patrick McDonnell, Commissioner, J.A. Michelbacher, Commissioner, Chris Larson, Chairman, Sarah Johnston, Vice Chair

ABSENT: Aidan Sullivan, Commissioner, Erica Tremblay, Commissioner

Item #3. – WORK SESSION: River Rim Ranch PUD Work Session The owners of River Rim Ranch PUD have requested a work session with the Planning and Zoning Commission, prior to submitting an application for a significant plat amendment. The purpose of the work session is to generally present some ideas for amending the subdivision, and seek input from the PZC that could be integrated into their future application for plat amendment. This agenda item is a work session, and as such, there is no decision to be made. River Rim Ranch PUD is a multi-phased master planned development located in the northwest area of the County, with phases on both the north and south sides of Hwy 33. It was initially approved in 2004. The development includes approximately 400 building lots spread over approximately 4,500 acres. The master plan/plat has been amended 6 times since initial approval.

Mr. Larson explained the work session process and the fact that there would be no decisions made. Mr. Armstrong reviewed the request for a discussion of the River Rim Subdivision PUD approval by the new owners of the bank-owned portion of the subdivision and their intent to make some revisions to the original River Rim approval.

Mr. Scott Bechtle with Bechtle Architects, started by introducing the team members. Mr. Doug Gemmel, Project Manager, and Mr. Bob Ablondi, Civil Engineer, explained they have been working on the project since 2005 and helped successfully complete the improvements required by the Development Agreement with the original developers and the bank that took over the project. Mr. David Chu, one of the new partners that purchased Phase 1 and Phase VI, discussed his intention to bring back the golf course and its associated amenities. He provided the Commission with an information packet that discussed some of the history and the proposed changes and introduced several consultants to explain their participation in the project. He stated he had no intention to request an increase in density.

Mr. Larson stated he did not want to review new information handed out at a meeting and he would like the applicant to provide a complete summary and timeline of the previous amendments, as well as the proposed changes, well in advance of the meeting in order to provide the Commission and staff with adequate review time prior to the work session. The Commission needs to have a complete understanding of the past history and associated changes requested through amendments over the years before discussing the proposed changes. He felt the fifth amendment was the biggest change and it needs to be clear exactly what was approved at each amendment. He also wanted to be sure the applicant understood that there was an approved square footage of commercial and a specific number of residential units and if he wanted to increase those numbers it would require modifying the existing PUD under the current regulations. The Commission was in agreement with Mr. Larson.

Mr. Larson suggested the applicant prepare an analysis of what occurred in Revision 5 and what is currently approved with a 30 day lead time for staff to evaluate and the Commission to review at another work session.

RESULT: ADD TO NEXT AGENDA Next: 10/13/2020 5:00 PM

ADJOURN

MOTION: Adjourn

Adjourned at 7:00 PM.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sarah Johnston, Vice Chair
SECONDER:	J.A. Michelbacher, Commissioner
AYES:	Jack Haddox, Patrick McDonnell, Commissioner, J.A. Michelbacher, Commissioner, Chris Larson, Chairman, Sarah Johnston, Vice Chair
ABSENT:	Aidan Sullivan, Commissioner, Erica Tremblay, Commissioner

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MINUTES
 PLANNING & ZONING
 PUBLIC HEARING
 November 10, 2020
 STARTING AT 5:00 PM



LOCATION: **150 Courthouse Dr, Driggs, ID 83422**
1st Floor Meeting Room

Commissioners Present:

Jack Haddox
 J.A. Michelbacher
 Erica Tremblay
 Timothy Watters
 Commissioner Patrick McDonnell -- **Absent**
 Commissioner Aidan Sullivan -- **Absent**
 Chairman Chris Larson -- **Absent**
 Vice Chair Sarah Johnston -- **Absent**

Staff Present

Gary Armstrong
 Joshua Chase
 Sharon Fox

1. Chairman Business

Mr. Larson discussed the resignation of Sarah Johnston as a Planning Commissioner due to her growing workload and family commitments. He introduced Tim Watters as a new Commissioner and Jack Haddox as a returning Commissioner.

Mr. Hennage read the Oath of Office for the incoming Commissioners and officially swore them in.

2. Administrator Business

Item #1. – : Chairman and Vice Chairman Election

Mr. Armstrong commented that the Wigwam Subdivision will not be heard tonight because the application is in the City of Driggs Area of Impact and it needs to be a joint meeting. Unfortunately there were not enough City of Driggs Commissioners to attend. The meeting will be rescheduled as soon as advertising requirements can be met.

Mr. Armstrong asked the Commission to nominate a Chairman and Vice Chairman for the upcoming year of 2021. Mr. Michelbacher nominated Mr. Haddox. Ms. Tremblay seconded the motion. Mr. Haddox accepted the nomination. He was unanimously approved.

Next was nomination for Vice President. Ms. Tremblay nominated Mr. Michelbacher. Mr. Haddox seconded the nomination. Mr. Michelbacher accepted the nomination. He was unanimously approved.

RESULT:

COMPLETED

Item #1. – ACTION ITEM - PUBLIC HEARING: Snow Crest Ranch Subdivision Substantial Plat Amendment

The Homeowner's Association of Snow Crest Ranch Subdivision has submitted an application for a plat amendment to

remove the building envelopes on each of the lots within the subdivision, reverting to standard County setbacks of 30 feet front, 20 feet side, and 40 feet rear. As five or more lots would be impacted by this proposed plat amendment, it is considered a "substantial change" in the Teton County Subdivision Ordinance.

Legal Description: SNOW CREST RANCH SUBDIVISION, SEC 5 T5N R46E

Mr. Chase reviewed the application and the result of the first hearing for Snow Crest Ranch. The only change was the addition of the original Minutes to see if there was any reference to the reason for incorporating circular building envelopes. There was no reference in the Minutes as to the reason for the circular building envelopes.

Mr. Ron Armusio, member of the HOA and full time resident, commented they are not asking to change the 4,000 sq. ft building envelope, just removing them to offer more options for the shape and location of the house. Owners will still be held to 4,000 sq. ft. of building space. He commented they have four designs that have been submitted for approval but cannot fit into the building envelope. After discussing the option of removing the building envelopes a letter was sent out to all lot owners. The HOA received a response from each lot owner supporting the change.

Mr. Luke Rudolph with Nelson Engineering, representing the applicant, felt the 20' side setback would allow more flexibility since the lots are clustered and only 1 acre. He also stated the 20' setbacks were included on the original Final Plat.

PUBLIC COMMENT:

There was no public comment.

COMMISSION DELIBERATION:

The Commission had no issues with the application since all lot owners responded in favor of the change.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Plat Amendment found in **Title 9-7-1 (B-2b)** have been met, I move to recommend approval of the Amended Final Plat for Snow Crest Ranch Subdivision as described in the application materials submitted August 4, 2020 and as supplemented with additional applicant information attached to this staff report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	J.A. Michelbacher, Commissioner
SECONDER:	Timothy Watters, Planning Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Commissioner, Erica Tremblay, Commissioner, Timothy Watters, Planning Commissioner
ABSENT:	Patrick McDonnell, Commissioner, Aidan Sullivan, Commissioner, Chris Larson, Chairman, Sarah Johnston, Vice Chair

Item #2. – ACTION ITEM - PUBLIC HEARING: Marlin Meadows Subdivision Preliminary Hearing Nita Marie Vasquez has submitted an application for a two lot subdivision on 12.64 acres within the Agriculture Rural Residential 2.5 zone, and with frontage on Stateline Road and County Road E 250 North. The proposed lots are 2.5 acres and the remaining 10.14 acres. The property has a stream connected with Spring Creek.

Legal Description: RP05N46E298400; TAX #7180 SEC 29 T5N R46E

Mr. Armstrong reviewed the specifics of the Preliminary application for a two lot subdivision on 12.68 acres located on Stateline Road and 250 N. He stated the applicant applied for and was approved for an NP waiver and no other studies were required.

Ms. Penny Vasquez, applicant, commented she has applied with EIPH for a subdivision application and had a site visit from EIPH performed by a stand in employee while searching for a permanent employee for the Valley. The new employee, Kathleen Price, has reviewed the application but wanted to speak to the to the person who did the site visit before signing off as approved. Ms. Vasquez also stated that she has applied for an access permit from Road & Bridge as well and made changes based on the input from the Director of Public Works.

PUBLIC COMMENT:

Mr. John Perry, adjacent neighbor on Eastside Farm Subdivision, wanted to support the applicant and commended her for the clean operation of her farm.

COMMISSION DELIBERATION:

It was the consensus of the Commission that there were no issues with the application.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in Title 9-3-2(C-8) can be satisfied and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan, I move to recommend approval of the Preliminary Plat for Marlin Meadows subdivision as described in the application materials submitted August 28 2020 and as supplemented with additional applicant information attached to this staff report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Erica Tremblay, Commissioner
SECONDER:	J.A. Michelbacher, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Commissioner, Erica Tremblay, Commissioner, Timothy Watters, Planning Commissioner
ABSENT:	Patrick McDonnell, Commissioner, Aidan Sullivan, Commissioner, Chris Larson, Chairman, Sarah Johnston, Vice Chair

Item #3. – ACTION ITEM - PUBLIC HEARING: Eastside Farms Subdivision Preliminary Hearing Dump Road 250 East LLC has submitted an application for the 6 lot Eastside Farms Subdivision on a 100.34-acre parcel accessed off of County Road E 250 North and near Stateline Road. The property is adjacent to a section of Spring Creek, and would therefore be considered as falling within the wetlands and waterways corridor. No other overlay areas are present on the property.

Legal Description: RP05N46E296003; TAX #7181 SEC 29 T5N R46E

Mr. Chase reviewed the application for a subdivision located on 250 S. to subdivide 100 acres into six lots. He discussed the recommendation by the County Engineer to share an access on two of the lots and that is reflected in the Preliminary plat. Lot 6 access has also been addressed by establishing an easement that has been recorded. Mr Chase also reviewed the Natural Resource Analysis that was prepared. He then discussed the need to identify fire suppression. The information provided was sent to the Fire Marshal and he requested additional details that can be provided at the BoCC Preliminary hearing based on the current Subdivision ordinance regarding improvement plans.

Mr. Luke Rudolph with Nelson Engineering, representing the applicant, commented the access to Lot 6 has been recorded and requested to move forward in order to provide more information prior to Final Plat application.

PUBLIC COMMENT:

Mr. John Perry, applicant for Lot 3, wanted to express support for the small farm operation they are planning.

Mr. Steven Right, representing W Diamond Ranch adjacent to the applicant, commented he has an issue with the south boundary that has been going on for some time and would like to see that issue resolved.

Ms. Penny Vasquez, adjacent property owner, commented she supports the neighbors application and wants to see the property remain in ag. She also commented she has a background on the boundary issue and will work with Mr. Right to resolve his concerns.

APPLICANT REBUTTAL:

Regarding the boundary issue, Mr. Rudolph felt that the dispute should be discussed at a different time with appropriate people present. He was confident it could be worked out prior to the next hearing and would be reflected on the Final Plat.

COMMISSION DELIBERATION:

Ms. Tremblay asked if there were any other issues besides the fire pond. Mr. Chase commented the applicant has dropped off more information to be submitted to the Fire Marshal today but it has not been passed on yet. The only other issue was to ensure there was a plat note referring to the condition required by the NP Waiver for no more than six bedrooms.

The Commission had no other issues with the application.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in Title 9-3-2(C-8) can be satisfied and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan, I move to recommend approval of the Preliminary Plat for Eastside Farms subdivision as described in the application materials submitted June 29, 2020 and as supplemented with additional applicant information attached to this staff report.

RESULT:

APPROVED [UNANIMOUS]

MOVER:

J.A. Michelbacher, Commissioner

SECONDER:

Timothy Watters, Planning Commissioner

AYES:

Jack Haddox, Chairman, J.A. Michelbacher, Commissioner, Erica Tremblay, Commissioner, Timothy Watters, Planning Commissioner

ABSENT:

Patrick McDonnell, Commissioner, Aidan Sullivan, Commissioner, Chris Larson, Chairman, Sarah Johnston, Vice Chair

Item #4. – AGENDA ACTION ITEM - PUBLIC HEARING: Wigwam Subdivision Concept Hearing Cerro Maestri LLC has applied for a 2 lot subdivision on a 4.98 acre parcel located within the Driggs Area of City Impact with ADR 1.0 acre average density zoning. The property has access from Cemetery Road and is within the Big Game Migration Corridor and Seasonal Range associated with Teton Creek. A joint hearing with the Driggs Planning and Zoning Commission will review the application.

