

**OFFICIAL SUMMARY PROCEEDINGS OF THE BOARD OF  
COUNTY COMMISSIONERS, TETON COUNTY, WYOMING**

The Teton County Board of Commissioners met in regular session on **January 8, 2018** in the Commissioners Chambers located at 200 S. Willow in Jackson. The meeting was called to order at 9:05am.

Commission present: Mark Newcomb Chair, Natalia Macker Vice-Chair, Greg Epstein, Smokey Rhea, and Paul Vogelheim.

**ADOPT AGENDA**

Commissioner Rhea moved to adopt the agenda as presented. The motion was seconded by Commissioner Vogelheim and passed unanimously.

**PUBLIC COMMENT**

There was no public comment.

**ACTION ITEMS**

**1. Consideration of Payment of County Vouchers**

Commissioner Vogelheim moved to approved vouchers of two separate runs in the amount of \$756,891.56. The motion was seconded by Commissioner Epstein and passed unanimously.

**2. Consideration of Interim Chairman to Cover When Both Chair and Vice Chair Are Out at the Same Time**

Commissioner Vogelheim moved to appoint Smokey Rhea as Interim Chair when both Chair and Vice Chair are out at the same time. Commissioner Macker seconded the motion and it passed 4-1 with Commissioner Epstein opposed.

**3. Consent for Proposed Outgoing Commissioner Correspondence**

There was no outgoing correspondence.

**EXECUTIVE SESSION**

There was no executive session.

**DISCUSSION ITEMS**

**1. Known Matters for Discussion**

- A. Board of Equalization Decision on Remand of the 2017 Board of Equalization Appeals (10:00am)
  - 1) Lockhart / Lockhart Cattle Co., LLC
  - 2) Jackson Hole Hereford Ranches

**2. Other Matters for Discussion**

- A. Scholarship Requirements – Sherry Daigle, County Clerk requested clarification from the Board on the number of hours needed to maintain scholarship eligibility. Scholarship eligibility criteria to state student is a full-time student based on the criteria of the institution they are attending. Will do some research on the what full-time status is at the state schools, reasons for student not maintaining all credits, and bring findings back to the Board.
- B. County Clerks Association is looking for ways to pay for aging voting equipment. Looking at doing a public hearing for others to go to possible vote centers
- C. Commissioner Vogelheim reached out to AT&T regarding cell towers. Cheryl Riley, Regional Director, would like to meet with the Board regarding plans and identify possible sites. Discussion included if meeting with one provider should the Board meet with other providers, include Planning Director, revisit action taken four years ago regarding types of towers, co-location on towers, LDRs on cell towers, Board of Health discussions include cell towers, compliance with federal regulations, and course of action to have Ms. Watkins and Mr. Sinclair set up a workshop.
- D. Commissioner Epstein requested an update on Stilson. Erin Weisman, Deputy County Attorney, updated the Board on the gift vs. exaction, working with Susan Johnson in Planning and Chris Hawks, attorney for JHMR, hoping to have memo to the Board and public in the next week, strategic plan from Parks & Recreation regarding fields.
- E. Commissioner Epstein requested an update on the bus pass cost for JHMR. Ms. Watkins will speak with the Town and report back to the Board. There was discussion of the budget of START.
- F. Request from Shelley Fairbanks, Deputy County Clerk, for direction on advertising for Fair Board vacancy.

**Calendar Review.** The Board reviewed their weekly calendars.

The meeting was recessed at 9:50am and reconvened at 10:03am.

Commissioner Macker moved to convene as the Teton County Board of Equalization. The motion was seconded by Commissioner Epstein and passed unanimously.

**Board of Equalization Decision on Remand of 2016 State Board of Equalization Appeals**

Mike Barton, Hearing Officer for the Board of Equalization Appeal, was conferenced called be involved in the proceedings for the County to make a decision as to the findings on the appeal for the for the Lockhart / Lockhart Cattle Co., LLC and Jackson Hole Hereford Ranches.

Docket 2016-40 – Lockhart / Lockhart Cattle Co., LLC

Discussion included valuation methodology – site valuation to abstraction, the consistency of how the taxpayers were being taxed, separation of residential land from agricultural land, review of findings of fact and conclusions of law.

