TETON COUNTY

BOARD OF COUNTY COMMISSIONERS MINUTES

March 23, 2026
9:00 a.m.
First Floor Commissioners' Meeting Room
150 Courthouse Dr, Driggs, ID 83422

Commissioners Present:	Brad Wolfe
	Ron James
	Dan Powers
Staff:	Kim Keeley, Clerk
	Darryl Johnson
	Burkley Rudd
	Billie Sioddoway

1. MEETING CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ADOPT AGENDA

MOVER: Dan Powers
SECONDER: Ron James

Approve the agenda as amended.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

4. ACTION ITEMS: CONSENT AGENDA

MOVER: Brad Wolfe
SECONDER: Ron James

Approve the consent agenda as presented.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

1. Claims Report

Approve the Claims Report as presented.

2. Action Item: Installment Request for Rural Idaho Economic Development Grant

   Approve the installment request under the FY2026 Rural Idaho Economic Development Grant.

3. Action Item: Financing Agreement for Previously Approved Vermeer Equipment

   Approve the financing agreement with Vermeer as presented.

4. Action Item: Telephone Use

   Allow the Sheriff's Office Emergency Communication Manager's mobile phone may be transferred to the Sheriff's Office Administrative Manager.

5. Payroll Form: Probation Director

   Approve the payroll form for the Probation Director.

6. Action Item: Revised 3B Juvenile Detention Agreement

   Approve the revised 3B Juvenile Detention Agreement as presented to replace the prior version approved on February 23, 2026.

7. Action Item: Bulk Fuel Agreement

   Approve the open account agreement for the Sheriff's Office to purchase fuel at bulk rates from Berry Oil.

5. OPEN MIC

Robert Boyles asked that the Board put a discussion item on a future agenda to create an oversight committee for the Sheriff and Prosecutor offices.

Gaylen Hellyer spoke in regards to item 7.7 Northern Lights. She stated that the road to the subdivision needs a lot of work to accommodate the pressure from the new subdivision.

Jeff White asked if the Board could modify County processes to accommodate allowing new information to be considered after public comment has been closed.

Curt Behle spoke at length about the laws regarding public hearings. He felt the Board was not appying rules consistently.

Ida Hansen spoke in regards to hiring an outside contractor to process building permits.

Anna Trentadue spoke in regards to the item 7.7. She wondered why the item is on the agenda when there is a pending judicial matter.

6. PUBLIC WORKS

1. Report: Public Works Dept. Update

Public Works Director Darryl Johnson presented his report.

The County has applied for three grants to fund a bridge (Federal-aid Bridge Grant with no match), 5000W (LHRIP grant with no match) and the bike path north of Driggs (Transportation Alternative Program with a 7.34% County match).

Mr. Johnson presented the draft of an op-ed explaining the need for the special road levy. The Board was in favor of submitting the op-ed as written.

Weeds Supervisor Cameron Hieronymus has proposed a private property herbicide program that would help fund the department freeing up property tax dollars for the General Fund. The Board asked Mr. Hieronymus to put this on the next agenda and move forward with the program.

2. Action Item: 2026 Contracted Weed Treatment on County Properties

MOVER: Dan Powers
SECONDER: Ron James

Approve contract with Rustic Mountain LLC for a not to exceed amount of $25,000.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

3. Action Item: N 1000 W Road Vacation Resolution

MOVER: Brad Wolfe
SECONDER: Ron James

Approve the findings of fact and conclusions of law and order for the N100W Road Vacation that was unanimously approved at the July 14, 2025 Public Hearing.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

4. Action Item: Public Works Truck Accessory Purchase

MOVER: Brad Wolfe
SECONDER: Dan Powers

Approve the purchase of a truck bed topper and truck bed drawer system for Public Works vehicle as presented. Cost of $7,067.99 to be paid from FY2026 line item 001-08-80200.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

5. Action Item: W 6000 S Over Fox Creek Bridge Replacement Award

Mr. Johnson stated that there are permitting issues on the timing of replacing the bridge. IDWR will not allow construction between May 15 through September due to fish habitat concerns. The project may get pushed back to fall.

MOVER: Dan Powers
SECONDER: Brad Wolfe

Award the W6000S Over Fox Creek Bridge Replacement Project to DL Beck for a not to exceed amount of $499,448 with the project to be paid from 233-00-43092.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

6. Action Item: Lease with Teton Valley Parks and Recreation District

This item will be added to a future agenda.

7. Action Item – Weeds Department Seasonal Employee Budget Request

MOVER: Dan Powers
SECONDER: Ron James

Approve a budget allocation of $12,500 to fund a Seasonal Employee for the Weed Department funded by Remaining Cash and revenues generated from the new private property application program.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

7. PLANNING AND ZONING

1. 10:00 AM - PUBLIC HEARING & Action Item: Miranda Bates Rd. Wetlands Variance Request Appeal

Planning Administrator Joshua Chase presented the staff report for the Miranda Bates Rd Wetlands Variance Request Appeal.

