

MEMO

DATE: September 5, 2014

FROM: Dawn Felchle, Assistant

TO: Commissioners, Prosecutor & Planning Administrator

RE: Relocation of a Portion of Packsaddle Road – W4000N

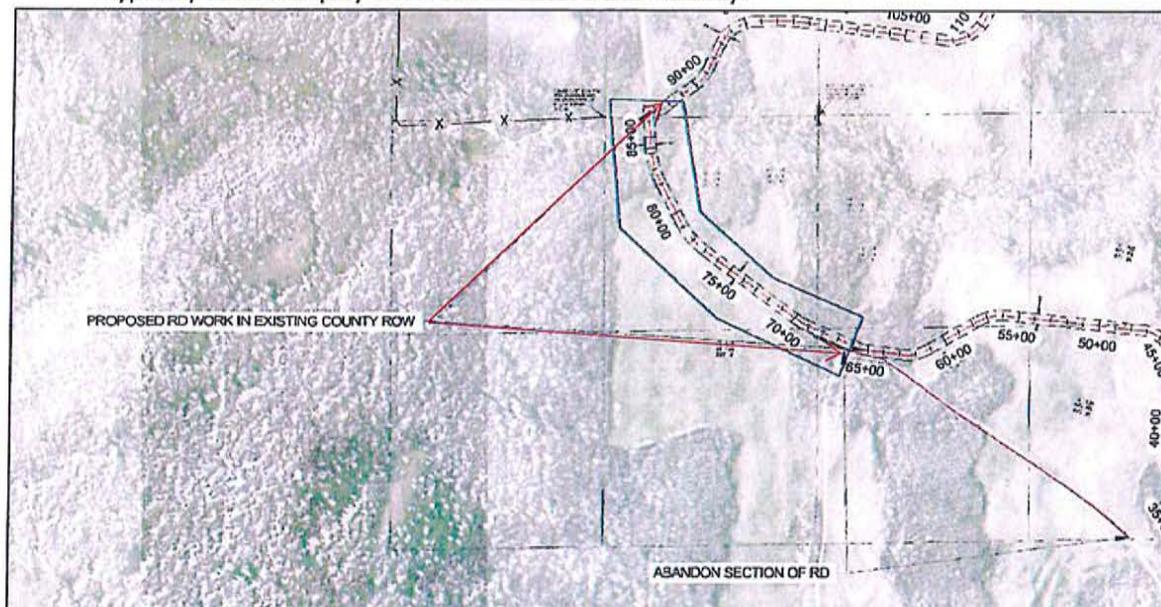
Developer is AG Rim, LLC (Jessie Horton) & Grandview Ranch III, LP

ATTACHMENTS: Permit Packet, 6/12/14 Memo from Engineer, Road Vacation Form

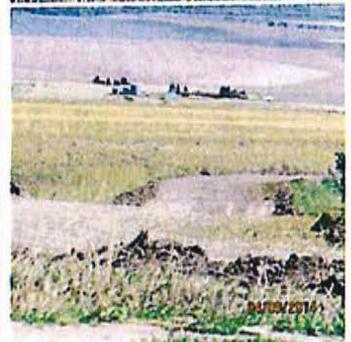
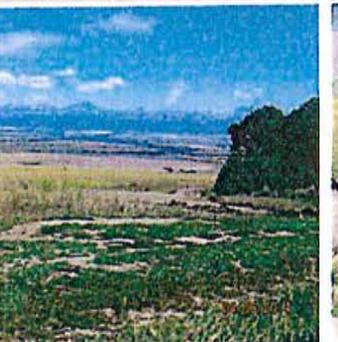
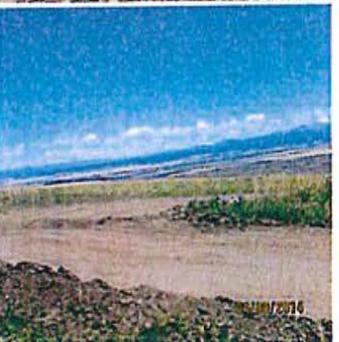
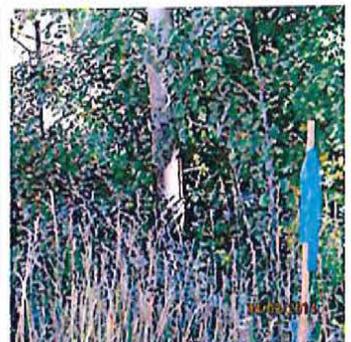
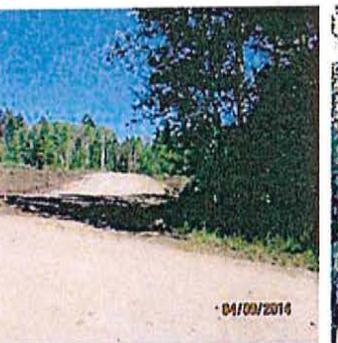
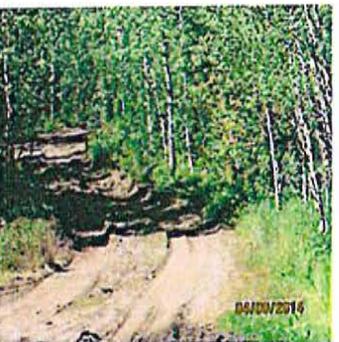
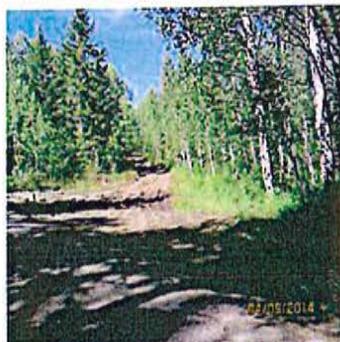
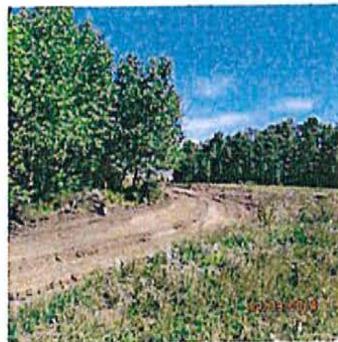
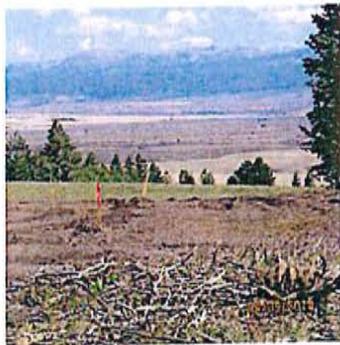
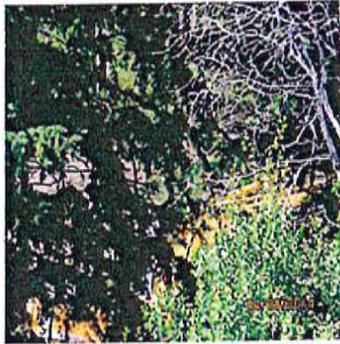
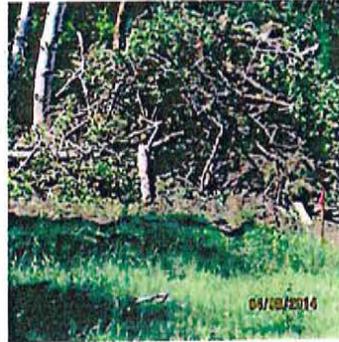
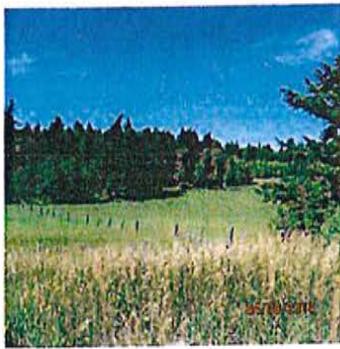
Mr. Jessie Horton has submitted 6 permit applications with the Road & Bridge Department requesting a combination of approach accesses and improvements to County Road W4000N (Packsaddle Road). The work has begun (see photos). The permits have not been signed off on by the Road & Bridge Department (see attached) as the supervisor is on vacation until the week of September 15th. Mr. Horton is asking that the Board begin the discussion of relocating the existing County road to this proposed new location based on his conversations with staff. Should the Board determine this to be in the public's best interest, Mr. Horton would deed the new road to the public. On initial evaluation, the R&B staff thinks this might be a good idea as long as certain criteria are met. I would defer to the Prosecutor and Planning Administrator for planning expertise and legal advice; but a few areas to address would be: (a) All accesses to properties must be provided by the developer, including public lands; (b) Current winter maintenance schedule will remain in place, which is NONE; (c) Road will be built to County Standards; (d) Other agencies criteria will be met, including but not limited to the EPA and Fish and Game; and (e) The construction will require a 3rd party engineer's review.