Commissioner Vogelheim moved to remand the case back to the Assessor and find in favor of the taxpayer in the matter of Docket 2016-40 finding that the change in approach or abstraction methodology, specifically the change to the abstraction valuation, using LEA 0137 is not fair as it does not secure a just valuation due to our LDR's which do not allow for this parcel to be subdivided or sold. The motion was seconded by Commissioner Rhea.

Discussion included uniqueness of property, location of property, reason for being sent back was no direction was given to County Assessor, not essential fairness in method used to determine value, clarification of all arguments to make a final vote, presumption of the Assessor's valuation was valid, accurate, and correct is a very strong presumption, however it was arrived at - was it essentially fair, the group of people that would purchase a residential site by and large is a different group of folks that would purchase an agricultural parcel with a homesite within it and if you are assessing the value of property you want to understand the demand for each type of property, unclear how you can mix residential and agricultural properties to identify the value of a portion of an agricultural property.

Commissioner Vogelheim withdrew his motion and it was okayed by the second.

Commissioner Vogelheim moved to remand the case to the Assessor and find in favor of the taxpayer on Docket 2016-40 finding the change in the approach and/or the extraction methodology, specifically changing to extraction valuation using LEA 0137 is not fair per the state statute Article 15, Section 11-D requiring that shall secure a just valuation for taxation as this approach is in conflict with our LDRs and I agree with the taxpayers argument that the residential land cannot legally be sold separately from the rest of the parcel and all of the parcel should be classified as agricultural land because all of it is used for agricultural production. The motion was seconded by Commissioner Epstein.

Discussion included Commissioner Rhea is not able to support the motion referring to state statute saying "the portion of land which contains building improvements, for example a residence or barn, shall not be classified and appraised as agriculture land", three acres being talked about include farm buildings and outbuildings for agricultural use – the residential unit is separate, look at things based on our LDRs and that three acre parcel cannot be subdivided, expand motion to say this land is not able to be subdivided, Mr. Barton advised the Board to not get involved in the personal market analysis, and discussed with the Board about going with a simpler motion.

Commissioner Vogelheim withdrew his motion and it was okayed by the second.

Commissioner Epstein moved to remand the Hearing Docket 2016-40 in the matter of the appeal of the Teton County Assessor based on the findings that the valuation should not be allowed to stand because residential land cannot be sold or split from the rest of the parcel because of the LDRs and based on constitution article 15 section 11-D that the methodology that the Assessor used to evaluate this parcel is not fair. The motion failed for lack of a second.

The meeting was recessed at 12:00pm and reconvened at 1:30pm.

All Commissioners were present, and the meeting was reconvened as the Teton County Board of Equalization. Hearing Officer Mike Barton was present via the phone.

Commissioner Epstein moved to remand Docket 2016-40 in the matter of the appeal of the Teton County Assessor based on the findings that the valuation should not be allowed to stand because residential land cannot be sold or split from the rest of the agricultural parcel in accordance to the Teton County LDRs and that the abstraction methodology that the Assessor used to evaluate this parcel does not meet essential fairness based on the Wyoming Constitution Article 15 Section 11-D. The motion was seconded by Commissioner Vogelheim. The motion passed 4-1 with Commissioner Macker opposed.

Docket 2016-41 Jackson Hole Hereford Ranch

Discussion included differences from Docket 2016-40 includes residences not being separated out, residences are rentals, the record showed the residences were not being used only for ranch employees, no boundary line on plat – residential vs agriculture, 2 lots – residential on each lot, with commercial activity it's hard to demand a remand, farmstead vs agriculture.

Commissioner Macker moved to affirm the Assessor's valuation for the two lots in the Board of Equalization hearing R0001643 Jackson Hole Hereford Ranch LLC. The motion was seconded by Commissioner Rhea.

Discussion included what should we be deciding on - was the tool used by the Assessor fair in determining the amount of tax to place on property or is one of the pieces of property being used as commercial, homesite vs farmstead rule. The motion failed 1-4 with Commissioners Newcomb, Vogelheim, Rhea and Epstein opposed.

Commissioner Vogelheim moved to remand Docket 2016-41 in the matter of the appeal of the Teton County Assessor based on the findings that the valuation should not be allowed to stand because residential land cannot be sold or split from the rest of the agricultural parcel in accordance to the Teton County LDRs and that the abstraction methodology that the Assessor used to evaluate this parcel does not meet essential fairness based on the Wyoming Constitution Article 15, Section 11-D. The motion was seconded by Commissioner Epstein and passed 4-1 with Commissioner Macker opposed.