Legal Description: Legal Description: RP05N45E360250; TAX # 5981 SEC 36 T5N R45E

This application was cancelled due to lack of City of Driggs Planning & Zoning Commission members required for an application in the City of Driggs Area of Impact.

RESULT:

MEETING CANCELLED

Item #5. – ACTION ITEM - PUBLIC HEARING: Buckrail Ranch Subdivision Concept Hearing Buckrail Ranch LLC has applied for a 24 lot subdivision on a 78.67 acre parcel located on the northeast corner of the junction of State Highway 32 and 33. The property is in the impact area of the City of Tetonia. There are no overlay areas on the property.

Legal Description: Legal Description: RP06N45E205550; TAX #6807 PARCEL 5 SEC 20 T6N R45E

Mr. Armstrong reviewed the application details for a 24 lot subdivision on 78.67 acres. All lots would be 2.5 acres in conformance with the current zoning and two ponds are being proposed for fire suppression and as landscape features for the residents to enjoy. He also commented that landscape buffers are being proposed along Hwy 32 and Hwy 33. Mr. Armstrong then discussed the situation of the current City of Tetonia Area of Impact (AOI) Agreement and read the section that contained directions for proceeding with an application in the AOI. After the Concept approval the application would move forward to the City of Tetonia Planning Commission for a Preliminary hearing and then back to the County Planning Commission for a Preliminary hearing prior to moving forward to the BoCC for a Preliminary hearing.

Ms. Tremblay asked about the site plan reflecting 20 lots rather than 24. Mr. Armstrong commented that two different site plans were submitted and the most recent was the site plan on the last page of the application that showed 24 lots being proposed.

Mr. Michelbacher asked about Lots 1 & 20 that were 2.24 acres rather than 2.5 acres. Mr. Armstrong commented that may have something to do with the calculation of the road easement, but would be a question for the applicant.

Mr. Dean Roddatos, applicant, commented the lots are actually larger than the first map provided in the Concept application and the update version shows the lots at 2.5 acres in compliance with the zoning requirement of a minimum of 2.5 acres. He then reviewed the applicant specifics. He discussed the access that was determined by ITD and reflected in the approval of the permit issued by ITD. He reviewed the intent to build homes and sell one home with each lot with a minimum home size of 1200 sq. ft. rather than large homes. He stated there will be no manufactured homes, tiny homes, or mobile homes allowed. Mr. Roddatos also emphasized that the property had no overlays or water characteristics that required additional studies.

Ms. Tremblay asked if Mr. Roddatos has considered the Comp Plan and what it suggests for that area, which would be larger lots. Mr. Roddatos commented his decision for 2.5 acre lots is based on the current zoning and what he believes will be what the market is looking for currently and in the future. Ms. Tremblay did not think that it fits into a rural subdivision concept and did not want to see another subdivision with only a few homes built.

PUBLIC COMMENT:

Mr. Douglas Hutchins, adjacent property owner, commented that the ground is flat but has several swells in the area and in the springtime when the snow melts it has rivers that run through the property sometimes. He stated he has only been in the Valley three years but was concerned by the snow runoff in the spring and the potential for flooding. He felt it should be addressed.

Mr. Sean Hill, representing VARD, commented on the Comp Plan designation for the area of Rural Agriculture which calls for low density residential and his belief was that this is not low density residential. He also wanted to see a Development Agreement in place for improvements.

Mr. Haddox stated, for the record, that there were several public comments received prior to the hearing.

APPLICANT REBUTTAL:

Mr. Roddatos commented he is aware of the potential for spring runoff and has planned to deal with the issue as part of the ponds construction and the road construction.

COMMISSION DELIBERATION:

Mr. Michelbacher commented a 2.5 acre is a good size lot and provides open space between houses. Mr. Haddox commented he would have liked to see larger lots as in subdivisions nearby, but agreed that the application fits within the current zoning and does provide some open space.

Ms. Tremblay commented she was concerned with the Comp Plan designating that parcel as low density and the draft code being proposed in the Spring also designating this parcel as low density. She was concerned by approving this application before the draft code is approved was not being responsible to the Community. Mr. Michelbacher commented the reason he has proposed a motion for approval is because the application is in compliance with the current zoning requirements and cannot be judged on potential future land use designations. Mr. Watters commented this application does comply with the current zoning, although he was concerned with compliance with the Comp Plan, but felt that it was not appropriate to hold up this application to wait for a new code to be approved.

MOTION: Having concluded that the Criteria for Approval of a Concept Plan found in Title 9-3-2-B can be satisfied, and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan, I move to approve the Concept Plan for Buckrail Ranch subdivision as described in the application materials submitted September 24, 2020 with the following conditions of approval: 1) The lot sizes be corrected to be in compliance with the zoning and; 2) Address floodwater concerns.

RESULT:	APPROVED [3 TO 1]
MOVER:	J.A. Michelbacher, Commissioner
SECONDER:	Timothy Watters, Planning Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Commissioner, Timothy Watters, Planning Commissioner
NAYS:	Erica Tremblay, Commissioner
ABSENT:	Patrick McDonnell, Commissioner, Aidan Sullivan, Commissioner, Chris Larson, Chairman, Sarah Johnston, Vice Chair

Item #6. – WORK SESSION: River Rim Ranch PUD Work Session The owners of River Rim Ranch PUD have requested a work session with the Planning and Zoning Commission, prior to submitting an application for a significant plat amendment. The purpose of the work session is to generally present some ideas for amending the subdivision, and seek input from the PZC that could be integrated into their future application for plat amendment. This agenda item is a work session, and as such, there is no decision to be made. River Rim Ranch PUD is a multi-phased master planned development located in the northwest area of the County, with phases on both the north and south sides of Hwy 33. It was initially approved in 2004. The development includes approximately 400 building lots spread over approximately 4,500 acres. The master plan/plat has been amended 6 times since initial approval.

Mr. Armstrong explained the intent of the work session. He read the cover letter to the Commission.

Mr. Scott Bechtle, representing the applicant, reviewed the history of the original approval of River Rim Ranch along with the amendments that have occurred over the years.

Mr. Bob Oblondi , representing the applicant, commented he had been with the project from the beginning and discussed the history of public improvements completed and those remaining.

The work session was to inform the Commission of the history of River Rim Ranch prior to submitting an amendment application.

RESULT:

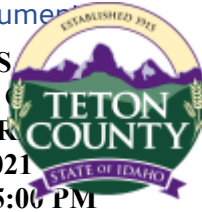
ADD TO NEXT AGENDA

ADJOURN

MOTION: Adjourn 8:15 PM

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MINUTES
PLANNING & ZONING
PUBLIC HEARING
March 9, 2021
STARTING AT 5:00 PM



LOCATION: **150 Courthouse Dr, Driggs, ID 83422**
1st Floor Meeting Room

Commissioners Present:

Jack Haddox
Patrick McDonnell
J.A. Michelbacher
Erica Tremblay
Timothy Watters
Taylor Cook
Commissioner Aidan Sullivan -- **Absent**

Staff Present

Gary Armstrong
Joshua Chase
Sharon Fox

1. Chairman Business

Mr. Bob Henege, Vice Chairman of BoCC, swore in Taylor Cook as a new Commissioner.

Mr. Haddox commented that the BoCC is working on a legal opinion on the ability to consider applications before the new land use code is adopted, and will update the Commissioners when something has been set up or decided.

2. Administrator Business

Mr. Armstrong presented a summary of the approval process for the items on the agenda based on what step they are at.

Item #1. – ACTION ITEM - PUBLIC HEARING: Rosewood Ranch Subdivision Concept Hearing Solimar LLC, has submitted an application proposing a 7 lot residential subdivision on a 100.20 acres parcel located west of the City of Teton and adjacent but not within the impact area of the City of Teton. The property includes areas within the floodplain and potential wetlands. The property has frontage along N 4500 West.

Legal Description: RP06N45E311750; TAX #7364 SEC 31 T6N R45E

Mr. Chase reviewed the application for a 7 lot subdivision on 100.2 acres with an average lot size of 15 acres. Access will be off of N 4500 W in Teton. The floodplain would require an NP Study and a Natural Resource Analysis would be required based on the wetlands overlay. There would not be a wildlife study required.

Ms. Sharon Woolstenhulme with AW Engineering, representing the applicant, discussed the reasons behind the large lot configuration being proposed, and stated the applicant will commit to doing all necessary studies to provide additional information before the Preliminary hearing.

Ms. Marisole Mayberry, applicant, explained the use was being designed for small acreage farming by the parcel owners.

PUBLIC COMMENT:

Mr. Shawn Hill, representing VARD, commented on the criteria for approval of a Concept Plan and suggested the application should not be approved if there is more information needed and it should not be approved if it is not in conformance with the Comp Plan.

Penny Vasquez, owner of a small farm outside Driggs, commented that this is a Concept hearing and should be judged by the criteria stated in the current Land Use Code.

COMMISSION DELIBERATION:

Ms. Tremblay was comfortable with the farming concept if there were water rights on the parcel. The applicant stated there is water rights on the property.

The Commission did not have issues with the application moving forward.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied with the inclusion of the following conditions of approval which include Natural Resource Analysis, NP Analysis, Floodplain Analysis and EIPH review and approval, and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan, I move to APPROVE the Concept Plan for Rosewood Ranch Subdivision as described in the application materials submitted January 20, 2021 and as updated with additional applicant information attached to this staff report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	J.A. Michelbacher, Vice Chairman
SECONDER:	Timothy Watters, Commissioner
AYES:	Jack Haddox, Chairman, Patrick McDonnell, Commissioner, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner
EXCUSED:	Aidan Sullivan, Commissioner

Item #2. – ACTION ITEM - PUBLIC HEARING: Springhill Farm Subdivision Concept Hearing Mr. Ralph Miller and Mrs. Angela Miller Burnside are proposing a 2 lot subdivision on approximately 43.5 acres. The residential lots will meet the zoning requirements and each be approximately 21.8 acres. The proposed subdivision includes a small area within in the Waterbird Breeding, Migration, Foraging and Wintering Habitat overlay.

Legal Description: RP04N45E194875; TAX #7106 SEC 19 T4N R45E

Mr. Chase reviewed the application for a 2 lot subdivision on 43.5 acres. Due to the presence of a Waterbird overlay a wildlife habitat assessment will be required and reviewed the reasons for the applicant starting the process over again.

Ms. Sharon Woolstenhulme with AW Engineering, representing the applicant, reviewed the history of the family parcel and the intended use by the family for a family vacation retreat while the majority of the property will continue to be used for ag purposes. She also confirmed that the Wildlife study had been submitted with the application.

Mr. Ralph Miller, applicant, commented the overlay is mostly in the borrow pit of the road and said he has not seen any other birds while growing up on this land other than Sandhill Cranes, which have not been seen for years.

PUBLIC COMMENT:

Ms. Penny Vasquez commented she supports the preservation of the farm land in conjunction with the family having the opportunity to use portions of this parcel for recreation.

Mr. Shawn Hill, representing VARD, commented he thought the application was in compliance with the Comp Plan and had no issues with the proposal.

COMMISSION DELIBERATION:

The Commission had no issues with this application.

MOTION: Having concluded that all the Criteria for Approval of a Concept Plan found in Title 9-3-2-B can be satisfied, and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan, I move to APPROVE the Concept Plan for Springhill Farm subdivision as described in the application materials submitted January 20, 2021 and as supplemented with additional applicant information attached to this staff report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Timothy Watters, Commissioner
SECONDER:	J.A. Michelbacher, Vice Chairman
AYES:	Jack Haddox, Chairman, Patrick McDonnell, Commissioner, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner
EXCUSED:	Aidan Sullivan, Commissioner

Item #3. – ACTION ITEM - PUBLIC HEARING: Centennial Estates Subdivision Concept Hearing Aaron Powers has submitted an application for a 15 lot subdivision located near E 5000 South, between the cities of Victor and Driggs. The proposed access would come via the existing Lot 1 of Sorensen Creek subdivision, from S 2000 East. The property contains some area within the Big Game Migration and Seasonal Range Overlay.

Legal Description: RP04N46E191200; S2NE4 LESS TAX #2529 SEC 19 T4N R46E and RP001050000010; LOT 1 SORENSEN CREEK SUB SEC 19 & 20 T4N R46E

Mr. Chase reviewed the application for a 15 lot subdivision located between Victor and Driggs with access going through Lot 1 of Sorensen Creek Subdivision. He discussed overlays, fire protection proposed, and the need for a traffic impact study and to potentially relocate the proposed access based on the comments received from the County Engineer.