If the County is not willing to relocate the County Road, Mr. Horton will not be making the improvements to the road as shown below. Mr. Horton needs an answer so he can plan accordingly. Should the County decide to relocate the road, the Board needs to do the following:

1. Determine who will be the applicant, County or Mr. Horton. If Mr. Horton, you may wish to waive the \$1,100.00 fee. If County, who will present the staff report and recommendation?
2. Roads are owned by the public so a 30-day notice of public hearing is required and we have typically done a display ad for full disclosure and visibility.



Road Work on this Proposed Project as of 9-4-2014



the amount of wetland being disturbed. Therefore, the smaller the amount of wetland disturbed, the less expensive the project.

Reed Armijo of Jorgenson Associates said it appears that increasing the current 20' road width to 22' would impact just .3 acres of wetlands, making the project eligible for a general Army Corp permit, whereas a 24' width would probably require an individualized permit process. The engineers will review traffic volumes and future build-out and will also estimate the costs involved for a 22' road width vs. a 24' road width. This information will allow them to make a recommendation, and the Board to make a decision, regarding what road classification is appropriate for this road. Detailed design work will take place after the road classification and width is determined.

● **MOTION.** Commissioner Rinaldi made a motion to approve the Agreement with Jorgenson Associations for W6000S Road Reconstruction Professional Services, contingent upon review and approval by the Prosecutor. Motion seconded by Commissioner Kunz and carried unanimously. (Attachment #7)

S2000E DARBY CREEK BRIDGE. In the absence of a county engineer, Jen Zung of Harmony Design was asked to review the three bids opened Sept. 5. Aqua Terra had the lowest base bid of \$251,018, compared to \$392,498 for Action Excavation and \$419,495 from MD Nursery (Attachment #8). Item #3, bridge materials and installation, was the largest cost and had the widest bid variation. Ms. Zung recommended that the Board award the bid to Aqua Terra and instruct her to work with them to determine why the bid was so much higher than estimated. The new bridge will be wider than the approach, which is why the guardrail was optional. Ms. Zung recommended that the bid be awarded with both bid alternates: using contractor gravel and installing a guardrail. Those alternates could be removed later if desired.

● **MOTION.** Commissioner Kunz made a motion to approve a contract with Aqua Terra for installation of the S2000E Darby Creek Bridge with both bid alternates, subject to negotiation with Harmony Design. Motion seconded by Commissioner Rinaldi and carried unanimously.

ECONOMIC IMPACT STUDY. The City of Victor, in partnership with The Development Company, has received a \$17,000 grant to pay for an economic impact study to assess the potential impact of a complete Yellowstone-Grand Teton Loop trail/path suitable for bicyclists. A total of \$4,000 in local match funding is needed and the Board had received a letter from Victor Mayor Zach Smith requesting assistance (Attachment #9).

● **MOTION.** Commissioner Rinaldi made a motion to approve \$1,000 for the Economic Impact Study. Motion seconded by Chairman Park and carried unanimously.

PACKSADDLE ROAD/TETON VALLEY SCENIC BYWAY. The Board reviewed the memo prepared by Commissioners Assistant Dawn Felchle which summarized the improvements proposed by landowner Jessie Horton, who is building a new road on property owned by himself and by Ron Judy just east and north of the Big Hole Mountains (Attachment #10). They intend to dedicate the road to the county and propose that it replace portions of the existing Packsaddle Road. In particular, said Mr. Horton, the 7% grade of the easternmost portion of his new road would be a big improvement over the existing 19% grade. The road will access a new 3-5 acre parking area, which they will build on their property at the edge of the USFS to provide parking for folks accessing Packsaddle Lake; currently there is no established parking area, so folks are parking on Mr. Horton's fields. Mr. Horton said the new road would be an exceedingly scenic and beautiful drive and could eventually connect to Highway 33 via the Milk Creek Road. He has submitted 6 applications to the Road & Bridge department to obtain permits to work within the county right-of-way. However, if the county has no interest in having the new road become a county road, the new road can be built entirely on private land. Mr. Horton said all existing accesses would be preserved or improved.