Andrew Wayment, representing the applicant, addressed the two hurdles that his client needs to overcome to build on the property. First is the variance and second is the Army Corps of Engineers (ACE) approval. He contends that if the County requires that all of the property outside of the 1/2 acre home site be required to be put into conservation easement, then it is no longer a voluntary donation and will negate the tax benefit. He would prefer that the County require only ten acres be required and the rest will be a voluntary donation.

Public comment was opened at 10:21 AM.

Jeff White spoke against the removal of the condition by the P & Z Commission. He asked what the evidence was that there is a financial impact. Variances in general are due to a lack of planning. Removing the condition removes the ability to enforce the applicants assurance that he will protect the land. He urged denying the application.

Public comment was closed at 10:25 AM.

Applicant rebuttal. The applicant contends that he submitted documents from the Teton Regional Land Trust (TRLT) documenting his clients intention to donate the property to the Land Trust. He stressed that in addition to the County requirements, his client needs to overcome the ACE requirements.

Board deliberation. The Board asked if the applicant has any intention to do further mitigation to the wetlands. Mr. Wayment stated that mitigation can either be on the ground improvement *or* permanent protection. Mr. Chase stated that County Code requires only a 2:1 mitigation versus the 10:1 mitigation requirement of the ACE. The Board discussed requiring no mitigation because the ACE already requires it.

MOVER: Ron James
SECONDER: Brad Wolfe

Having reviewed the Criteria of a Variance and other code found in the Teton County Land Development Code, Sections 4-9, 4-15, and 5-4-2, (E), 1 and 4, I move to MODIFY the Planning and Zoning Commission decision to APPROVE the variance in the following way: remove condition three requiring establishment of a conservation easement, and with the following findings:

The applicant has demonstrated they are pursuing an easement but would not be eligible for associated benefits of the easement if the county requires it and that the ACE will be requiring a 20:1 mitigation regardless.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

2. 10:15 AM - PUBLIC HEARING & Action Item: Palisade Village Subdivision Preliminary Plat Hearing

Mr. Chase presented the staff report for the Palisades Village Subdivision preliminary plat. His biggest concern was on the intended use of the open space, particularly any additional residential development. The Board asked about the condition of 5250 N. He stated that it had not been inspected but a condition of approval could be added to bring it up to County road standards.

Allison Ahlert, representing the applicant, was present to answer questions. She stated that this application has been through a lot of changes to get it to this point. She stated that 5250 N will be brought up to County standards when Tag Alder Lane is constructed.

Public comment was opened at 11:01 AM.

Jeff White spoke neutrally regarding this application. He mentioned the impact of residential lighting on wildlife, including light backsplash. He also recommended a longer paved pad from Hwy 33 to a cattleguard to mitigate the transport of dirt onto the highway.

Public comment was closed 11:05 AM.

MOVER: Brad Wolfe
SECONDER: Ron James

Having concluded that the Criteria for Approval of a Subdivision Preliminary Plat found in LDC (LDC 4-13-D) can be satisfied, I move to Recommend approval of the Preliminary Plat Application for Palisade Village Subdivision as described in the application materials submitted January 10, 2025, with the inclusion of additional applicant information attached to this staff report and the following conditions of approval:

1. Address all public works comments: a. Developer will need to evaluate the existing condition of W5250N. If W5250N does not meet Local Road standards, it will need to be brought to County minimum standards. b. Tag Alder Lane will need to be constructed to County Local Road standards.

2. Establish a clear open space constrain to clearly identify allowable uses, restrict residential development, and maintain the habitat function and wildlife movement along the riparian corridor as described in the Wildlife Habitat Assessment.

3. All Fire Marshal requirements are met.

4. The fire pond source will be a well.

5. The ditch for water through the property will be diverted through lots 6 & 7 by a piping system.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

3. 10:45 AM - PUBLIC HEARING & Action Item: T10 MTNS LLC Wetlands Variance Request Appeal

Mr. Chase presented the staff report for the T10 Mtns LLC wetlands variance request appeal. The Board asked of the best process would be to establish the question of standing of the appealer.

Rich Huntsman, owner and manager of Fox Creek Ranch and the party requesting an appeal. He is appearing on behalf of the LLC requesting the appeal. He does not believe the applicant meets the criteria for the variance. The property was sold with encumbrances and therefore do not put undue hardship on the applicant. The Board asked Mr. Huntsman how one homesite will affect his property value. He stated that splitting up the wetland will have an impact on wildlife and water quality.