Commissioner Vogelheim moved to adjourn from the Board of Equalization. Commissioner Rhea seconded, and the motion passed unanimously. The Board of Equalization adjourned at 2:25pm.

**County Commissioner Administrator Updates.** Alyssa Watkins, County Commissioner Administrator gave the Board updates on Health and Human Services, Housing, Transportation, Public Engagement, LDRs, Town/County Relations, and Other Matters: BCC Retreat; first Quarterly New Hire Event was held with positive feedback; and GIS policy meeting.

**Commission updates**

- A. Greg Epstein updated on Pathways Taskforce – CIP review, flooding near Garaman Park, bench prototypes.
- B. Paul Vogelheim had no updates.
- C. Smokey Rhea had no updates.
- D. Natalia Macker had no updates.
- E. Mark Newcomb had no updates.

**WORKSHOPS**

**ADJOURN**

Commissioner Macker moved to adjourn, Commissioner Vogelheim seconded, and the motion passed unanimously. The meeting was adjourned at 2:33pm.

Respectfully submitted: sdf

TETON COUNTY BOARD OF COMMISSIONERS

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Mark Newcomb, Chair

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Natalia Macker, Vice-Chair

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Greg Epstein

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Paul Vogelheim

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Kathleen "Smokey" Rhea

ATTEST:

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Sherry L. Daigle, County Clerk

**TETON COUNTY CLERK'S OFFICE  
01-08-18 WARRANTS**

<b>Warrant Number</b>	<b>Name</b>	<b>Amount</b>
353133	ALLEGIANCE BENEFIT PLAN MGMT	17,209.48
353134	ACTION EXCAVATION LLC	16,988.94
353135	ACE HARDWARE	868.29
353136	AIR CHUCK INC	196.61
353137	ALPHAGRAPHICS	2,029.38
353138	ALLEGIANCE BENEFIT PLAN MANAGEMENT	99.75
353139	ALICIA MORENO	98.00
353140	AMERICAN RED CROSS	316.00
353141	AMY L. BARNES	18.94
353142	ANK CORPORATION	13,635.86
353143	ASCAP	348.00
353144	BILLI JENNINGS	226.60
353145	BOUNDTREE MEDICAL	221.89
353146	BSN SPORTS, LLC	103.20
353147	CASPER COLLEGE	2,000.00
353148	CDW GOVERNMENT, INC.	645.42
353149	CENTURYLINK	120.12