Commissioner Rinaldi said the new road appeared to have a public benefit and asked Planning Administrator Jason Boal what resources he would need to help process the application of a new road and vacating the old road. Commissioner Kunz said he had visited the property and that a less steep grade would be an improvement. He thinks it would be better to abandon the existing road than have two roads accessing the same area.

Mr. Boal said the approval of this new road would be a two-step process: (1) Issue access permits for work in the county right-of-way. This would require a complete engineering review to be sure the road was designed to current standards and would preserve all existing accesses. (2) Vacate the existing road. This would require a public hearing process and that Mr. Boal would need an engineer to help him. The Board asked Mr. Boal to work with Mr. Horton on this project.

HARMONY DESIGN PROJECT REVIEW. Ms. Zung reviewed her memo summarizing current county projects under way with her firm (Attachment #11). The LOMR for the new Badger Creek Bridge is in progress and the county needs to identify a primary point of contact. Construction of the Darby Creek Bridge at \$2000E will require additional engineering services that would have been provided by the county engineer. Since that position is vacant, Ms. Zung proposed providing those services at an estimated cost of \$9,000-\$10,000 through Additional Service Request #1. The Darby Creek Bridge at \$1000E is another current Harmony Design project since the firm was recently selected through an RFQ process. Ms. Zung requested approval of the contract that had been negotiated so that surveying and design work could begin. Commissioner Kunz said he would like to review the \$1000E bridge project before proceeding. He doesn't necessarily agree with the current project priority list since his main objective is to make the roads safer. The Board postponed a decision until Sept. 22.

● **MOTION.** Commissioner Rinaldi made a motion to approve Additional Service Request #1 with Harmony Design. Motion seconded by Chairman Park and carried unanimously. (Attachment #12)

VACANT ENGINEER/PUBLIC WORKS DIRECTOR POSITION. The Board agreed that the full time position should be filled. Commissioner Rinaldi asked if anything within the current job description should be changed. Commissioner Kunz said the previous Public Works Director had too much involvement in the day-to-day operation of the road & bridge crew. Commissioner Rinaldi said that would be a personnel issue, not a job description issue. However, the following motion was made to clarify the position's intended chain of command.

● **MOTION.** Commissioner Rinaldi made a motion to amend Line 10 of the "Class Summary/Primary Function" portion of the job description to read: "*The position directly supervises Department-staff the Solid Waste Supervisor and the Road & Bridge Supervisor.*" Motion seconded by Chairman Park and carried unanimously.

Commissioner Kunz said effective management was the most important duty of the Public Works Director and that an engineering degree was not required for that task. In fact, he said, many engineers are actually poor managers of people. The Board agreed that nothing within the job description would prevent the hiring of a non-engineer if desired. However, if a non-engineer is selected for the position, the Board understands they will have to decide how to obtain the ongoing engineering services needed by the county. Applications will be accepted through October 8 with an Executive Session scheduled October 14 to determine which applicants to interview.

ENGINEER'S OUTGOING PROJECT LIST. The Board reviewed the list prepared by Jay Mazalewski before his departure (Attachment #14). In general, all road & bridge projects currently under way will become the responsibility of the Road & Bridge Supervisor. Chairman Park will speak with Mr. Smith to learn whether he is comfortable with these new responsibilities.

PLANNING & BUILDING

Mr. Boal reviewed his update summary (Attachment #14).

● **MOTION.** Commissioner Kunz made a motion to approve the insignificant plat amendment for the Knothole Subdivision. Motion seconded by Chairman Park and carried unanimously. (Attachment #15)

TETON RESERVE. Mr. Boal said Robert Hyde's correspondence withdrawing his offer to purchase the 8.7 acre county-owned property in Teton Reserve included several inaccuracies (Attachment #16). In particular, said Mr. Boal, he disagrees with Mr. Hyde's comment that the parcel essentially has no value. The Board asked



Teton County Planning
150 Courthouse Drive, Room 107
Driggs, Idaho 83422
Phone: 208.354.2593
Fax: 208.354.8778

FROM: Planning Administrator, Jason Boal
TO: Board of County Commissioners
RE: Teton Valley Scenic Parkway
DATE: September 19, 2014

I am looking to get some direction on the Teton Valley Scenic Parkway project. I have three main questions:

Project interest: I would like some direction from the BoCC to know whether or not the County is interesting in pursuing the realignment of W 4000N, Hoopes and N 11500W. It appears access would be maintained for most of the parcels (there is a question about the Felger access). There would need to be additional research on the easements across properties other than Ag Rim LLC to make sure those easements are wide enough or flexible enough to fit the proposed right of way.

Is the County interested in adopting this road and abandoning the existing easements and right of ways?

Project design and review: We have been given updated plans and storm water calculations. I do not have the expertise to review these plans. I want to make sure that the BoCC is okay with me utilizing a contract engineer to review the plans. I should also note that the plans up to this point have not been stamped by an engineer. If the county is desirous to adopt this road the applicant will then get the plans stamped.

Is the County willing to utilize a contract engineer to review the road design?

BLM 40 acre parcel: I spoke the BLM last week and was supposed to get something in writing from them this week, but it has yet to show up. Basically, we have a 60' easement centered on the centerline of the existing road. We have permission to do maintenance within that easement. If work is to be done outside of that easement it may require going through the National Environmental Policy Act (NEPA) process. Mr. Horton has requested that we work with the BLM to realign the road through there 40 acres.

Is the County willing to work with the BLM to realign the road, or are we going to ask the applicant to do that?

- **MOTION.** Commissioner Kunz moved to approve the contract for ambulance services between the ASD and TVHC, with the change from five years to one year and revisit in a year. No second and the motion died.
- **MOTION.** Commissioner Park moved to approve the five year contract for ambulance services between the ASD and TVHC as presented. Motion seconded by Commissioner Rinaldi and carried with Commissioner Kunz voting against the motion. (Attachment #4)

For the record Commissioner Kunz reiterated he wanted a one year contract.

Emergency Management. (Attachment #5)

Greg Adams presented the Board with the Lease MOA with the Idaho National Guard for the use of the Armory. (Attachment #6) The County will be responsible for all utilities and will pay \$600.00 quarterly to the Guard. The existing drain in the wash stall does not meet code and the Guard is in the process of capping it off so that neither water nor debris gets into it.

- **MOTION.** Commissioner Park moved to approve the Armory Lease MOA as presented. Motion seconded by Commissioner Kunz and carried unanimously.