Katie Salsbury, representing the original applicant, was present to answer questions. The Board asked if there are any other examples of variances similar tot his one. Ms. Salsbury responded that she was not aware of any.

Public comment was opened at 11:52 AM.

Jeff White spoke in favor of the appeal. He believes Mr. Huntsman articulated the arguments to approve the appeal very well. Losing connectivity and diminishing wetlands functions is problematic to communities. the burden of proof is upon the landowner to prove hardship.

Public comment was closed at 11:56 AM.

Mr. Huntsman asked the Board to consider the intent of the LDC. The intent of the LDC is to allowed people to build, not build, subdivide and build again.

Board deliberation. Commissioner Wolfe does not feel that enough information has been given to warrant overturning the P&Z decision. He asked Mr. Chase if there were any time deadlines to consider. Mr. Chase stated that there is a 60 day appeal period and then the action is considered denied.

MOVER: Dan Powers
SECONDER: Ron James

Having concluded that the Review Criteria of a Variance and other code found in the Teton County Land Development Code, Sections 4-9, 4-15, and 5-4-2, (E), 1 and 4, can be satisfied, I move to AFFIRM the Planning and Zoning Commissions Action to APPROVE the Variance for T10

MNTS LLC as requested in the application materials submitted December 10, 2025. with the reason that a compelling argument was not made that the reasoning of the P&Z commission was incorrect.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

4. 11:00 AM - Action Item: Fall River Electric Special Use Permit – Substation

Commissioner Wolfe stated that an ex parte communication from Fall River was received but that he did not read it. Commissioners' Powers and James read the email but did not feel it swayed their decision making.

Commissioner Wolfe stated that he was swayed by the argument that no, he would not build a house next to a substation. He did not feel there was a good argument that EMF's from the substation cause harm. He did believe there was an issue with the noise. He felt that a good fence and vegetation would alleviate that concern.

Commissioner James stated that he didn't think that all of the residents opposing the substation would choose to build next to a substation either.

Commissioner Powers contemplated whether the benefit to the community as a whole outweighed the impact to the residents. His conclusion was that no amount of mitigation and buffering would resolve the adverse impacts to surrounding residences.

MOVER: Dan Powers
SECONDER: Ron James

Having reviewed the application materials for Fall River Electric Midway Substation SUP, as well as additional material provided by staff and other agencies, I hereby move to DENY the application, having found that the application does not meet the criteria found in Teton County Land Development Section 4-4-8 (E) (5 & 6) for the following specific reasons: that the use is incompatible with adjacent uses in terms of operating characteristics, and that the adverse impacts resulting from the proposed use in the affected area cannot be effectively mitigated.

AYES (2): Ron James, and Dan Powers

NAYS: (1): Brad Wolfe

Adopted (2 to 1)

5. Action Item: Anderson-Lot 9A Teton Reserve Minor Plat Amendment

Mr. Chase presented the staff report for the Anderson Lot 9A Teton Reserve minor plat amendment.

MOVER: Brad Wolfe
SECONDER: Ron James

Having found that the proposed plat amendment for LOT 9A BLK 10 TETON RESERVE PUD RED HAWK PHASE, TETON RESERVE PUD complies with the requirements of the Teton County Land Development Code 4-14-D (6) based on the findings prepared in the staff report, I move to approve the application submitted on March 12, 2026.

1. A final technical survey review be completed before mylars are printed.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

6. Action Item: Written Decision for Schiltz-Teton Reserve Minor Plat Amendment

Mr. Chase presented the Written Decision for the Schiltz minor plat amendment.

MOVER: Ron James
SECONDER: Brad Wolfe

I move to approve the Written Decision for the Shiltz-Teton Reserve Minor Plat Amendment as written with the changes as outlined on file.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

7. Action Item: Northern Lights Subdivision Updated Development Agreement

The Board asked about the timing implications regarding multiple reconsiderations and the judicial review. By not acting on this item today, it would give a legal reason to extend the deadline on this item to allow the judicial review to be resolved.

The Board discussed how long of an extension would be appropriate. Mr. Chase recommended 4-6 months based on 9-3-2(d2miii).

The Board discussed whether there should be any changes to the development agreement. There was discussion regarding crediting the developer with improvements on 7000 N would offset any improvements to 1750 W.

MOVER: Brad Wolfe
SECONDER: Dan Powers

I move to approve the Northern Lights Subdivision revised development agreement, as written.

I move to continue the matter of Northern Lights Subdivision updated DA due to the impending judicial review request for reconsideration and grant the developer a six month extension on the date for completion of the development agreement based on 9.3-2-(D -2-M)(iii).

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

8. BUILDING DEPARTMENT

1. Action Item: Approve Procedure for Third Party Plan Review

   This item will be added to a future special meeting agenda.