353150	CHEMA TOX LABORATORY INC.	92.40
353151	CLIMB WYOMING	8,527.07
353152	COLLEGE OF AGRICULTURE	24,239.75
353153	CURRAN-SEELEY FOUNDATION	29,634.50
353154	DAVE GUSTAFSON	52.50
353155	DELTA DENTAL	22,364.20
353156	DEPARTMENT OF WORKFORCE SERVICES	58,285.02
353157	DIGITAL APPLESAUCE, INC.	551.00
353158	ELECTRONIC SERVICES, INC	125.00
353159	ELECTRICAL WHOLESALE SUPPLY CO,INC.	15.01
353160	EMILY COHEN	274.81
353161	EMERGENCY MEDICAL PRODUCTS, INC.	40.95
353162	ERIC HELGOTH, ARCHITECT	44.10
353163	E.R. OFFICE EXPRESS INC.	348.65
353164	FALL RIVER RURAL ELEC.COOP.,INC.	47.08
353165	FEDERAL EXPRESS	187.36
353166	FERGUSON ENTERPRISES, INC. #3007	62.02
353167	FEDERAL EXPRESS CORP.	18.04
353168	FIVE COUNTY DETENTION & YOUTH	250.00
353169	C.O.P.S INC. FIRST RESPONDERS	4,021.41
353170	GREENWOOD MAPPING,INC	6,957.00
353171	HEATHER OVERHOLSER	586.89
353172	HIGH COUNTRY CONSTRUCTION INC	3,822.00
353173	HIGH COUNTRY LINEN SUPPLY LLC	708.82
353174	HUB INT'L MOUNTAIN STATES LTD	1,875.00
353175	INTERSTATE BATTERY SYSTEM OF IDAHO	57.95
353176	INTERMOUNTAIN AQUATICS, INC.	600.00
353177	I.S.C. INC	5,212.66
353178	JACKSON CURBSIDE, INC	165.00
353179	JACKSON PEDIATRICS,P.C.	2,532.50
353180	JANET VEILLEUX	52.50
353181	JC ASSOCIATES GROUP LLC	500.00
353182	JESSICA WILSON	52.50
353183	JH20 WATER CONDITIONING & FILTRATIO	123.00
353184	JACKSON HOLE CHILDREN'S MUSEUM INC.	13,776.00
353185	JACKSON HOLE CYCLE & SAW LLC	683.34
353186	JACKSON HOLE SECURITY LLC	600.00
353187	JOHN KIDWELL	1,500.00
353188	KAREN MAROLF	42.00
353189	LEXISNEXIS RISK SOLUTIONS	50.00
353190	LINTON'S BIG R	24.99
353191	LIBERTY TIRE SERVICES LLC	2,529.00
353192	LIFTOFF LLC	48.40
353193	L.N. CURTIS & SONS	1,636.64
353194	LONG BUILDING TECHNOLOGIES, INC.	568.71
353195	LOWER VALLEY ENERGY	5,262.86
353196	MAURENE GUSTAFSON	52.50
353197	MD NURSERY & LANDSCAPING INC.	46.88
353198	MELANIE WATERHOUSE	147.00
353199	MICHAEL GUYETT	52.50
353200	MYLO OBSTACLE FITNESS	14,175.00
353201	MORRISON- MAIERLE INC.	12,070.03
353202	NAVITUS HEALTH SOLUTIONS, LLC	21,834.14
353203	NINETY-EIGHT ELECTRIC, INC.	306.55
353204	NORCO, INC.	3,809.75
353205	NATIONAL PARK TRANSPORTATION CO	165.08
353206	ONE22 COMMUNITY RESOURCE CENTER	11,375.00
353207	ON GRADE BLADE SERVICE, LLC	7,969.52
353208	PARTSMASTER	133.45
353209	PLANET JACKSON HOLE	376.00
353210	PLAINSMAN PRINTING & SUPPLY	732.76
353211	HAL JOHNSON JR-PROFESSIONAL EXPRESS	818.50
353212	PRO EQUIPMENT SALES LLC	700.16
353213	REIS ENVIRONMENTAL INC.	350.00

353214	RIDGELINE EXCAVATION INC.	20,271.84
353215	RTR SERVICES LLC	200.00
353216	SALLY HUMPHERYS	100.00
353217	SEATON EARTHMOVER, INC.	13,075.00
353218	SHANE FLUD	52.50
353219	SILVER STAR COMMUNICATIONS	239.72
353220	TARGHEE TOWNE WATER DISTRICT	230.01
353221	TETON COUNTY 4-H COUNCIL	1,700.00
353222	TETON COUNTY LIBRARY	4,300.00
353223	TETON COUNTY LIBRARY	400.00
353224	TETON COUNTY TREASURER	61,330.29
353225	TETON FASTENERS	295.20
353226	TERRA FIRMA ORGANICS, INC.	22,452.59
353227	TETON MEDIA WORKS INC.	5,314.60
353228	TRC INC.	45.00
353229	TETON TRASH REMOVAL INC.	1,308.25
353230	TETON YOUTH & FAMILY SERVICES	26,358.99
353231	TORMACK CUSTOM SCREEN PRINTING, INC	1,468.50
353232	TOWN OF JACKSON	60,571.11
353233	TETON VALLEY TRAILS & PATHWAYS INC.	630.00
353234	VALLEY OFFICE SYSTEMS	129.12
353235	VERIZON WIRELESS	40.01
353236	VISA	14,735.27
353237	VWR INTERNATIONAL LLC	237.82
353238	WATSABAUGH EXCAVATION, INC.	14,032.00
353239	WARREN PENNICK	52.50
353240	WESTERN RECORDS DESTRUCTION INC.	350.00
353241	WEST BANK SANITATION	1,443.34
353242	WESTERN TRANSPORT INC.	2,872.50
353243	WILDERNESS & MOUNTAIN MEDICINE PC	250.00
353244	WILLIAM R. SMITH M.D.	1,500.00
353245	CRYSTAL WRIGHT	1,360.00
353246	WYOMING DOT	55,924.66
353247	WYOMING STATE TRAILS PROGRAM	1,370.00
353248	WYOMING RETIREMENT SYSTEM	45.00
353249	WYOMING RETIREMENT SYSTEM	840.00
353250	YELLOW IRON EXCAVATING, LLC	111,975.81