Mr. Randy Schrauder, Engineer with Summit Consulting Group representing the applicant, commented on the proposed access, lot size and overlays.

PUBLIC COMMENT:

Mr. Pete Nelson, Sorensen Creek HOA President, commented he did not have an issue with granting an easement through Lot 1, but would not support vacating that lot from the subdivision.

Mr. Carl Jordan, Sorensen Creek owner directly across from Lot 1, commented he did not believe the applicant had a prescriptive easement right to use it to access his lot if he is going to turn it into a subdivision. He was also concerned with the increase of traffic on S 2000 E and groundwater contamination from septic systems.

Ms. Penny Vasquez commented in favor of the application because of the willingness to work with the surrounding property owners to satisfy their issues.

Mr. Shawn Hill, representing VARD, repeated his objection to the Concept application based on his opinion that it does not support the goals of the Comp Plan. He was also concerned with approving an application without the issue of access being resolved.

COMMISSION DELIBERATION:

Ms. Tremblay commented she was not comfortable making a decision on the application without an established access granted by Sorensen Creek HOA. Mr. Michelbacher and Mr. Haddox agreed they did not feel the application should move forward without an approved access. Mr. Watters was also concerned about the increase in traffic on a County road that is quite narrow.

MOTION: I MOVE TO CONTINUE THE CENTENNIAL ESTATES TO A FUTURE MEETING PENDING RESOLUTION OF THE ACCESS THROUGH LOT 1 IN SORENSEN CREEK SUBDIVISION AND AN ENGINEERING REVIEW BY THE COUNTY ENGINEER AS TO THE IMPACT OF THE INCREASE IN TRAFFIC ON S 2000 E .

RESULT:	TABLED [UNANIMOUS]
MOVER:	J.A. Michelbacher, Vice Chairman
SECONDER:	Erica Tremblay, Commissioner
AYES:	Jack Haddox, Chairman, Patrick McDonnell, Commissioner, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner
EXCUSED:	Aidan Sullivan, Commissioner

Item #4. – ACTION ITEM - PUBLIC HEARING: Cottonwood Ranches Subdivision Div II Preliminary Hearing

Jeff Kline has submitted an application for a 13 lot subdivision located adjacent to the existing Cottonwood Ranches subdivision. The project would share an existing private road access, Cottonwood Way, with this subdivision from County Road E 2500 North. The lots will be a minimum of 2.5 acres with a few small areas of open space. The property does not include any overlay areas.

Legal Description: RP05N46E176001; SW4SW4 SEC 17 T5N R46E

Mr. Chase reviewed the application for Division II of Cottonwood Ranches subdivision and the changes in lot and road configuration since the Concept approval.

Ms. Sharon Woolstenhulme with AW Engineering, representing the applicant, commented on the increase in the size of Lot 1 with the fire pond while reducing the number of lots to 13 lots. She also discussed the traffic study submitted and the review by the County engineer.

PUBLIC COMMENT:

Ms. Penny Vasquez commented she was concerned with the lack of housing in the area and thought this was a reasonable use of the parcel based on the location.

Mr. John Norton, President of Cottonwood Ranches Division I HOA, commented he has worked with the applicant to adopt CC&Rs that are comparable to Division I and would hope that they use the new version rather than the version submitted with the Concept application.

Mr. Shawn Hill, representing VARD, he was not in favor of the density of this application because of the lack of compliance with the Comp Plan but complimented the developer for working with adjacent properties to address their concerns.

COMMISSION DELIBERATION:

Ms. Tremblay was not in favor of allowing horses on 2.5 acre lots and would like to see 5 acre lots, but did understand the neighborhood and felt the lot size works.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in Title 9-3-2(C) can be satisfied, and having found that the proposal is generally consistent with the goals and policies of the Teton County Comprehensive Plan, I move to Recommend APPROVAL of the Preliminary Plat for Cottonwood Ranch Division II subdivision as described in the application materials submitted December 28, 2020, and additional information attached to the staff report with the condition that the applicant obtains a signed avigation easement and a letter from the irrigation company.

RESULT:	APPROVED [4 TO 1]
MOVER:	J.A. Michelbacher, Vice Chairman
SECONDER:	Patrick McDonnell, Commissioner
AYES:	Jack Haddox, Chairman, Patrick McDonnell, Commissioner, J.A. Michelbacher, Vice Chairman, Timothy Watters, Commissioner
NAYS:	Erica Tremblay, Commissioner
EXCUSED:	Aidan Sullivan, Commissioner

Item #5. – ACTION ITEM - PUBLIC HEARING: Buckrail Ranch Subdivision Preliminary Hearing Buckrail Ranch LLC has applied for a 24 lot subdivision on a 78.67 acre parcel located on the northeast corner of the junction of State Highway 32 and 33. The property is in the impact area of the City of Teton. There are no overlay areas on the property.

Legal Description: RP06N45E205550; TAX #6807 PARCEL 5 SEC 20 T6N R45E

Mr. Chase reviewed the history of the hearings held with the City of Teton prior to coming to request Preliminary approval. He discussed the additional information provided for storm water retention plans, landscaping improvements, signage and additional open space areas.

There was no applicant or representative available for comment.

PUBLIC COMMENT:

Mr. Shane Bahr, adjacent property owner, commented he had no issues with the development of a subdivision on this parcel, but was concerned with the number of wells & septic proposed and what it would do to the water table.

Mr. James Weber, local resident, was concerned with the view impact on the entrance to the valley and with the LED lighting on the proposed signage.

Ms. Penny Vasquez, local resident, commented in support of the project because of the housing it will provide and their willingness to work with their neighbor.

Mr. Shawn Hill, representing VARD, again commented on his concerns that the application was not consistent with the Comp Plan or the future proposed zoning map.

COMMISSION DELIBERATION:

Mr. Michelbacher commented he wanted some items cleared up in the CC&Rs regarding number of homes allowed on each lot and vacation rental options. He also referred back to the current land use laws that have to be adhered to.

Mr. McDonnell did not feel the application was consistent with the Comp Plan and did not want to see this type of development in the north end of the valley.

MOTION: Mr. Watters moved that having concluded the Criteria for Approval of a Preliminary Plat found in Title 9-3-2-C can be satisfied, but also having found that the proposal is not consistent with all goals and policies of the Teton County Comp Plan based on non-compliance with the future land use map, I move to approve the Preliminary Plat approval for Buckrail Ranch Subdivision as described with the applications materials submitted November 17th, 2020, and additional information attached to the staff report, with the condition of approval that the Planning and Zoning Commission would like the BoCC to consider the finding that the application is not consistent with the Comp Plan as part of its Final Plat review.

Mr. Michelbacher seconded the motion.

Motion was defeated by a 3-3 vote.

MOTION: Mr. McDonnell moved to recommend denial of the application because it does not comply with the Comp Plan map and general direction of the Comp Plan for the North end of the valley. Mr. Cook seconded the motion.

Ms. Tremblay commented the current Land Use Code supports this density in this area and the CC&Rs are targeted to the middle income locals, so she did not feel it was appropriate to deny.

The motion was defeated 3-3.

MOTION: I move to continue the public hearing to the next available meeting for Lucy Meadows subdivision Preliminary Plat in order to obtain additional information from the applicant or other agencies.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Timothy Watters, Commissioner
SECONDER:	Erica Tremblay, Commissioner
AYES:	Jack Haddox, Chairman, Patrick McDonnell, Commissioner, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner
EXCUSED:	Aidan Sullivan, Commissioner

Item #6. – ACTION ITEM - PUBLIC HEARING: River Riim Ranch PUD Substantial Plat Amendment The applicant has requested a plat amendment to modify certain aspects of River Rim Ranch Division II Phase I to allow for the completion of a golf course including incidental uses associated with a golf course resort operation. The amendment would also relocate some residential units displaced by golf facilities. The Planning Administrator has identified these changes would comprise a substantial change.

Legal Description: River Rim Ranch Division 2 Phase 1

Mr. Armstrong reviewed the history of the project & approvals and commented he reviewed the applications compliance with the approval criteria listed in Title 9 Subdivision Ordinance. His recommendation, based on these listed criteria, is for approval as presented with decrease in scale and impact.

Mr. Haddox asked if the proposal would increase the density originally approved, and the change of residential to commercial use on some of the lots. Mr. Armstrong explained in an effort to bring back the golf course they are simply rearranging the residential and commercial uses without increasing or decreasing the density or designations.

Mr. Scott Bechtel with Bechtel Architects, representing the applicant, presented a project history presentation that included the changes being proposed and the reasoning behind the proposed changes.

PUBLIC COMMENT:

Mr. Shawn Hill, representing VARD, commented on the south canyon of the PUD in Phase I and the ability to negotiate, in his opinion, changes in Phase I because changes are proposed in Division II. His concern was with Teton River canyon area of the PUD and wanted to see the approval for that phase changed along with the requested changes of the PUD.

Ms. Penny Vasquez commented she was in favor of this project going forward.

Mr. James Weber, local resident, commented he agreed with Mr. Hill's comments.

Mr. Bruce Simon, a partner with the original developers, commented he had been involved with the River Rim project from the beginning. He felt it was a first class development project and wanted to see it completed.

Mr. Roger Saylor, resident of River Rim Ranch Division I, commented he supported the proposed amendment and did not feel it represented a substantial change in the overall project.

Mr. Bechtel commented that the proposal is a reduction in the number of residential lots and have presented it to the best of their ability. He also pointed out that they are not proposing changes to any other phases of the PUD.

COMMISSION DELIBERATION:

The Commission had no issues.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Plat Amendment found in Title 9-7- 1 (B-3b) have been met, I move to recommend approval of the application for Amendment #7 for River Rim Ranch PUD as described in the application materials submitted January 20, 2021 and as supplemented with additional applicant information attached to this staff report.

RESULT: APPROVED [UNANIMOUS]

MOVER: J.A. Michelbacher, Vice Chairman

SECONDER: Erica Tremblay, Commissioner

AYES: Jack Haddox, Chairman, Patrick McDonnell, Commissioner, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner

EXCUSED: Aidan Sullivan, Commissioner

ADJOURN

MOTION: Adjourn 9:00 PM

Meeting ended at 9:00 PM.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Erica Tremblay, Commissioner

SECONDER: Timothy Watters, Commissioner

AYES: Jack Haddox, Chairman, Patrick McDonnell, Commissioner, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner

EXCUSED: Aidan Sullivan, Commissioner



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS
MINUTES • MAY 24, 2021

Regular Meeting

1st Floor Meeting Room

9:00 AM

150 Courthouse Dr, Driggs, ID 83422

**1. MEETING CALL TO ORDER - PLEDGE OF ALLEGIANCE - ZOOM MEETING ID:
857 7121 7957**

Commissioners Present:

Cindy Riegel
Bob Heneage
Michael Whitfield

Other Elected Officials and Department Heads Present:

Kim Keeley, Clerk
Holly Powers, County Operations Manager

2. MOTION: *Approve Agenda*

<p>RESULT: ADOPTED [Unanimous] MOVER: Bob Heneage SECONDER: Michael Whitfield AYES: Cindy Riegel, Bob Heneage, Michael Whitfield</p>

2. ACTION ITEMS: CONSENT AGENDA

Removed Commissioner Whitfield cell phone stipend from claims approval.

<p>RESULT: ADOPTED [Unanimous] MOVER: Bob Heneage SECONDER: Michael Whitfield AYES: Cindy Riegel, Bob Heneage, Michael Whitfield</p>

- 1. Board of County Commissioners - Special Meeting - Apr 28, 2021 9:00 AM**
- 2. Board of County Commissioners - Special Meeting - May 12, 2021 2:00 PM**
- 3. Board of County Commissioners - Regular Meeting - Apr 26, 2021 9:00 AM**
- 4. Board of County Commissioners - Regular Meeting - May 10, 2021 9:00 AM**
- 5. ACTION ITEM: FY21 05/24/2021 Claims Approval Report**

3. OPEN MIC

Nicholas Besabrasow: Spoke in regards to the Cutthroat Creek application. Seven lot owners object to the project. Acknowledged incorrect information from Zanders about what he called a minor plat amendment.

Detailed non-communication from Zander Strong. Mr. Bresabrasow named Sotheby's and Christian Cisco as not being forthright.