Mosquito Abatement District (MAD) Board of Trustee Appointments. The 4 year terms for Angela Booker and Jack Liebenthal expire September 30th. Ms. Booker has elected to go off the board. Mr. Liebenthal would like to be re-appointed and Dr. Glen Moridian submitted an application for appointment.

- **MOTION.** Chairman Park moved to approved Glen Moridian to the MAD and re-appoint Jack Liebenthal, to 4-year terms expiring 9-30-2018. Motion seconded by Commissioner Kunz and carried unanimously.

Emergency Services Building. Prosecutor Spitzer has been in conversation with the FPD and is looking for more direction from the Board as to a standard lease versus a lease-with-option-to-buy, and what the specific terms would be. Mr. Wagener told the Board that the FPD wishes to buy the building outright at this time with no lease option. For the building to meet their needs, they will need to make some renovations. Should the County not get the Armory in 2017, the FPD would sell the building back to the County for the selling price plus the cost of renovations and repairs.

The Board was not in favor of reimbursing for repairs and remodeling. It was agreed that Prosecutor Spitzer and Mr. Birch would work out an agreed upon contract with the selling price of \$198,000, and should the County have to buy it back in the future, there would be an additional percentage added to the selling price. The Board will approve and execute the sale at the October 14, 2014 meeting.

Planning & Building Department. (Attachment #7)

Prosecutor Spitzer asked the Board what they would like to do about vacating paper plats. Many of the development agreements call for a vacation after a certain amount of time has elapsed. PA Jason Boal said there are 16 known plats in breach of the agreements and none have infrastructure. The Board is in favor of holding public hearings to vacate the plats assuming staff and the owners have gotten together to insure that a vacation is the last resort.

Mr. Boal gave an update on the relocation of W4000N (Packsaddle Road). Mr. Boal would like to sit down with Mr. Horton and the area land owners who require access to their property. The Bureau of Land Management (BLM) has been contacted regarding the portion that extends onto their 40 acres. The current agreement with the BLM allows for the County to work in the 60 foot easement. Mr. Boal asked how much of his time he should be spending on this project and who is the point person? Road & Bridge Supervisor Clay Smith informed the Board that he is uncomfortable signing off on the 6 permits to work in the County right-of-ways, and would ask the Board have an engineer review the design drawings and the entire project. Mr. Smith will work with Mr. Boal and use one of the contract engineers to conduct the review.

Impact Fee Advisory Committee (IFAC) Appointments. Outgoing committee members are Lou Parri and Shon Kunz. Mr. Parri submitted a letter for re-appointment. There were no other applicants.

- **MOTION.** Chairman Park moved to re-appoint Lou Parri to the IFAC, for a 4-year term to expire 9-30-2018. Motion seconded by Commissioner Rinaldi and carried unanimously.

COMMISSIONERS PRESENT: Sid Kunz, Kelly Park, Kathy Rinaldi

OTHER ELECTED OFFICIALS PRESENT: Prosecutor Kathy Spitzer

Chairman Park called the meeting to order at 9:00 am and led the Pledge of Allegiance.

LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL. Ms. Laila Kral presented Road & Bridge Supervisor, Clay Smith with his certificate of completion for the 4-year course study for County City Highway District personnel. LTHACT2 provides support and educational opportunities in the areas of technical assistance and training in road construction. The next course level will be that of road master. Ms. Kral stressed the importance to the County of having employees participating and completing the course work as it is a major component of the scoring and awarding of LWRAP (STIP) grant funds. December 1, 2014 is the due date for the next cycle of grants and there will be workshops the third week of October, to aid in the completion of the submittal paperwork. Additional information may be found at www.lthac.org.

EXECUTIVE SESSION

- **MOTION.** At 9:16 am Chairman Park made a motion for Executive Session to discuss personnel matters, indigent and pending litigation pursuant to IC 67§2345 (1)(a)(d) and (f). Motion seconded by Commissioner Rinaldi and a roll call vote showed all in favor. Executive Session ended at 9:34 am.
- **MOTION.** Commissioner Rinaldi moved to deny Indigent Case #1T-2015-1002 for incomplete application and non-cooperation. Motion seconded by Commissioner Kunz and carried unanimously.

OPEN MIC

Sheriff Liford presented the Commissioners with an Idaho Transportation Department "Toward Zero Deaths STAR Award" for having zero fatalities on State or County roads in Teton County in 2013. The County is on track for zero fatalities in 2014. In District 6, only Madison, Butte and Teton qualified for the award. Sheriff Liford thanked the cooperation of his department along with that of the Prosecutor and the Road & Bridge Crew for maintaining safe roads throughout the County.

George Peterson of Victor expressed his appreciation for the upgrade to Little Pine Lane and asked the Board to think about putting down some mag chloride to preserve the work that was done. The Hidden Waters Subdivision would be willing to help with the cost.

Marian Ruzicka wanted to know why the Prosecutor had not replied to her complaint request of September 17, 2014. (Attachment #1) The zoning complaint is an ongoing issue and is on file for the record.

Alice Stevenson encouraged the Board to reappoint existing Planning Commission members who bring both science and planning experience. It is her understanding that the newly expanded commission is working well together and a change would set back all the accomplishments they have made.

Marilyn Couch agrees with Ms. Stevenson. Having sat through the recent Huntsman Springs Hotel public hearings, if the community wishes to be a 5-star valley, then it does not seem like a good idea to appoint people with such strong agendas. These decisions have to be looked at on behalf of the entire valley.

Bill Leake stated that he thought it was great Mr. Horton wanted to invest in and improve Packsaddle Road (W4000N). He asked the Board to recognize the long term maintenance implication with such a makeover and if the County has a plan to insure proper installation. Mr. Leake would request the County put down dust abatement when the road is complete and he asked if there will be another point person other than the PA, Mr. Jason Boal.

Tony Goe attended the Huntsman Springs Hotel hearings and believes the valley is going to grow and there will be revenue coming into the valley because the Huntsman's are following through on their plan. Driggs is on the map and will be the place to live. Mr. Goe supports Mr. Moeller for the Planning Commission.



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FROM: Planning Administrator, Jason Boal
TO: Board of County Commissioners
RE: Teton Valley Scenic Parkway
DATE: October 28, 2014

We have comments back from an engineer regarding the Teton Scenic Parkway (see attached documents).