9. IT/EMERGENCY MANAGEMENT

1. Action Item: IT Fleet Management Software Contract

   Emergency Manager/IT Director Greg Adams presented this item.

   Kim Keeley, Clerk joined the meeting at 9:04 am.

   Darryl Johnson joined the meeting at 9:04 am.

   Burkley Rudd joined the meeting at 9:04 am.

   Brad Wolfe joined the meeting at 9:04 am.

   Ron James joined the meeting at 9:04 am.

   Dan Powers joined the meeting at 9:04 am.

   Billie Sioddoway joined the meeting at 9:04 am.

   MOVER: Brad Wolfe
   SECONDER: Ron James

   Approve the contract for IT fleet management software for $5,490.00 to come out of account 1-14-44067.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

2. Action Item: New Part Time IT Tech to Help Cover Sheriff's Office IT

MOVER: Dan Powers
SECONDER: Ron James

Approve the creation of a temporary, part-time IT technician per the job description as presented, within funding of up to $20,000 in this fiscal year from account 1-04-40200, and to approve the payroll form as presented.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

10. FAIR

1. Action Item: Facilities Use Agreement with Teton Valley Rodeo Company & Fair Board

Fair Administrator Hallie Poirer was present to answer questions. The Board asked if this is a similar contract from past years. Ms. Poirer responded that revenue sharing with the County is a new part of the contract.

MOVER: Brad Wolfe
SECONDER: Ron James

Approve the facilities use agreement with Teton Valley Rodeo Company and the Teton County Idaho Fair Board.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

11. 4-H/EXTENSION

1. Discussion Item: Update on 4H & Extension Activities

Extension Educator Jen Werlin was present to update the Board on Extension activities.

She attended an Extension Conference in Savannah Georgia and presented on the benefits of sabbaticals.

Abby Grundler, 4H Coordinator, gave an update on 4H activities.

12. ASSESSOR

1. Action Item: Agreement for Appraisal Services

Assessor Havala Arnold presented the contract for the County contract appraiser.

MOVER: Ron James
SECONDER: Dan Powers

Approve the Appraiser Agreement with Marshall Appraisal Inc as presented by the Assessor.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

13. CLERK

1. Action Item: Approve the Minutes

MOVER: Brad Wolfe
SECONDER: Ron James

Approve the minutes 1/23, 1/12, 2/20, 2/23, 3/9, 3/11 as presented.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

2. Discussion Item: Budget Memo #1

The Clerk went over the budget calendar and set meeting dates in June to meet with Department Heads and Elected Officials regarding their budgets. The Clerk will ask for a 2% cut in all budgets in an effort to allow for a COLA.

14. COMMISSIONERS

1. 1:00 PM PUBLIC HEARING & Action Item: TCR LLC Settlement

Public comment was opened at 1:09 PM.

Wade Williams asked what the cost to the County was overall and stated that he felt there some bad decisions in the past.

Public comment was closed at 1:11 PM.

Board deliberation.

MOVER: Brad Wolfe
SECONDER: Ron James

I move to sign the proposed Settlement Agreement with TCR LLC resolving Teton County, Idaho Case No. CV41-20-0281 and United States District Court for the District of Idaho Case No. 4:22-cv-00268-CRK.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

2. Action Item: Juvenile Ordinances

The proposed revisions were drafted by the Prosecutor's Office. Prosecutor Bailey Smith was present to answer questions.

Sheriff Lemieux stated that the ordinance is positive for helping at risk youth.

Commissioner Powers thanked everyone that worked to revise the ordinance, and thanked the community for their involvement and input. He stated that he believed the community still had real concerns that the ordinance will be used to target individuals and that the Sheriff and Prosecutor need to work to build back the public trust.

MOVER: Brad Wolfe
SECONDER: Ron James

I move to adopt, enact, and ordain the proposed revised juvenile ordinance, namely, **Ordinance #2026-03-23**, as presented, and direct that the ordinances or a summary thereof be published in accordance with Idaho law and that the ordinance be codified into the applicable sections of Teton County Code.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)

3. Commissioners' Reports

Commissioner Powers had no reports.

Commissioner James attended the monthly Latino Action Committee Meeting. He attended a YMCA meeting, they are looking for a $6 million endowment to move forward.

Commissioner Wolfe attended the Magistrate Commission and appointed new Magistrate Judges in Teton, Custer and Jefferson counties. Jason Spillman was appointed as Magistrate Judge in Teton County.

4. Board of Equalization (as needed)

This item was not needed.

15. ADJOURNMENT

MOVER: Dan Powers
SECONDER: Ron James

Adjourn the meeting.

AYES (3): Brad Wolfe, Ron James, and Dan Powers

Adopted (3 to 0)