Ida Hansen- defaulted to Kevin Mayberry

Neal Stelton, representing Bagger Capital Resources Trust which owns three lots in the Cutthroat Creek Subdivision. He spoke against approving the Cutthroat Creek Subdivision Insignificant Plat Amendment.

Joe Moody, lot owner in Cutthroat Creek, spoke opposed to the Cutthroat Creek Insignificant Plat Amendment. Moving the building envelope would obstruct his view.

Edmund Taylor, lot owner in Cutthroat Creek, spoke opposed to the Cutthroat Creek Insignificant Plat Amendment. He would not have bought the lot had he known that Lot 11 would be moving their building envelope.

Kevin Mayberry, spoke regarding the P & Z appointments. He would like the Board to balance out the P & Z Board with a large landowner, or contractor. He would like more diversity on the Board.

4. PUBLIC APPEARANCES

1. ACTION ITEM: EIPH Budget Request

Rescheduled to 2 PM.

Eastern Idaho Public Health District Director Geri Rackow was present to give the FY22 Budget. The Health District is increasing the budget by 17% in response to the pandemic. State funding will end March of 2022 due to HB316 and the County share will increase by \$62K for FY22.

5. PLANNING AND ZONING

1. AGENDA ACTION ITEM: Cottonwood Ranches Subdivision Div II Preliminary Hearing-9:30 AM

Planning Administrator Gary Armstrong presented the staff report. Mr. Armstrong clarified that the subdivision will have standard setbacks for building envelopes. The Board noted that the requested updated plat was not in the packet and therefore couldn't vote on the item..

Sharon Woolstenhulme, was present and stated that she would present at the next meeting with an updated plat in the packet.

The meeting was continued to June 14th at 2:45 PM.

MOTION: *I move to continue the hearing to June 14th at 2:45 PM.*

RESULT:	APPROVED [Unanimous]
MOVER:	Cindy Riegel SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

2. AGENDA ACTION ITEM: River Rim Ranch PUD Substantial Plat Amendment- 10:30 AM

Mr. Armstrong presented the staff report. The amendment results in no net loss or gain of uses within the development. The Board asked if studies should be done as so much time has passed from the initial approval.

Scott Bechtle with Bechtle Architects presented the applicant report. Mr. Bechtle presented a power point with a history of the PUD, including six prior amendments. The Board asked if there is any employee housing in the proposal. Mr. Bechtle stated that none was currently planned, but would be willing to consider it. The Board requested a workforce needs assessment and a strategy to address it. Bob Ablondi, from Rendesvous Engineering, spoke regarding the two water systems, a raw water and a potable water system. He also described the wastewater system. The Board asked for a comparison of the original incidental uses and the proposed incidental uses.

Public comment was opened at 11:10 AM.
No one present wished to speak.
Public comment was closed at 11:12 AM.

Board deliberation - Commissioner Whitfield would like a response to the new wildlife data that is available and a workforce needs assessment. Commissioner Riegel would like a legal review of the commercial development changes from the original development agreement. Commissioner Heneage would like a specific proposal for workforce housing.

MOTION: *I move to remand the application to the P & Z Board and request that the applicant address the following conditions:*

*Condition #1 - provide a workforce analysis and proposed mitigation to help house employees on site,
Condition #2 - respond to the new wildlife data available from Idaho Fish and Game, with further assessment of the wildlife impacts particularly in respect to the South Canyon portion of the PUD,
Condition #3 - provide a presentation of currently allowed commercial uses versus what is being proposed.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield
SECONDER:	Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

3. ACTION ITEM: East Side Village Final Plat Hearing - 11:30 AM

Mr. Armstrong presented the staff report. The applicant has fulfilled the requested conditions. Mr. Armstrong shared the road design that was not in the packet. Public Works Director Darryl Johnson pointed out that the road plan lacked details on the width and structural makeup. The applicant will email the missing third page to the Public Works Director for approval.

Public comment was opened at 12:00 PM:
No one present wished to speak.

The public hearing was left open until the Public Works Director could approve the road details. Mr. Johnson received the information and stated that the document shows the road meets County standards. Public comment was closed at 3:35 PM.

Board deliberation - The Board had no further deliberations.

MOTION: APPROVAL

Having concluded that the Criteria for Approval of a Subdivision Final Plat found in Title 9-3-2(D-2)

can be satisfied and having found that the proposal is generally consistent with the goals and policies of the 2012-2030 Teton County Comprehensive Plan,

§ I move to APPROVE the Final Plat for East Side Village subdivision as described in the application materials submitted March 24, 2021 and as supplemented with additional applicant information attached to this staff report and as shown at the public hearing.

RESULT: APPROVED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

- 4. **MOTION:** Move to continue the East Side Village hearing for final plat to a time later today, in order for the applicant to submit the final page information necessary for final approval.

RESULT: ADOPTED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Cindy Riegel
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

5. ACTION ITEM: Cutthroat Creek Subdivision Insignificant Plat Amendment

The applicant, Zander Strong, was present but had no comment.

MOTION: DENIAL

Having concluded that the Criteria for Approval of an Insignificant Subdivision Plat Amendment found in Title 9-7-1 (B-2a) have not been satisfied, I move to DENY the First Amended Plat for Cutthroat Creek Subdivision as described in the application materials submitted March 4, 2021 based on the following findings:

1. that the Board cannot determine if movement of the Lot 11 building envelope is an insignificant action with minimal impact to the immediate neighborhood because the applicant has not identified its amended location, and
2. that Multiple lot owners within the Cutthroat Creek Subdivision have expressed that a new building area location may harm the lots that they purchased with the understanding of building envelope locations as shown on the current plat.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Cindy Riegel
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

6. PUBLIC WORKS

1. ACTION ITEM: JRW Affidavit of Legal Interest

MOTION: Approve the Affidavit of Legal Interest giving architect JRW & Associates the authorization to submit the Multi-agency building permit on the Owner's (County's) behalf.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

2. ACTION ITEM: Big D Prime Contract Change Order

MOTION: Approve the Big D Scope Change for the Multi-agency facility remodel design as presented. Funds to be paid from 02-00-807

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

3. Public Works Report

Public Works Director Darryl Johnson presented his report.

Solid Waste -

- Transfer Station ten year financial assessment is the proposed next step for the Great West Engineering audit. Estimated cost is \$29,500. The Board asked if RAD should be involved and asked for details on what would be covered with the \$29,500.
- EIRSWD update - the new site should be acquired by October 2021. The deadline for the County to join the district is before the site is acquired. After the site is acquired the County can still join but it will be more expensive.
- The audit recommended a new material handler (previously known as the “Grizzly”). Solid Waste Supervisor Danny ODonnell put together two proposals, a lease option or purchase. The Board would like to move forward with the lease option. Mr. Johnson will present the item at the next Regular Meeting on June 14th.

Road & Bridge -

- Mr. Lantz Hartley has requested that the County plow N8000W between Packsaddle and SH33. The route does not currently qualify for plowing.

Engineering -

- Mr. Johnson presented information on speed limits in the unincorporated county. The Board and Public Works all receive numerous requests for posted speed limits. Mr. Johnson stated that buy in from the Board, the Prosecuting Attorney, and the Sheriff is critical for success in reducing speed limits. The Board would like to schedule a work meeting to discuss. Mr. Johnson will arrange the meeting.

7. MOSQUITO ABATEMENT

1. ACTION ITEM: TETON COUNTY MOSQUITO ABATEMENT DISTRICT 2021 PESTICIDE DISCHARGE MANAGEMENT PLAN

Ronn Carlentine, Mosquito Abatement Director, was present to request approval of the annual Pesticide Discharge Management Plan. Alan Low, owner of RAL Ventures, was present to explain the Management Plan. The District has been in existence for eleven years. In that time, the amount of pesticide use has been reduced by half due to increased knowledge of mosquito habitat in the County.

MOTION: Approve the 2021 Pesticide Discharge Management Plan.

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

8. IT/EMERGENCY MANAGEMENT**1. ACTION ITEM: COVID Pay Phase Out**

Emergency Manager Greg Adams presented the item.

MOTION: *Immediately phase out the COVID pay benefit for County staff.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

2. ACTION ITEM: IT Director's Meeting

MOTION: *Approve the IT Director to attend the Idaho Association of County IT meeting in Coeur d'Alene on June 10th.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

3. ACTION ITEM: Pandemic Operations for County Facilities Plan Review

Operations Manager Holly Powers consulted with ICRMP regarding the two options presented and both are okay. The Board would like to continue to offer remote access to public meetings.

MOTION: *Approve option B of the Pandemic Operations for County Facilities Plan dated May 24th 2021 with continued remote options for public meetings.*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

9. BUILDING**1. ACTION ITEM: Process for Department Overtime**

Building Manager Wendy Danielson gave a brief update on building permit numbers and requested over time hours.

MOTION: *Approve the Building Department Manager to work overtime, not to exceed 5 hours in any work week, with no requirement for approval by the board through July 9th. Overtime in excess of 5 hours per week will require Board approval.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

10. GIS

1. ACTION ITEM: Acquisition of current wildlife data from the Idaho Fish and Wildlife Information System for Teton County, Idaho

MOTION: Approve payment of \$500 to the Idaho Fish and Wildlife Information System housed within the Idaho Department of Fish and Game to update Teton County information on wildlife resources. Funds to be paid from Commissioner's Contingency.

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

11. ASSESSOR

1. Assessor Budget Request

Assessor Bonnie Beard made a budget request for FY22. The Assessor is retiring at the end of May and wanted to give the Board a heads up that an additional appraiser will be necessary in FY22 due to growth. Ms. Beard advocated for continuing with the contract appraiser model. She is requesting \$30-40,000 increase in the contract appraisals.

12. CLERK

1. Executive Session per IC 740206(1) (d) Indigent

No executive session was necessary.

2. Canvass of May 18th, 2021 Election Results

MOTION: The Teton County Board of Canvassers hereby certifies the results of the May 18th, 2021 Election as shown in the Election Abstract prepared by the Clerk.

RESULT:	APPROVED [Unanimous]
MOVER:	Cindy Riegel SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

3. ARPA Funds Discussion

The Clerk gave an update on the status of the ARPA funds. The first tranche should land in the County bank account in the next five days. The Clerk asked for a work session to discuss the process of planning how to allocate the funds.

4. ACTION ITEM: Fair Budget Opening

MOTION: Approve opening the budget and using \$9943 Fund 82 remaining cash for 82-0-800 Capital to pay for stall panels.

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

13. OPERATIONS MANAGER

1. ACTION ITEM: New Desk Purchase for Operations Manager

MOTION: *Approve the purchase of a desk for the Operation Manager's new office in an amount not to exceed \$609 to be paid with American Rescue Plan Act funding.*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

14. COMMISSIONERS

1. ACTION ITEM: Planning and Zoning Commission Appointments

The Board discussed the appointment of two new Planning & Zoning Commissioners. Chairman Riegel nominated Wyatt Penfold and Rebecca Nolan to fill the two positions.

MOTION: *Move to appoint Wyatt Penfold to and Rebecca Nolan to the Teton County Planning and Zoning Commission effective at the first regular meeting in June.*

RESULT:	APPROVED [Unanimous]
MOVER:	Cindy Riegel SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

2. Committee Reports

Commissioner Heneage did two final LDC presentations, one to Seniors West and one to Food and Farm Coalition. He also attended the Spring County Officials Institute in Idaho Falls.

Commissioner Whitfield attended the Fair Board meeting at which the budget was discussed. He attended the Wildlife Committee Meeting, Henry's Fork Foundation, and the Spring County Officials Institute in Idaho Falls.

Commissioner Riegel attended High Country RC&D executive meeting, Lori Ringel is the new Executive Director. The State Dept of Ag asked High Country RC&D to take on the boat inspection/washing stations in Island Park after Fremont County declined to do it this year. High Country RC&D also declined. Commissioner Riegel also listened to the Future's West seminar on the cost benefit of development based on location of developments.