My concerns in addition to the engineer's comments include:

- The applicant has requested the road be allowed to be built to a "Recreational Road" standard. I do not think this road fits the recreation classification. It is currently part of the county road system and classified as a "Minor Neighborhood" or "Local". Recreational roads are intended for providing access to public lands. Although this road does this, it also provides access to a lot of private lands. If that private land was to ever develop (even moderate development) the recreational road standard would not be adequate. With two 6'8" travel lanes as opposed to two 9' lanes the function of the road would be severely limited.
- The capacity will be severely limit along this road. If future residential development is desired by the land owners we may want to reconsider the minimum design speed of 25 mph, and the problematic horizontal curves mentioned by the engineer.
- All existing accesses need to be maintained. Mr. Horton has assured this is the case, but I would like to see the proposed accesses included on the plans.
- In conversations with the Forest Service, they expressed concerns about the tight turns in several locations. This design may prohibit the use of farm equipment as well as recreational users.
- The road will need to be realigned across the BLM property. This will require a NEPA study. Mr. Horton has proposed that Teton County apply to the BLM and conduct (pay for the NEPA) study.

Questions for the Board of County Commissioners:

- **Is the County interested in adopting this road and abandoning the existing easements and/or right of ways?**
- **Is the county comfortable with the design of the proposed road?**
- **Is the County willing to pay for the NEPA study that is required by the BLM to realign the road, or are we going to ask the applicant to do that?**

Possible solutions:

- Have the applicant (Mr. Horton) pay for the NEPA study as part of the adoption/abandonment agreement.
- Have the corners designed for 35-45mph to accommodate larger equipment and/or future growth, or have them designed for 25 mph with the understanding that growth in the area would be limited.
- Have the applicant pay for the additional signage that will be required.
- Enter into a development agreement with Mr. Horton clarifying and solidifying the future uses and access off of this road.

The applicant would like to know where the Board stands on these issues. We may have time over the winter while construction is on hold to address some of these things as well.



October 23, 2014

Mr. Jason Boal, Teton County Planning Administrator
Teton County Planning
150 Courthouse Drive, Suite 107
Driggs, Idaho 83422

RE: Amended Scenic Parkway Road Design Review

Jorgensen Associates, PC (JA) has been retained by the Teton County Planning Department to review and comment on the proposed Scenic Parkway road design. This review is based on horizontal and vertical road design provided by Benchmark Land Surveying, correspondence between Jay Mazalewski and Jess Horton, various reports submitted to Teton County, and conversations with the Teton County Planning Department. Upon Review of the proposed Scenic Parkway Road Design, I have the following observations:

Design Parameters:

Local Road Classification
25 mph design speed
Structural Section = 4 inches of $\frac{3}{4}$ " crushed wearing coarse on 12 inches of Type A pit run

Design Observations:

Milk Creek road does not have an assigned designation on the Teton County Road Classification Map which means it is either currently classified as a Local Road or Recreational Access Road. **Currently the Scenic Parkway Road is being designed to meet the Local Road standard cross section.**

In a memorandum from Jay Mazalewski to Jess Horton dated June 12, 2014, Mr. Mazalewski provided 2 possible acceptable structural sections. **Design plans are compliant with Option 2 listed in the memorandum; 4 Inches of $\frac{3}{4}$ " crushed wearing surface on 12 inches of Type A pit run.**

Design speed for a Local Road classification is 25-35 mph. **The Scenic Parkway Road was designed using a 25 mph design speed.**

Design exceptions to the 25 mph design speed are as follows;

There are three locations that would be considered intersections where the change of direction occurs at 90°. Those instances occur at:

Recommended Action Items:

Consider widening non-compliant vertical curves as recommended.

Require engineer to revise plans to include K-value on plans and confirm compliance to Teton County Design Standards.

Require revised plans to include design criteria and be stamped by engineer.

The memorandum from Jay Mazalewski to Jess Horton dated June 12, 2014 includes the statement "*Areas of poor subgrade, pumping or wet materials may need additional base or geotextile fabric*". Teton County should conduct periodic site visits to inspect native material and existing conditions to determine where additional base and/or fabric is necessary.

The contractor should submit material test results to ensure the ¾" wearing course meets County standards.

Teton County should conduct random compaction tests on all materials to ensure material is compacted to 95% AASHTO T-99 Proctor Density per County design standards.

Driveway access points are not shown. It is recommended that the applicant identify any access points to ensure all County requirements are met. We will provide this in the updated plans.

Advisory signs will be required for non-compliant curves and intersections. The County should consider requiring a sign plan be submitted by the applicant and also consider having all signage installed by applicant prior to acceptance.

This review was conducted based on Teton County development standards, the Scenic Parkway ROW Permit Application, the Scenic Parkway stormwater flow calculations, the Scenic Parkway road design plans, various correspondence and conversations with the Teton County Planning Department.

Sincerely;



Jorgensen Associates
Darryl Johnson, P.E., P.L.S.

We agree with the above recommendations and will provide Teton County with the appropriate documentation.

Thank you for your review, T. Drew Meppen

OTHER ITEMS. Supervisor Clay Smith reviewed his report (Attachment #3). The Board asked Mr. Smith where the materials not hauled away for the landfill cap repair should be stockpiled and learned they should be placed along the western boundary of the Felt pit. Mr. Smith will discuss further with Forsgren. He requested approval to contract with Jeanne Bailey to prepare a grant request to fund the purchase of fabric and geo textile for the Fox Creek and/or 6000 South road reconstruction projects (Attachment #4).

● **MOTION.** Chairman Park made a motion to contract with Jeanne Bailey to prepare a \$100,000 Local Rural Highway Investment Program grant proposal for a fee of \$500. Motion seconded by Commissioner Rinaldi and carried unanimously.

PLANNING & BUILDING

TETON VALLEY SCENIC BYWAY. The Board discussed the memo prepared by Planning Administrator Jason Boal and the Road Design Review memo prepared by Jorgenson Associates (Attachment #5). Since writing his memo, Mr. Boal has learned that the developer no longer wants to build the road to the "Recreational Road" standard. This eliminates one of the major concerns. Other major concerns include several problematic horizontal curves and the need to preserve access points for adjacent landowners.

Commissioners Kunz and Rinaldi agreed that the county would be receiving a significant upgrade to an existing county road and felt the 25 mph design speed would be adequate for the minimal amount of future development that will be allowed in the area, which should be restricted given the limited capacity of the road. However, before committing county funds to a NEPA study, which will be required in order to re-route the existing road across BLM lands, Commissioner Rinaldi said the Board would need to see a viable plan that would allow the County to adopt the Scenic Byway as a county road.