3. Executive Session per IC 74-206(1)(f) Pending or Imminent Litigation

Roll call vote:

Commissioner Riegel - aye

Commissioner Heneage - aye

Commissioner Whitfield - aye

RESULT:	APPROVED [Unanimous]
MOVER:	Cindy Riegel SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

15. OTHER BUSINESS

16. ADJOURNMENT

MOTION: *Motion to Adjourn at 4:45 PM*

<p>RESULT: ADOPTED [Unanimous] MOVER: Michael Whitfield SECONDER: Cindy Riegel AYES: Cindy Riegel, Bob Heneage, Michael Whitfield</p>
--


Cindy Riegel, Chairperson

ATTEST: 
County Clerk or Deputy

MINUTES
PLANNING & ZONING
PUBLIC HEARING
August 24, 2021
STARTING AT 5:00 PM



LOCATION: **150 Courthouse Dr, Driggs, ID 83422**
1st Floor Meeting Room

Call to Order Zoom meeting link:701 658 496 Passcode: 967030

Commissioners Present:

- Jack Haddox
- J.A. Michelbacher
- Erica Tremblay
- Timothy Watters
- Taylor Cook
- Wyatt Penfold
- Commissioner Rebeca Nolan -- **Absent**

Staff Present

1. Approval of Minutes

• **Tuesday May 11, 2021**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Timothy Watters, Commissioner
SECONDER:	Taylor Cook, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner
ABSENT:	Rebeca Nolan, Commissioner

2. Chairman Business

Mr. Haddox informed the Commission that due to the application volume and the lack of full time staff there will be two public hearings in September.

Item #1. – PUBLIC HEARING: Lagana Acres Subdivision Preliminary Plat Hearing Bret & Rena Lagana have applied for a two-lot subdivision of a 17.96 acre parcel located at 1536 Lagana Trail, northeast of Driggs. The land is zoned Ag/RR 2.5. Proposed lots will be 2.5 acres and 15.46 acres. There are no overlays on the property.

Legal Description: Tax #7253 SEC 3 T5N R45E SEC 34 T6N R45E, RP05N45E032403 and RP05N45E0

Mr. Chase reviewed the Preliminary application for a two lot subdivision on 17.96 acres with a 2.5 acre lot and a 15.46 acre lot. He discussed the engineering review from the Director of Public Works that indicated that Lagana Trail would

need to be brought up to County road standards in order to serve 3 lots and that there be a plat note that a portion of Lagana Trail lies outside the subdivision boundary so an access/utility easement will need to be secured as a condition of approval. He also discussed the public comment letters received stating one of the neighbors is concerned about the rentals that are on the parcel. The RV situation will need a CUP, which the applicant has applied for.

Ms. Rena Lagana, applicant, commented she believed they have brought the existing road up to County standards and she has a recorded easement agreement existing for the utilities. Mr. Chase commented the easement number would need to be added to the plat and the improvements that have been installed would need to be approved by the Director of Public Works. Ms. Lagana commented she had installed RV septic drains for the two RVs in her backyard and also mentioned she had a teepee she was sometimes renting through AirBNB, and she will pursue the Conditional Use permit for a campground.

PUBLIC COMMENT:

Mr. John Loudenslager, neighbor, was concerned about the dust impact on Lagana Trail. He stated there are numerous people going in and out of the Lagana property and the dust is his biggest concern.

Ms. Sheryl Casper, neighbor, commented she was concerned about Lagana Trail as well. She was concerned with the impact snow plowing of Lagana Trail has on her fence and her horses.

Ms. Penny Vasquez, long time resident, spoke in favor of the application because it meets the current code and she supported the potential solution for an employee housing option.

APPLICANT REBUTTAL:

Ms. Lagana commented since they would need to work on the road she would not be adding dust control until next year, but had no problem with applying dust control chemicals. She was concerned why she would be responsible for providing dust control on a County road when no one else has to contribute to that process. She also commented she was not sure what could be done about fences collapsing due to the heavy snow load in the winter.

COMMISSION DELIBERATION:

Mr. Michelbacher commented the application meets the Ordinance requirement for a two lot subdivision and the RV issue is a separate issue.

Mr. Watters was concerned with approving the subdivision without dealing with the campground use since the neighbors have made them aware of the illegal use.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in Title 9-3-2(C-8) can be satisfied, I recommend approval of the Preliminary Plat for Lagana Acres subdivision as described in the application materials submitted June 11, 2021 and as supplemented with additional applicant information attached to this staff report with the following conditions:

1. Lagana Trail be approved to County road standards.
2. An access/utility easement be recorded on the Final Plat.
3. BoCC be advised about illegal campground use.
4. Applicant obtain EIPH approval for a subdivision.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	J.A. Michelbacher, Vice Chairman
SECONDER:	Taylor Cook, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner
ABSENT:	Rebeca Nolan, Commissioner

Item #2. – PUBLIC HEARING: Hackamore Estates Subdivision Concept Hearing Teton View Surveying, on behalf of Twin Tree , LLC, has submitted an application for a 9 lot subdivision of 54 acres of land on Valley Drive, at approximately 3600 N (immediately east of Saddleback Creek Estates). The property is within the natural resource overlay - Big Game Migration Corridor. The property is zoned Ag/RR 2.5.

Legal Description: RP05N44E095580 THE MOST WESTERLY 825 FEET OF W2NW4 LESS #2619, #3726, #4139 #4140, #4269 & #4289 & S2#4290 SEC 9 T5N R44E

Mr. Chase explained the boundary adjustment that has been approved for the two parcels that are being proposed for the subdivision based on the recommendation of the Planning Administrator. The applicant is proposed 9 lots on 54 acres. He pointed out that there will be a need for a Natural Resource Analysis and Wildlife Study prior to the Preliminary hearing due to the overlays. He also stated that Lot 1 of Dude Creek is being dedicated as open space and will contain the fire pond for both subdivisions. Access will be from a County road and will require access approval from Road & Bridge Dept. Their preference would be shared access for both Hackamore Estates and Dude Creek Acres since they are the same applicant.

Mr. Jeffrey Rowe, representing the applicant, commented they are working on a shared access and have hired a consultant to produce the Natural Resource Analysis and wildlife study.

PUBLIC COMMENT:

Ms. Penny Vasquez, long term resident, was in favor of the application since it will provide more potential lots for local housing. She also stated she felt that neighbors should resolve concerns with each other and not expect the County to resolve them.

COMMISSION DELIBERATION:

The Commission had no issues with the application.

MOTION: Having concluded that the Criteria for Approval of a Concept Plan found in Title 9-3-2-B can be satisfied, I move to APPROVE the Concept Plan for Hackamore Estates subdivision as described in the application materials submitted May 13, 2021 with the following conditions:

- 1) The plat identifies shared access;
- 2) Applicant obtain EIPH subdivision approval;
- 3) A storm water retention plan be provided;
- 4) All necessary reports/studies for overlays be completed.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Timothy Watters, Commissioner
SECONDER:	Taylor Cook, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner
ABSENT:	Rebeca Nolan, Commissioner

Item #3. – PUBLIC HEARING: Dude Creek Acres Subdivision Concept Hearing Teton View Surveying, on behalf of Twin Tree, LLC, has submitted an application for an 8 lot subdivision of 27.37 acres of land located on N 8000 W at approximately 3500 north. The property is located within the natural resource overlay including Big Game Migration Corridor and Sharp-Tailed Grouse Breeding Habitat. The property is zoned Ag/RR 2.5.

Legal Description: RP05N44E095580; THE MOST WESTERLY 825 FEET OF W2NW4 LESS #2619, #3726, #4139 #4140, #4269 & #4289 & S2#4290 SEC 9 T5N R44E

Mr. Chase reviewed the application for 8 lots subdivision on 27.37 acres with will share access and a fire pond with Hackamore Estates.

Mr. Jeffrey Rowe, Teton View Surveying representing the applicant, commented the shared driveways will be shown on the Preliminary plat and Lot 2 will have the existing ag buildings that will be used to continue ag use on the open space parcel.

PUBLIC COMMENT:

Ms. Penny Vasquez, long time resident, was in favor of the application.

COMMISSION DELIBERATION:

The Commission had no issues with the application.

MOTION: Having concluded that the Criteria for Approval of a Concept Plan found in Title 9-3-2-B can be satisfied, move to APPROVE the Concept Plan for Dude Creek Acres subdivision as described in the application materials submitted May 13, 2021 with the condition required studies be submitted with the Preliminary Plat.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Taylor Cook, Commissioner
SECONDER:	Erica Tremblay, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner
ABSENT:	Rebeca Nolan, Commissioner

Item #4. – PUBLIC HEARING: Norville Subdivision Concept Hearing Charles Norville has applied for a three lot subdivision on 40.21 acres. They are proposing two 4+ acre lots on the portion of the lot zoned Ag/RR 2.5 and one 32 acre

lot on the portion zoned A-20. The Priority Wetland Habitat overlay is located on the southeast portion of the parcel.

Legal Description: RP05N45E090450; TAX #6217 SEC 9 T5N R45E

Commissioner Cook recused himself due to a conflict through his employer.

Mr. Chase commented the application is for a 3 lot subdivision on 40.21 acres and is located in a Priority Wetland Habitat, but that does not require any additional studies. He explained the mixed zoning and the formula stated in the Ordinance that deals with that issue. They are proposing two 4+ acre lots and one 32 acre lot with one access point going through Lots 1 & 2 with a cul-de-sac for access to Lot 3. Due to the Wetlands Waterway overlay it will require an NP study prior to Preliminary application.

Mr. Taylor Cook with Nelson Engineering, representing the applicant, commented on the wetlands that require an NP study and the split zoning.

PUBLIC COMMENT:

Ms. Betsy Rudigoz, neighbor, was concerned with view corridors and building envelopes for Lots 1 & 2 and with the septic systems located in wetlands.

Ms. Penny Vasquez, long time resident, was in favor of the addition of new lots for additional housing options and commented the view corridors are not regulated by the County.

APPLICANT REBUTTAL:

Mr. Cook commented that the septic systems would have to be approved by EIPH and the view corridors would be something the neighbors will have to work out between them. He did state that they would be open to building envelopes if the NP study indicates the need.

COMMISSION DELIBERATION:

Ms. Tremblay commented that the view corridors will have to be worked out between the neighbors and she felt the NP study would adequately address the wetlands. Mr. Watters agreed the building envelopes could be addressed based on the results on the NP study.

MOTION: Having concluded that the Criteria for Approval of a Concept Plan found in Title 9-3-2-B can be satisfied, I move to APPROVE the Concept Plan for Norville subdivision as described in the application materials submitted June 14, 2021 with the following condition of approval: 1. Any required studies be completed prior to Preliminary Plat submittal.

RESULT:	APPROVED [5 TO 0]
MOVER:	Timothy Watters, Commissioner
SECONDER:	Erica Tremblay, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Wyatt Penfold, Commissioner
ABSENT:	Rebeca Nolan, Commissioner
RECUSED:	Taylor Cook, Commissioner

Item #5. – PUBLIC HEARING: Shady Grove Subdivision Preliminary Hearing Steve Kitto has applied for a five lot subdivision on a 34.42 acre parcel, located east of the City of Tetonia. The north end of the property has existing access to County Road E 7000 North. The zoning is split between A/RR 2.5-acre and A-20 zoning.

Legal Description: RP06N45E239005; TAX #5621 SEC 23 T6N R45E AND RP06N45E239011; TAX #5921 SEC 23 T6N R45E

Mr. Chase reviewed the application for five lot subdivision east of Tetonia on 34.42 acres. It has split zoning and the number of lots meets the formula for establishing the number of lots allowed in a split zone situation. He discussed the Natural Resource Analysis that was not sent to IDF&G for evaluation when the application was received, so that review has not yet been received.

Ms. Jen Zung with Harmony Design & Engineering, representing the applicant, discussed the floodplain mapping done as well as a Level 1 NP study in order to determine the location of the building envelopes. She also discussed the fire protection agreement and the mitigation measures taken based on the studies conducted. She suggested using a condition of approval to accommodate any recommendations from IDF&G, once received, prior to the next Preliminary hearing.

PUBLIC COMMENT:

Mr. Rob Barnes, a partner in the subdivision, commented he raises livestock on the property and is not concerned with the presence of wildlife since he has livestock on the property already. He commented he wants to use some of the land for ag production for the livestock and wants to teach his children how to be a farmer.

Ms. Penny Vasquez, long time resident, commented that she has visited the property numerous times and was pleased with the way the property is being maintained.

Mrs. Sharon Woolstenhulme with AW Engineering, speaking in a neutral position, commented that she felt bad about the staff shortage but she felt it would not be appropriate for the application to move forward since other applicants have been held back for the same reason.

Mr. Kevin Mayberry, resident, was in favor of the application based on the ag use and the preservation of the open space.

Mr. Steve Kitto, one of the partners in the property, commented he felt they would be able to address any concerns from IDF&G prior to the next Preliminary hearing.

COMMISSION DELIBERATION:

Mr. Michelbacher commented he agreed with Mrs. Woolstenhulme and the applicant, and he felt it would be OK to move forward with the condition that any concerns be addressed prior to the next Preliminary hearing.

Mr. Watters also felt, due to the volume of applications currently being processed by the Planning Department, that he was comfortable moving forward.

MOTION: 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 recommend approval of the Preliminary Plat for Shady Grove subdivision as described in the application materials submitted June 25, 2021 and as supplemented with additional applicant information attached to this staff report with the condition that If IDF&G review comes back with items to be addressed it will be returned to the Planning & Zoning Commission at that time.

RESULT:	APPROVED [5 TO 0]
MOVER:	J.A. Michelbacher, Vice Chairman
SECONDER:	Timothy Watters, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner
ABSTAIN:	Erica Tremblay, Commissioner
ABSENT:	Rebeca Nolan, Commissioner

Item #6. – PUBLIC HEARING: Old Farm Subdivision Substantial Plat Amendment DC Properties has applied for a plat amendment to create 4 additional lots with an average size of 2.5 acres with the reconfigured Lot 5 containing 28.8 acres. The zoning is A/R-2.5 and there are no overlays on the property.

Legal Description: RP008620000050; LOT 5 OLD FARM SUB SEC 30 T5N R46E

Mr. Chase reviewed the application to amend the existing Old Farm Subdivision on 250 N in Driggs. The applicant would like to modify Lot 5 to add four additional 2.5 acre parcels. He reviewed the Ordinance requirements for a plat amendment. There are no overlays on the property or studies required.

Mrs. Sharon Woolstenhulme with AW Engineering, representing the applicant, commented the applicant has received a letter of approval from EIPH for the additional lots and has bonded for all the additional improvements. She believed the drainage easement was labeled that way because there is sometimes water in the spring that remains on the site.

PUBLIC COMMENT:

Ms. Penny Vasquez, long time resident, commented she was in favor of the application because, based on her research, she has learned that the A 2.5 zone was adopted for marginal ag land, which this parcel could be considered.

Mr. Kevin Mayberry, resident, commented he was in favor of leaving large acres of open space rather than dividing all the property in case there is a time in the future that more lots would be requested.

COMMISSION DELIBERATION:

The Commission had no issues with the application.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Plat Amendment found in Title 9-7-1 (B-2b) have been met, I move to recommend approval of the Amended Final Plat for Old Farm Subdivision as described in the application materials submitted June 25, 2021 and as supplemented with additional applicant information attached to this staff report.

RESULT: APPROVED [UNANIMOUS]

MOVER: Taylor Cook, Commissioner

SECONDER: Jack Haddox, Chairman

AYES: Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner

ABSENT: Rebeca Nolan, Commissioner

Item #7. – PUBLIC HEARING: River Riim Ranch PUD Substantial Plat Amendment The applicant has requested a plat amendment to modify certain aspects of River Rim Ranch Division II Phase I to allow for the completion of a golf course including incidental uses associated with a golf course resort operation. The amendment would also relocate some residential units displaced by golf facilities. The Planning Administrator has identified these changes would comprise a substantial change.

Legal Description: River Rim Ranch Division 2 Phase 1

Mr. Chase reviewed the history of the application after it was approved by the Planning Commission the first time. It was remanded back to the Planning Commission by the BoCC to discuss providing work force housing analysis and provide workforce housing on site, to respond to new wildlife data provided by Fish & Game specifically as it applies to the South Canyon, provide a presentation of commercially allowed uses versus what is proposed. He stated they applicant provided a response to those points and the original Wildlife Study provided in 2013.

Mr. Scott Bechtle with Bechtle Architects, representing the applicant, commented they have addressed a location for workforce housing on the west parcel using the ratio model that is being used at Tributary and have proposed language to amend the Development Agreement. Regarding wildlife reports more recent, he did not find any additional reports for that area and they have responded to the recommendations from the study done in 2013.

PUBLIC COMMENT:

Ms. Penny Vasquez, long time resident, was in favor of the application because of the work force housing element.

COMMISSION DELIBERATION:

Mr. Haddox asked about the commercial uses and the proposed changes. Mr. Bechtle commented they have made some changes based on the current market and have outlined the originally approved ones that have been removed and their replacement proposed use.

Mr. Watters commented he was satisfied with the information about the proposed commercial changes and felt the wildlife mitigations were sufficient based on the information from the studies. He was also in favor of the workforce housing proposal.

Ms. Tremblay asked about the configuration of the workforce houses. Mr. Bechtle commented they are anticipating building fourplexes as for employee housing as needed based on the ratio proposed and the benchmarks it establishes. She asked if they have increased the amount of proposed commercial space. Mr. Bechtle commented they have not

increased the accessory uses calculation. It is based on percentage of overall development and acreage. He stated they were not proposing any additional commercial usage.

MOTION: Having concluded that the Criteria for Approval of a Subdivision Plat Amendment found in Title 9-7- 1 (B-3b) have been met, I move to recommend approval of the application for Amendment #7 for River Rim Ranch PUD as described in the application materials submitted January 20, 2021 and as supplemented with additional applicant information attached to this staff report.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Taylor Cook, Commissioner
SECONDER:	Erica Tremblay, Commissioner
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner
ABSENT:	Rebeca Nolan, Commissioner

Item #8. – : ACTION ITEM: Draft Land Use Code Recommendation to BoCC The Planning Commission will make a recommendation to the Board of County Commissioners on the Draft Land Use Code.

Mr. Haddox commented that he felt it is not the appropriate time to pass the draft code forward to the BoCC because the review has not been finished yet. He also commented the item could not be removed from the agenda without proper notice so a Motion will need to be made on this item.

MOTION: Withdrawal of the proposed land development code recommendation to the BoCC based on the need to complete the full review of the draft land development code and based on the recommendations from Counsel received the previous week to hold a 2nd public hearing based on the changes made to the draft.

RESULT:	TABLED [UNANIMOUS] Next: 9/7/2021 4:00 PM
MOVER:	Jack Haddox, Chairman
SECONDER:	J.A. Michelbacher, Vice Chairman
AYES:	Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner
ABSENT:	Rebeca Nolan, Commissioner

ADJOURN

MOTION: Adjourn 8:10 PM

RESULT: ADOPTED [UNANIMOUS]

MOVER: J.A. Michelbacher, Vice Chairman

SECONDER: Timothy Watters, Commissioner

AYES: Jack Haddox, Chairman, J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Taylor Cook, Commissioner, Wyatt Penfold, Commissioner

ABSENT: Rebeca Nolan, Commissioner



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS

MINUTES • OCTOBER 12, 2021

Regular Meeting

1st Floor Meeting Room

9:00 AM

150 Courthouse Dr, Driggs, ID 83422

1. MEETING CALL TO ORDER - PLEDGE OF ALLEGIANCE ZOOM MEETING ID: 857 7121 7957

Commissioners Present:

Cindy Riegel
Bob Heneage
Michael Whitfield

Other Elected Officials and Department Heads Present:

Kim Keeley, Clerk
Holly Powers, County Operations Manager

2. MOTION: Approve Agenda

RESULT: ADOPTED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

2. ACTION ITEMS: CONSENT AGENDA

RESULT: ADOPTED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Cindy Riegel
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

1. Board of County Commissioners - Special Meeting - Sep 27, 2021 9:00 AM

2. ACTION ITEM: Approve Certificate of Residency

3. ACTION ITEM: FY22 10/12/2021 Claims Approval Report

3. OPEN MIC

Mary Maj spoke regarding the Shady Grove Subdivision Preliminary Hearing. She sent comments that were not included in the packet. She will email the comments to the Commissioners and the Clerk so they can be added to the packet. She read the comments in to the record as well.

4. PLANNING AND ZONING

1. River Riim Ranch PUD Substantial Plat Amendment - 10:00 AM

Contract Planner Joshua Chase presented the staff report for the River Rim Substantial Plat Amendment. This Amendment was remanded back to P&Z by the Board on August 24th to consider workforce housing, impacts to wildlife, and a more clear description of the changes in commercial uses proposed in the application. P & Z made no changes to the application and recommended approval.

Peter Christofferson, representing the applicant, spoke regarding the application. He mentioned that the entitlements were transferred and recorded as each Phase was sold. Regarding the three conditions, he highlighted a few issues. Regarding workforce housing, the applicant is committed to providing workforce housing at a rate of one employee units per 14.9 market units, as the development fills in. Regarding the wildlife impact, the applicant noted that this plat amendment contains no increase in density and has a net increase in open space. Finally, he noted that this development was always designed to be a full service golf course, with the associated amenities. The Board noted their disappointment that the applicant did not actually contact Fish & Game to get information on the most current elk migration data, as requested during the August 24th meeting. Project Engineer Bob Ablondi was present to address the wastewater language in the development agreement. The language was developed with DEQ and County Public Works input. The turning lane is subject to ITD's approval and recommendations. The Board asked if there are any specifications regarding the nature of the workforce housing. The applicant responded that the specifications of the units will be dependent upon need. They do recognize that the ratio given is considered the minimum they would build, and recognize the need for workforce housing.

Public comment was opened at 10:40 AM.
Penny Vasquez spoke in favor of the application.
Glen Moradian spoke in favor of the application.
Roger Brink spoke in favor of the application.
Nobody present spoke opposed or neutral to the application.
Public comment was closed at 10:45 AM.

The application had no additional comments.
The Board asked about the elements in the River Interpretative Center. Doug Gemmel, Project Manager, stated that there is a lot dedicated to an Interpretive Center that would be open to the public.

MOTION: *Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in Title 9-3-2(C-8) & 9-7-1(B-3b) have been satisfied, I move to approve the Preliminary Plat for River Rim PUD as described in the application materials submitted January 20th, with the following conditions:*

- #1 The applicant shall provide the requirement of employee housing as needed to meet the calculated ratio of 1 employee unit for each 15 market residential units plus employee housing to meet the needs of commercial support uses as approved in the amended Development Agreement;*
- #2 The applicant shall provide further definition to Employee Housing provisions: a)Minimum number of units b)Types and specifications of units c)Location of units;*
- #3 Applicant shall provide further definition of Commercial Development: a) Types of commercial uses proposed to support the resort, b)Locations of specific uses, c)Proposed maximum square feet of commercial development.*

RESULT: APPROVED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

2. Old Farm Subdivision Substantial Plat Amendment - 10:20 AM

Mr. Chase gave the staff report for the Old Farm Subdivision Substantial Plat Amendment. The applicant is requesting to increase the number of lots in an existing subdivision. The Driggs P&Z recommended approval with no conditions.

Sharon Woolstenhulme, representing the applicant, clarified that the lot has a natural swale to facilitate drainage. The emergency services turnaround requested by the Public Works Director's has been added.

Public comment was opened at 11:50 AM.

Penny Vasquez spoke in favor of the application.

No one else wished to speak.

Public comment was closed at 11:53 AM.

The Board had no further deliberation.

MOTION: APPROVAL

Having concluded that the Criteria for Approval of a Subdivision Plat Amendment found in Title 9-7-1 (B-2b) have been met, I move to APPROVE the Preliminary Amended Plat for Old Farm Subdivision as described in the application materials submitted June 25, 2021 and as supplemented with additional applicant information attached to this staff report.

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage
SECONDER:	Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

3. Shady Grove Subdivision Preliminary Hearing - 10:40 AM

Mr. Chase gave the staff report on the Shady Grove Subdivision Preliminary Hearing. Commissioner Whitfield recused himself from the decision as an adjacent lot owner. The Board asked for clarification on who the applicant is, the four couples or the LLC.

Steve Kitto, the applicant, clarified that the subdivision consists of two lots, each owned by three couples (different for each lot). Jenn Zung from Harmony Design, gave a brief overview of the proposed subdivision.

Public comment was opened at 12:15 PM.

Penny Vasquez spoke in favor of the subdivision.

Rodney Barnes, one of the applicants, spoke in favor of the subdivision. The applicants have done all the required studies and he looks forward to continue using the property for agricultural purposes.

Ida Hansen spoke in favor of the subdivision.

Nobody else wished to speak.

Public comment was closed at 12:20 PM.

Board deliberation. The Board requested some documentation that all property owners are agreeing to the subdivision.