Attorney Faren Eddins was present on behalf of the applicant. He reminded the Board that it was the county's idea that the Scenic Byway be designed in such a way that it could replace the existing rudimentary county road. He said the developer wants to build the new road to an acceptable standard if financially feasible, but is not willing to pay for a NEPA study.

PZC LETTER ABOUT CODE STUDIO. The Board discussed the Planning & Zoning Commission's Oct. 22 letter detailing the sub-standard performance of Code Studio relating to the Teton Valley Code portion of the HUD grant (Attachment #6). The PZC said, "Code Studio has repeatedly reduced the scope of their work and missed deadlines," and asked the Board to file a Freedom of Information Act request to Fremont County and/or HUD to obtain copies of updated contracts along with copies of all Code Studio invoices and payments. They said this information could be used by the Prosecutor to determine if appropriate funds were distributed for the work delivered.

Mr. Boal said he has had several informal conversations with both Fremont County Planning Administrator Tom Cluff and Code Studio, but has been unable to obtain any clarity about the situation. He said Teton County has the right to know the exact scope of work and fees to be paid for that scope of work. The Commissioners agreed that clarity was needed but requested that the letter seek the information needed to understand the contract and obligations and ask Fremont County to suspend payments to Code Studio until the issues are resolved. Later in the meeting, the Board approved the letter drafted by Mr. Boal (Attachment #7).

HEART R RANCH INSIGNIFICANT PLAT AMENDMENT.

● **MOTION.** Commissioner Kunz made a motion to approve the Heart R insignificant plat amendment as recommended by planning staff. Motion seconded by Chairman Park and carried unanimously. (Attachment #8)

SUBDIVISION VACATIONS. Mr. Boal said three subdivisions appear to be ready for vacation: Haden Hollow, Trappers Ridge and Ridgeline Ranch (Attachment #9). All three have been in breach of their development agreements since 2011 and have failed to make application for replatting. The Board approved proceeding with the vacation process, but asked Mr. Boal to keep them informed of the process.

COMMISSIONERS PRESENT: Kelly Park, Bill Leake, Cindy Riegel

OTHER ELECTED OFFICIALS PRESENT: Prosecutor Kathy Spitzer, Sheriff Tony Liford

Chairman Leake called the meeting to order at 9:01 am and led the Pledge of Allegiance.

There were no items for the Board of Equalization.

ADMINISTRATIVE

● **MOTION.** Commissioner Park made a motion to approve the minutes from February 9 as written. Motion seconded by Commissioner Riegel and carried unanimously.

● **MOTION.** Commissioner Park made a motion to release the bond for the Teton Creek project. Motion seconded by Commissioner Riegel and carried unanimously.

● **MOTION.** Commissioner Park made a motion to approve the proclamation naming March 4 as Idaho Day. Motion seconded by Commissioner Riegel and carried unanimously. (Attachment #1)

The Board acknowledged the receipt of the Teton Valley Health Care 4th quarter lessee report (Attachment #2).

INDIGENT 101. Indigent Director Janette Burr explained the indigent process and answered questions (Attachment #3). She said Medicaid expansion would provide insurance for residents earning too little to qualify for Obamacare subsidies. This would eliminate the need for the indigent program to pay emergency medical care costs for those residents and would reduce expenses by providing preventive care.

COMMITTEE REPORTS. Commissioner Park attended the Fair Board meeting where they discussed applying for a grant to have a commercial kitchen at the fairgrounds.

Commissioner Riegel attended the School Board meeting where they discussed the March 10 supplemental levy election. They also discussed hiring an outside consultant to perform a facility needs and assessment. The School Board would like to do more investigation before holding another Bond election.

Commissioner Riegel also attended the Local Food Systems Conference in Louisville, Kentucky as a representative of High Country RC&D and Teton County and learned about many innovative ideas related to agriculture and local food. She would like to create a local Food Council to use food and agriculture to help grow the economy.

Chairman Leake attended the Feb. 12 meeting of Eastern Idaho Public Health where he learned that the legislature will probably not approve Medicaid expansion this year, which means the counties and state will continue paying medical bills. EIPH plans to help people learn to take better care of themselves and will provide more preventative health services in order to minimize the cost of medical bills. Chairman Leake encouraged the Board to stay informed about proposed legislation since many bills would affect the county.

SNOW MACHINE GROOMING DISTRICT

Randy Horman, chairman of the District 33 Grooming district, spoke regarding the proposed relocation of W4000N. He is worried about public access for grooming equipment and asked the Board to insure that such access is maintained. The Board instructed Public Works director Darryl Johnson to make note of this as the road relocation proceeds.

MORNING MIC

Chairman Leake reviewed the revised rules for Open Mic.

John Fisher spoke on behalf of his son, Mark Fisher, who would like a dedicated pedestrian lane or path created when E5000S is rebuilt.



FROM: Planning Staff, Jason Boal
TO: Board of County Commissioners
RE: Teton View Scenic Byway
MEETING: March 23, 2015

I would like to provide a timeline on the Teton View Scenic Byway. Currently the county is waiting for updated plans (including an access map) before taking any further action.

- September 4, 2014- site visit and photos.
- September 5, 2014- I made contact with Jess. He informed me he had talked to Jay Mazalewski about the road. I informed Mr. Horton that he needed a EPA Storm Water Permit, and asked for plans for the road.
- September 16, 2014 I spoke with the BLM regarding the easement across their property.
- September 17, 2014- I informed Mr. Horton about my conversation with the BLM as asked again for plans of the road.
- September 19, 2014- I received the plans for the road. I informed Mr. Meppen (acting engineer) that *"if the county is to adopt this road we would need stamped drawings, cross sections, testing and inspection on all parts of it, not just the parts in the existing right of way"*
- September 19, 2014- I put the discussion of the road on the agenda for the BoCC's September 22nd meeting.
- September 22, 2014- I went before the BoCC and asked three questions about the project (SEE ATTACHED MEMO):
 - **Is the County interested in adopting this road and abandoning the existing easements and right of ways?**
 - *The BoCC couldn't answer this question unless they had additional information*
 - **Is the County willing to utilize a contract engineer to review the road design?**
 - *I was authorized to use a 3rd party engineer to review the plans we received (Jorgenson was used).*
 - **Is the County willing to work with the BLM to realign the road, or are we going to ask the applicant to do that?**
 - *The BoCC did not feel they could answer this question either until we had more information.*
- September 22, 2014- I spoke with the BLM about the easement and what it would take to realign the road.