MOTION: APPROVAL

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 Preliminary Plat for Shady Grove subdivision as described in the application materials submitted June 25, 2021 and as supplemented with additional applicant information attached to this staff report, with the following conditions:

- 1) applicant shall work with the public works department to identify the best driveway location and indicate it on the final plat,
- 2) a document is provided with the signatures of all owners of the affected lots indicating that they are part of the subdivision as platted.

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage
ABSTAIN:	Michael Whitfield

4. Lagana Acres Subdivision Preliminary Plat Hearing - 11:00 AM

Mr. Chase presented the Lagana Trail Subdivision Preliminary Plat Hearing. The County received several public comments concerned about increased traffic.

Rene Lagana, the applicant, mentioned that the correct name was Lagana Trail (not acres) Subdivision. Ms. Lagana clarified the current easements. The Board asked about how many RV's are on the property. Ms. Lagana stated that RV's have been removed.

Public comment was opened at 12:42 PM.
Penny Vasquez spoke in favor of the application.
Ida Hansen spoke in favor of the application.
No one else wished to speak.
Public comment was closed at 12:43 PM.

Board deliberation. The Board had no further questions.

MOTION: APPROVAL

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 Preliminary Plat for Lagana Trail subdivision as described in the application materials submitted June 11, 2021 and as supplemented with additional applicant information attached to this staff report.

- 1: Lagana Trail be improved to County road standards,
- 2) Easement be recorded on the final plat,
- 3) Applicant obtain EIPH approval for subdivision,
- 4) Note or show zoning setbacks and/or building envelopes on final plat,
- 5) Note water/wastewater services and fire protection on final plat.

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

5. PUBLIC WORKS

1. Public Works Report

Public Works Director Darryl Johnson presented his reported.

Solid Waste - The Transfer Station is getting professionally cleaned and sealed this week. The Transfer Station is not operating at full capacity yet, but is getting closer. The mini excavator, which is replacing the destroyed Grizzly, should arrive soon and will help increase the tonnage per load.

Road & Bridge - The Phase One improvements to the Annex should be completed by November 1st. E4000S Road Vacation application changed slightly, Mr. Johnson will work with ICRMP to determine if the public hearing needs to be re-noticed with the change.

Edgewood Lane Road Vacation will be on the October 25th meeting.

N1000E Road Vacation was approved in August with a condition that the applicant will pay annually for the loss of revenue from the State. The Clerk will add to her billing schedule.

The Ards Road Cultural Resource Inventory report has been completed. The County is hoping to acquire a 40 acre parcel currently owned by the BLM to create a shooting range. Mr. Johnson is concerned that during the current development boom, development will occur around the Ards Road property and make the creation of the shooting range more difficult.

Valview Road - design is moving forward with the 26' width.

The Board met briefly with the Eastern Idaho Solid Waste District to discuss the status of the district. Present from Madison was Todd Smith County Commissioner, Scott Kamachi Fremont County Commissioner, Fremont County Solid Waste Director, and Cameron Arial, financial advisor. Mr. Arial announced the land exchange has been approved as of Sept. 21st, and Executive Director has been hired. In the near future, design of the facilities needs to be completed as well as inclusion of all participating counties. Membership in the District would be \$50,000 if committed to by October 18th, with an additional \$150,000 due Jan 1, 2022 for operational costs. The anticipated opening of the landfill would be 2024.

2. ACTION ITEM: N4000W Road Reconstruction Phase II

Phase II should be completed by mid to late summer 2022.

MOTION: *Award the N4000W Road Reconstruction Project - Phase II to Bybee Excavation LLC for a not to exceed amount of \$732,712.93, to be paid from 33-0-523.*

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

3. ACTION ITEM: Gravel Chip Purchase

DePatco will supply the chips at \$11.50/ton. No chips were purchased in 2021 yet.

MOTION: *Approve the purchase of 4300 Tons of crushed chips at \$11.50/ton from DePatco for 2022 chip seal efforts. Total purchase price of \$49,450 to be paid from 02-00-689.*

RESULT: APPROVED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

4. ACTION ITEM: FY23 Local Rural Highway Investment Program Application

The County is eligible once again to apply for LHRIP funds. Mr. Johnson would like to use the funds to partially fund the repair of one mile of W4000N (Packsaddle Road).

MOTION: *Approve the LHTAC Local Rural Highway Investment Program Grant Application Proposal to partially fund the W4000N Road Reconstruction Project as presented.*

RESULT: APPROVED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

6. IT/EMERGENCY MANAGEMENT

1. IT/EM Monthly Report

Emergency Manager/IT Greg Adams presented his report. The County had a substantially lower death rate than the national average (actual was 5, national average would have been 26). The Board had no questions on the report.

2. ACTION ITEM: Annex Building Server Room Air Conditioner

Mr. Adams is requesting an air conditioning unit for the Annex building to cool the server room.

MOTION: *Approve the procurement of an air conditioning unit to cool the server room at the annex building, not to exceed \$9000 to be funded \$4500 from 1-18-526 and \$4500 from 1-14-526.*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

7. CLERK

1. ACTION ITEM: 9:15 AM Public Hearing for Resolution 2021-1012A Opening FY21 budgets for several funds - 9:15 AM

The Clerk explained the purpose of opening the budget. The Board had no questions.

Public comment was opened at 9:20 AM.

No one present wished to speak.

The Board had no deliberation.

MOTION: *Approve Resolution 2021-1012A to open and adjust the FY 2021 budgets for several funds as presented.*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

2. Executive Session per IC 740206(1) (d) Indigent

No executive session was necessary.

3. ACTION ITEM: Resolution 2021-1012B Transferring Funds prior to closing FY 2021 The Mosquito Abatement District budgeted \$25,000 for contingency in FY21 with the intent to transfer the funds to the MAD Reserve fund (52) at the end of the year. This resolution reflects that transfer.

MOTION: *Approve Resolution 2021-1012B transferring funds prior to closing Fiscal Year 2021 as presented.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

8. GIS

1. ACTION ITEM: Approve Funding to Acquire Aerial Orthorectified Imagery for Teton County

MOTION: *Approve the immediate expenditure of \$37,520 from account 1-23-486 for the purpose of Aerial orthoimagery acquisition.*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

9. OTHER BUSINESS

1. 4-H Coordinator

Extension Coordinator Jen Werlin was present to answer questions.

2. ACTION ITEM: Regarding 4-H office building move

Timing will be dependent on when the City of Driggs will approve the CUP for the new building. The Board requested a proposal for the logistics of the move and requested that Ms. Werlin coordinate with Facilities Manager Jay Millin. Public Works Director Darryl Johnson clarified that we are on the October 10th Driggs P&Z meeting.

MOTION: *No action was taken.*

3. ACTION ITEM: 4-H Extension Office Service Agreement

MOTION: *Approve the Cooperative Agreement for University of Idaho Extension Programs for FY22 as amended.*

RESULT:	APPROVED [Unanimous]
MOVER:	Cindy Riegel SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

4. ACTION ITEM: Tammy's PTO hours

MOTION: *Move to approve 67.57 amount of hours be held over for Tammy Sachse to be used in the FY2022 fiscal year.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

10. COMMISSIONERS

1. Committee Reports

Committee reports will be given at the next meeting due to time constraints.

2. ACTION ITEM: Teton River Management

MOTION: Approve the allocation of up to \$6,000 from County Vessel Fund 54-0-445, for the purpose of engaging with a facilitation team to plan, conduct, and report out public meetings in the winter of 2021-2022.

RESULT: APPROVED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

3. ACTION ITEM Approve Non-Profit Contracts for FY 2022

MOTION: Approve FY 2022 funding agreements with American Legion Post 0095, City of Driggs, Community Resource Center of Teton Valley, Family Safety Network, Hispanic Resource Center, Seniors West of the Tetons, Teton Valley Community Animal Shelter, Teton Valley Community Recycling, Teton Valley Food Pantry, Teton Soil Conservation District, Teton Regional Economic Coalition, and Teton Valley Mental Health Coalition.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

4. ACTION ITEM: Mosquito Abatement District Board Appointment

Mosquito Abatement Direct Ronn Carlentine recommended appointing Lance Woolstenhulme to the Mosquito Abatement District Board. Mr. Woolstenhulme was present to answer questions, the Board had none.

MOTION: Approve the appointment of Lance Woolstenhulme to the Mosquito Abatement District Board for a four (4) year term beginning October 1, 2021 and expiring September 30, 2025.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

5. ACTION ITEM: Joint Housing Authority Appointment

MOTION: Move to reappoint Shawn Hill to a four year term on the Teton County Joint Housing Authority.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

6. Board of County Commissioners - Regular Meeting - Sep 24, 2021 9:00 AM

RESULT: ACCEPTED AS AMENDED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

11. EXECUTIVE SESSION ITEMS

- 1. Executive Session per IC 74-206(1)(b) Personnel
- 2. Executive Session per IC 74-206(1)(a) Personnel
- 3. 5167 : Executive Session 74-206 (1) (a) (b) & (f) - 12:00 PM

Roll call vote:

Commissioner Riegel - aye

Commissioner Heneage - aye

Commissioner Whitfield - aye


Out of executive session at 4:45 PM.

RESULT: APPROVED [Unanimous]
MOVER: Cindy Riegel **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

12. ADJOURNMENT

MOTION: Motion to Adjourn at 4:45 PM

RESULT: ADOPTED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Cindy Riegel
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield


 Cynthia Riegel, Chairperson

ATTEST: 
 County Clerk or Deputy



TETON COUNTY
BOARD OF COUNTY COMMISSIONERS
MINUTES • JULY 11, 2022

Regular Meeting

1st Floor Meeting Room

9:00 AM

150 Courthouse Dr, Driggs, ID 83422

1. MEETING CALL TO ORDER - PLEDGE OF ALLEGIANCE ZOOM #857 7121 7957

Commissioners Present:

Cindy Riegel
Bob Heneage
Michael Whitfield

Other Elected Officials and Department Heads Present:

Kim Keeley, Clerk
Dan Hildel-Reyes, County Manager
Darryl Johnson, Public Works Director

2. MOTION: *Approve Agenda*

Move Elite Peaks at 1:00 PM (same), Lagana Trails public hearing to 1:20 PM. (typo on agenda), River Rim public hearing at 2:00 PM (published in paper at 1:40 and 2:00 on agenda) and approve the rest of the agenda.

<p>RESULT: ADOPTED [Unanimous] MOVER: Bob Heneage SECONDER: Michael Whitfield AYES: Cindy Riegel, Bob Heneage, Michael Whitfield</p>

2. ACTION ITEMS: CONSENT AGENDA

<p>RESULT: ADOPTED [Unanimous] MOVER: Bob Heneage SECONDER: Michael Whitfield AYES: Cindy Riegel, Bob Heneage, Michael Whitfield</p>

1. ACTION ITEM: FY22 7/11/2022 Claims Approval Report

3. OPEN MIC

No one present wished to speak.

4. PUBLIC WORKS

1. ACTION ITEM: East Idaho Solid Waste District Membership

Public Works Director Darryl Johnson reviewed the process with the Eastern Idaho Solid Waste District thus far. The County can join the District for \$100,000 until October 1, 2022, at which time the fee would increase to \$200,000. The County currently has a haul contract with RAD through 2025. The District sent a letter on July 1 stating that only District haulers will be allowed on the new landfill site. Mr. Johnson would like to join the District with the condition that the County be able to negotiate the use of the Count's current haul contract use. The Board discussed the plan for recycling at the site, and the time commitment required for a Board member to attend District meetings. The Board also discussed the \$2/ton subsidy that the District would like to charge.

MOTION: *Approve for Teton County to join the Eastern Idaho Regional Solid Waste District at a cost of \$100,000 with the condition that*

- 1) *The Eastern Idaho Regional Solid Waste District Board allows Teton County to honor the current waste haul contract through its expiration date of June 30, 2025 as long as Teton County and its contracted waste haul provider honor the EIRSWD haul conditions as documented in an MOA, and;*
- 2) *Teton County will not be charged the tipping fee subsidy until Teton County uses the District hauling fleet.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield SECONDER: Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

2. ACTION ITEM: FY2022 Build Transportation Grant TMCI Subrecipient Agreement

MOTION: *Approve the FY2022 Build Transportation Grant Teton Mobility Corridor Improvements Subrecipient Agreement between Teton County, Wyoming and Teton County, Idaho as presented.*

RESULT:	APPROVED [Unanimous]
MOVER:	Cindy Riegel SECONDER: Bob Heneage
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

3. ACTION ITEM: Teton County Wyoming Build Grant Letter of Agreement Amendment No. 2

MOTION: *Approve the BUILD Transportation Discretionary Grant for the Teton Mobility Corridor Improvements Project Letter of Agreement Amendment Number 2 between Teton County Idaho and Teton County Wyoming as presented*

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

4. Public Works Report

Mr. Johnson presented his Public Works Report. The Victor Driggs pathway slurry seal is underway today. Tom Davis has proposed a bench along the river pathway at the Bates Access. He does not require any funds, just permission to place the bench.

5. ELECTED OFFICIAL AND DEPARTMENT HEAD MEETING

Elected officials and department heads met to discuss matters of mutual importance.

6. IT/EMERGENCY MANAGEMENT

1. IT/EM Monthly Report

The Board requested that Bureau of Land Management, Idaho Fish & Game, and Wyoming Fish & Game be involved in the community broadband planning process.

2. ACTION ITEM: IT Tech Job Search

IT Director Greg Adams presented the item. Mr. Adams has been discussing the recruitment process with Best Day HR and this position will be the guinea pig for a new recruitment process.

MOTION: Approve the IT Director to use up to \$2,000.00 in salary savings from the IT Tech position to fund the search for the successful candidate for this position.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

3. ACTION ITEM: District Interoperability Governance Board 6 (DIGB6) appointment

MOTION: Approve the two (2) Teton County appointees to the District Interoperability Governance Board for ITD Region 6 be Greg Adams and Mitch Golden.

RESULT: APPROVED [Unanimous]
MOVER: Cindy Riegel **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

7. GIS

1. Approve GIS Parcel Data Sharing Agreement with Idaho Office of Information Technology Services

GIS/Community Projects Coordinator Rob Marin presented the item.

MOTION: Move to approve the parcel data sharing agreement between Teton County, Idaho and the Idaho Office of Information Technology Services.

RESULT: APPROVED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

8. PLANNING AND ZONING

1. AGENDA ACTION ITEM: 1:00 PM PUBLIC HEARING - Elite Peaks Subdivision Preliminary Plat Hearing

Planning Administrator Jade Krueger presented the staff report for Elite Peaks Subdivision Preliminary Plat hearing. Ms. Krueger presented the following list of potential changes to the CC&R's as a condition of approval:

- a. Height limits (Letter G of CCRs) references 35' as a maximum height for buildings within the subdivision. Teton County standards for this zone district are 30'.

- b. A reference that any amending of building envelopes would go through a plat amendment process with Teton County (Letter H of CCRs).
- c. Combining lots (Letter K of CCRs) would also require a plat amendment process.
- d. No Annoying Lights, Sounds or Odors (Letter T of CCRs) should also reference Teton County’s Dark Sky Ordinance.
- e. CCRs should include adequate septic tank maintenance per current DEQ and EIPH regulations.

Cody Thomson from Thompson Engineering, has set the monuments for the road access and needs to follow up with Road & Bridge. Mr. Thompson explained that the building envelopes were set to allow Teton views. The road was designed to meet County standards. The hope is to continue farming after the subdivision is built out. The property has water rights that would be put in to the HOA. The Board asked if the applicant would be willing to add building envelopes to lots 5 & 6. The Board asked if there was a plan to regulate fencing for the perimeter of the subdivision in the CC&R's.

Public comment was opened at 1:24 PM.

Larry Redd, was curious about building heights, wetlands, and Leigh Creek Canal.

Linda Unland is concerned with wildlife on the property and the lack of a wildlife overlay on the property.

Public comment closed at 1:31 PM.

Board deliberation. The Board discussed the property's importance to wildlife, and the need for wildlife friendly fencing.

MOTION: APPROVAL

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 Elite Peaks subdivision as described in the application materials submitted February 22, 2022 and additional information attached to the staff report with the following conditions of approval:

- 1. *Confirm that an access permit was granted from the signed application packet from the Road and Bridge Dept.*
- 2. *Address public works comments and receive approval on the Improvements Plan*
- 3. *The CCRs should be amended in the following ways:*
 - a. *Maximum height for buildings within the subdivision shall be 30' to comply with Teton County standards for this zone district.*
 - b. *A reference that any amending of building envelopes must go through a plat amendment process with Teton County.*
 - c. *Combining lots also requires a plat amendment process.*
 - d. *CCRs should include adequate septic tank maintenance per current DEQ and EIPH recommendations.*
 - e. *Subdivision perimeter will not be fenced to accommodate wildlife movement through the subdivision.*
 - f. *Building envelopes will be required for lots 5 & 6 on the eastern half of the lot.*

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

2. AGENDA ACTION ITEM: 1:00 PM PUBLIC HEARING - Lagana Trails Subdivision Final Plat Hearing

Ms. Krueger presented the staff report for the Lagana Trails Final Plat hearing. The applicant has completed all the conditions outlined in the preliminary plat.

Rene Lagana, the applicant, confirmed that there is an easement for the access road.

Public comment was opened at 1:51 PM.

No one present wished to speak.

Public comment was closed at 1:51 PM.

MOTION: APPROVAL

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 Lagana Trail subdivision as described in the application materials submitted June 6, 2022 and additional information attached to the staff report.

RESULT:	APPROVED [Unanimous]
MOVER:	Bob Heneage SECONDER: Michael Whitfield
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

3. AGENDA ACTION ITEM: 2:00 PM PUBLIC HEARING - River Rim Ranch PUD Substantial Plat Amendment

Ms. Krueger presented the staff report for the River Rim Substantial Plat Amendment. Ms. Krueger highlighted the history of the process as presented in the staff report. The applicant has responded to the conditions of approval with a letter and chart presented in the staff report, and complied with all of the conditions.

Peter Christofferson, representing the applicant, concurred with the staff report. The Board asked when turn lanes on Hwy 33 would be built. Bob Ablonde responded that the criteria are in the development agreement. The Board asked if the applicant would be willing to allow public service employees to utilize the deed restricted housing if it were not filled. Scott Bechtel will confirm with the owner that the applicant would be willing to accommodate public sector employees. The Board asked if the applicant would be willing to move the lots on the canyon rim further back from the rim. Bob Ablonde stated that those lots would be addressed in the next phase of the development. He believes the owner would be willing to negotiate lot placement. The Board asked if the development would manage the employee housing. Mr. Bechtel speculated that the development would manage it with input from the Joint Housing Authority.

Public comment was opened at 2:27 PM.

No one present wished to speak.

Public comment was closed at 2:28 PM.

Board deliberation.

MOTION: *Having concluded that the Criteria for Approval of a Subdivision Plat Amendment found in Title 9-7- 1 (B-3b) have been met, I move to approve the application for Amendment #7 for River Rim Ranch PUD as described in the application materials submitted January 20, 2021 and as supplemented with additional applicant information attached to this staff report, along with the following condition:*

The developer will provide employee housing with the same provision outlined in Section 2 (b)(2) in the Development Agreement for public service employees if there is housing available in the units.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Bob Heneage
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

9. CLERK

1. Proposed Fee Changes for FY23

The Clerk is proposing a few increases in fees. The Board asked about the reasoning behind the increase in the Fair Building rental. Commissioner Whitfield will discuss with the Fair Board at their next meeting.

10. OPERATIONS MANAGER

1. ACTION ITEM: Employee Committee Budget increase

County Manager Dan Reyes requested an increase for the employee party for longevity awards and food. The County has received a quote of \$12/person from Captain Ron's. Mr. Reyes also suggested that the Board could cook using the Fair food truck.

MOTION: Approve budget increase for the employee picnic and longevity awards using the Credit Card Reward Points to \$2000.

RESULT: APPROVED [Unanimous]
MOVER: Michael Whitfield **SECONDER:** Cindy Riegel
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

11. COMMISSIONERS

1. ACTION ITEM: Reappoint Bill Leake to Impact Fee Commission

MOTION: Reappoint Bill Leake to seat 1 with a term that expires 9/30/24.

RESULT: APPROVED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

2. Board of County Commissioners - Special Meeting - Jun 29, 2022 2:00 PM

RESULT: ACCEPTED AS AMENDED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Michael Whitfield
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield

3. ACTION ITEM: Appoint individuals to Wildlife Advisory Board

Commissioner Whitfield presented the item. The Board currently consists of nine (9) members. Idaho Fish & Game would prefer not to be on the Board, but would like to serve as an advisory member.

MOTION: *Appoint Devin Englestead, Mike Lien, and Kathy O'Neal to one year terms that expire September 30, 2022, Chris Kula, Tamara Sperber, and Linda Unland to two year terms that expire September 30, 2023, and Jeff Klausmann, Alyson Michalski, and Renee Seidler to three year terms that expire September 30, 2024 as committee appointments to the Teton County Wildlife Committee Board.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield
SECONDER:	Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

4. ACTION ITEM: Teton County Board of County Commissioners Written Decision for the Land Development Code and Approval of a Zone Change

The Board reviewed the Land Development Code Written Decision and made minor typographical corrections.

Planning Administrator Jade Krueger was present to answer questions.

MOTION: *Approve the written decision for the Land Development Code and Approval of Zone change as amended.*

RESULT:	APPROVED [Unanimous]
MOVER:	Michael Whitfield
SECONDER:	Cindy Riegel
AYES:	Cindy Riegel, Bob Heneage, Michael Whitfield

5. Committee Reports

Commissioner Whitfield Committee Reports

June 28, met with East Idaho Regional Solid Waste District leaders

--Discussed Teton County membership and the District's plans for hauling fleet

June 29, I met with representatives of our U.S. Senators and Congressman

--We discussed some infrastructure challenges: housing, water, roads

--We discussed the joint Teton County study of Grand Targhee Resort expansion impacts

--We talked about farmland conservation, incentive programs

Commissioner Heneage Committee Reports

Geo Center "Refresh Opening" Reception

Friday, July 1; 5:00pm - 7:00pm

- Reception to celebrate renovation of GEO Center

- New sign and renovated lobby
- New mural by Aimee Babneau
- Gallery installation by Aimee Babneau and Jonathan Selkowitz

Teton Co/Joint Housing Authority Monthly Meeting

Wednesday, July 6· 11:00am - 1:00pm

- Discussion about website design continued from previous meeting
- FY'23 budget discussion continued from previous meeting
- Idaho Workforce Housing Fund (IWHF)
 - In 2022, the Idaho state legislature created the Idaho Workforce Housing Fund (IWHF) to utilize the funds appropriated to states via the federally enacted American Rescue Plan Act (ARPA) of 2021 with the intent of creating workforce housing (WH) to combat the escalating housing crisis that is affecting all of Idaho.
 - The IWHF intends to use ARPA funds according to the Enumerated Eligible Use category of Promoting Long-Term Housing Security whereby recipients may presume increasing access to stable, permanent, affordable housing, including the development of affordable housing to increase the supply of affordable and high-quality living units.
 - The Idaho legislature appointed Idaho Housing and Finance Association (the Association) to create a Workforce Housing Allocation Plan (WHAP) for the equitable disbursement of these funds and to administer the allocation of these funds on behalf of the State of Idaho to projects with affordable workforce housing throughout Idaho.
 - Sponsors must submit a complete Application for WH funds allocation during the following specified application round. Unless notified otherwise, 2023 WH funds will be allocated through a single funding round with an application deadline at a yet-to-be-determined date in Fall, 2022.
 - The Idaho state legislature appropriated \$50 million in 2022 for the initial starting fund balance from its allocation of federal ARPA funds. If it appropriates further funding at a later date, those funds will be included in the WH fund pool.
- New Project: 80 or 88-unit Townhome project in Tetonia
- Discussion about placing conditions on future projects requiring WH as part of all projects requesting increased density (similar to what Driggs recently adopted)

Buxton Buildings (Phase III) Owner/Architect/Contractor Meeting

(Teton County/JRW Architects/Big-D)

Friday, July 8; 10:00 - 10:30am

- JRW produced a conceptual site plan for Phase III but no one has had time to properly evaluate it yet

Commissioner Riegel Committee Reports

Idaho Housing Finance Assoc Forum on Workforce Housing Fund on July 15 at 10 AM.

Tour of Fairgrounds with Fairground Administrator Hallie Poirer and County Manager Dan Reyes.

12. ADJOURNMENT**MOTION:** *Motion to Adjourn at 2:50 PM*

RESULT: ADOPTED [Unanimous]
MOVER: Bob Heneage **SECONDER:** Cindy Riegel
AYES: Cindy Riegel, Bob Heneage, Michael Whitfield


Cindy Riegel, Chairperson

ATTEST: 
County Clerk or Deputy