- September 25, 2015- Had a conference call with Mr. Horton, Mr. Sean Moulton, Darryl Johnson and Rebecca Lazdauskas (BLM) about the NEPA requirements for realigning the road. If the county applied there would be no cost, but there would be if Mr. Horton applied.
- September 26, 2014- there was a discrepancy discovered in the centerline of the ROW that went through the BLM land.
- September 29, 2014- I informed Mr. Moulton that Jorgenson was doing a review and that the BoCC needed to see that review and make a decision whether the county wanted to adopt the road. Once those things happened we could move forward with an application to the BLM.
- September 29, 2014- Jorgenson Engineering (Darryl) emailed Mr. Meppen, the project engineer his review of the road.
- October, 13, 2014- Jorgenson Engineering (Darryl) met with Mr. Meppen to review concerns he had.
- October 21, 2014- I received Jorgenson Engineering's review of the road (SEE ATTACHED DOCUMENT)
- October 27, 2014- The issues was once again before the BoCC. I outlined 5 concerns I had and asked 3 additional questions:
 - **Is the County interested in adopting this road and abandoning the existing easements and/or right of ways?**
 - **Is the county comfortable with the design of the proposed road?**
 - **Is the County willing to pay for the NEPA study that is required by the BLM to realign the road, or are we going to ask the applicant to do that?**

From the minutes of that meeting:

Commissioners Kunz and Rinaldi agreed that the county would be receiving a significant upgrade to an existing county road and felt the 25 mph design speed would be adequate for the minimal amount of fixture development that will be allowed in the area, which should be restricted given the limited capacity of the road. However, before committing county funds to a NEPA study, which will be required in order to re-route the existing road across BLM lands, Commissioner Rinaldi said the Board would need to see a viable plan that would allow the County to adopt the Scenic Byway as a county road.

Attorney Faren Eddins was present on behalf of the applicant. He reminded the Board that it was the county's idea that the Scenic Byway be designed in such a way that it could replace the existing rudimentary county road*. He said the developer wants to build the new road to an acceptable standard if financially feasible, but is not willing to pay for a NEPA study.

**this has not been confirmed by current or former county staff*

- **October 27, 2014- I contacted the BLM to find out what detail was needed for the NEPA, as I wanted to start pricing out the cost to the county for this work.**
- November 3, 2014- I informed Mr. Horton that I was exploring the cost of the NEPA study, but that we also needed an access map showing how existing properties would access the new road.
- November 4, 2014- Mr. Horton explained his dialog with property owners on the route and stated "We intend to provide you at some time in the near future an OVERVIEW MAP that will identify these access locations."
- November 4, 2014- I outlined the three main things I needed before going back to the BoCC:
 - 1) The over view map showing the proposed access locations (Ideally we would like this sooner rather than later so we can touch base with the property owners as well)

2) More information on the NEPA. (It does appear that the BLM would be able to conduct the assessment for the county, this will take longer than hiring someone to have it done however. The Board does not appear to be comfortable applying for realignment until there is a general agreement that the new alignment is feasible and in the interest of the public. That is why #1 & #3 are key)

3) The Board wanted your engineer to review the comments from Darryl and see if there was any way to address his concerns, especially the tight corners.

I also started the application to the BLM so that if the Board made the decision to move forward with the road it would be ready to submit.

- November 5, 2014- Mr. Horton sent a email stating- "After discussions with our Engineer we will get back with you. "
- February 2, 2014- I sent a email to Mr. Horton, his engineer and Mr. Moulton asking for any updates. I did not get a response.

review plans for E5000Sand hopes to have this out to bid sometime in May. An application has been submitted to the US Corps of Engineers and Idaho Department of Water Resources related to the 6000S project. Wetlands mitigation will most likely be required.

The 2015 FY budget includes a \$30,000 line item for a new vehicle for the road and bridge supervisor. The truck will cost \$30,759.75 via a State of Idaho contract. The \$759.75 excess cost will be paid with funds remaining after the pup trailer purchase. The current Supervisor's truck will become part of the R&B fleet, and their 1982 Chevrolet ¾ ton will be sold via auction.

PLANNING & BUILDING

LAND USE CODE REVISIONS. Planning Administrator Jason Boal has asked Fremont County if remaining grant funds could be used to create a website for public outreach. Code Studio currently has a website for Teton Valley, but he is concerned about its continued availability and ability to update content after the contract ends. Mr. Boal is making good progress on Article 10 use provisions and will write his review and post it on the website. He and the city planners have discussed the need for similar definitions.

TITLE 2-2-6 REVISION. The Board reviewed a proposed amendment to the Planning & Zoning Commission Attendance Policy and recommended several changes (Attachment #3).

TARGHEE RANCH INSIGNIFICANT PLAT AMENDMENT. The owners of two lots are seeking a relocation of the access in order to preserve view angles. This subdivision is in the Driggs area of impact and the city has no problem with the proposed amendment (Attachment #4).

● **MOTION.** Commissioner Riegel made a motion to approve the request for an insignificant plat amendment for Targhee Ranch Division 1, Lots 20A and 20B. Motion seconded by Commissioner Park and carried unanimously.

W4000N PACKSADDLE ROAD UPDATE (TETON VIEW SCENIC BYWAY). The Board reviewed Mr. Boal's memo summarizing the Scenic Byway conversations to date (Attachment #5). He would like to transition responsibility for this road issue to Public Works Director Darryl Johnson. Chairman Leake doesn't believe the County wants to assume ownership and maintenance responsibilities for the road. Mr. Boal reminded the Board that if adopted, the County is under no obligation to provide road maintenance beyond what is currently being provided for W4000N. The County has requested engineered plans and has not received them, so is unable to decide if it should be adopted. Due to persistent public inquiries, Commissioner Leake asked that a short summary about the road be posted on the website. Mr. Boal will provide the requested summary and will also post other documents relating to the road. Mr. Johnson is willing to become the point person for this road issue, but will consult with Mr. Boal and the Board regarding any planning/zoning questions.

FAIR BOARD REQUESTS & RECREATION PLAN. The Board discussed Mr. Boal's memo about Department Responsibilities (Attachment #6), written in response to a memo from the Fair Board (Attachment #7). Mr. Boal is concerned that assisting with Fair Board projects will take away from services currently provided by various departments. He is also concerned that departments not be assigned conflicting or competing responsibilities. Since the Fair is a strong component of the recreation plan, the Board wondered if there may be an opportunity to create a county position to assist the Fair Board and also begin implementation of the recreation plan. Mr. Boal said coordination of the recreation plan is very important in order to maximize available resources.

Fair Board member Linda Skujins said she found Mr. Boal's memo to be very disconcerting since they were simply making very minor requests for assistance with signage and easements. She said the Fair Board wants to work with the county via an improved partnership. Chairman Leake assured Ms. Skujins that the Board wants to help the Fair Board in any way possible.

Commissioner Riegel believes it's worth looking into a position for someone to coordinate activities at the fairgrounds, as well as other recreational activities, and wants to do so during the budget process. Since it's

Darryl Johnson

From: Drew Meppen <drewmep@gmail.com>
Sent: Tuesday, May 05, 2015 2:30 PM
To: Darryl Johnson
Cc: Jess Horton
Subject: Update for Teton Valley Scenic Parkway (TVSP)
Attachments: Return Comments_ TVSP Engineer Review_5.5.15.pdf

Darryl,

Please see the attached PDF of our return comments from your review on the TVSP project. Once again we appreciate your time meeting with us on 4.24.15. From that meeting the BLM property for this project was discussed. We were wondering if you had an update from the county on this issue. We appreciate any feedback on this so that we might know how to proceed forward.

Thanks,

--
T. Drew Meppen
208.313.4267



October 23, 2014

Mr. Jason Boal, Teton County Planning Administrator
Teton County Planning
150 Courthouse Drive, Suite 107
Driggs, Idaho 83422

RE: Amended Scenic Parkway Road Design Review

Jorgensen Associates, PC (JA) has been retained by the Teton County Planning Department to review and comment on the proposed Scenic Parkway road design. This review is based on horizontal and vertical road design provided by Benchmark Land Surveying, correspondence between Jay Mazalewski and Jess Horton, various reports submitted to Teton County, and conversations with the Teton County Planning Department. Upon Review of the proposed Scenic Parkway Road Design, I have the following observations:

Design Parameters:

Local Road Classification
25 mph design speed
Structural Section = 4 inches of $\frac{3}{4}$ " crushed wearing coarse on 12 inches of Type A pit run

Design Observations:

Milk Creek road does not have an assigned designation on the Teton County Road Classification Map which means it is either currently classified as a Local Road or Recreational Access Road. **Currently the Scenic Parkway Road is being designed to meet the Local Road standard cross section.**

In a memorandum from Jay Mazalewski to Jess Horton dated June 12, 2014, Mr. Mazalewski provided 2 possible acceptable structural sections. **Design plans are compliant with Option 2 listed in the memorandum; 4 Inches of $\frac{3}{4}$ " crushed wearing surface on 12 inches of Type A pit run.**

Design speed for a Local Road classification is 25-35 mph. **The Scenic Parkway Road was designed using a 25 mph design speed.**

Design exceptions to the 25 mph design speed are as follows;

There are three locations that would be considered intersections where the change of direction occurs at 90°. Those instances occur at:

Station 86+65
Station 171+92
Station 242+69

Additional warning signage and possible stop signs would be necessary at these locations.

There are eight locations where design horizontal curves are non-compliant with the 25 mph design speed, 3 of which were deemed insignificant due to the short curve length. Those instances occur at;

Station 87+23, Radius = 50' (length = 50', insignificant) -This curve is at the intersection where there be a stop sign.
Station 127+38, Radius = 200' (length = 104', insignificant) -This curve will be changed to 250'
Station 134+44, Radius = 100' (length = 73', insignificant) -This curve will be changed to 250'
Station 158+50, **Radius = 65'** -We would like to widen the inside travel lane as recommended below.
Station 226+79, Radius = 200' -This curve will be changed to 250'
Station 231+10, Radius = 137' -We would like to widen the inside travel lane as recommended below.
Station 238+85, Radius = 100' -We would like to widen the inside travel lane as recommended below.
Station 241+23, Radius = 100' -This curve is at the intersection where there will be a stop sign.

Minimum horizontal curve for a 25 mph design speed is 250'. Based on the ASSHTO Design manual, 2011 Edition, JA is recommending widening the inside lane by the following:

Station 158+50, Widen inside travel lane 6'
Station 226+79, Widen inside travel lane 2'
Station 231+10, Widen inside travel lane 2'
Station 238+85, Widen inside travel lane 4'
Station 241+23, Widen inside travel lane 4'

Recommended lane widening does not include the 2' shoulder design. Widening the lanes as recommended will allow for farm equipment and recreational vehicles to navigate the curves traveling at low speeds but not in both directions at the same time.

All vertical grades are all under 8%. Teton County Standard maximum grade is 10%. However, K-values are not listed on the road design. Engineer should calculate K-values to confirm compliance with the design standards. Minimum K-values for 25 mph design are 12 for crest curves and 26 for sag curves. We will provide these values with c updated plan set.

Culvert sizes are not called out on the design plans. Minimum size required must accommodate a 10 year flood event. Please see the Culvert Table on sheet 2. We will provide the additional supporting documents with the updated plan set.

Recommended Action Items:

Consider widening non-compliant vertical curves as recommended.

Require engineer to revise plans to include K-value on plans and confirm compliance to Teton County Design Standards.

Require revised plans to include design criteria and be stamped by engineer.

The memorandum from Jay Mazalewski to Jess Horton dated June 12, 2014 includes the statement "*Areas of poor subgrade, pumping or wet materials may need additional base or geotextile fabric*". Teton County should conduct periodic site visits to inspect native material and existing conditions to determine where additional base and/or fabric is necessary.

The contractor should submit material test results to ensure the ¾" wearing course meets County standards.

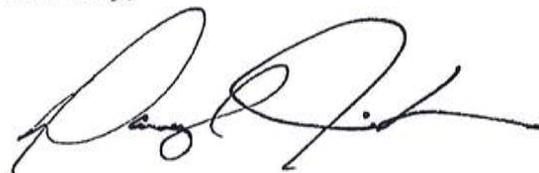
Teton County should conduct random compaction tests on all materials to ensure material is compacted to 95% AASHTO T-99 Proctor Density per County design standards.

Driveway access points are not shown. It is recommended that the applicant identify any access points to ensure all County requirements are met. *We will provide this in the updated pl*

Advisory signs will be required for non-compliant curves and intersections. The County should consider requiring a sign plan be submitted by the applicant and also consider having all signage installed by applicant prior to acceptance.

This review was conducted based on Teton County development standards, the Scenic Parkway ROW Permit Application, the Scenic Parkway stormwater flow calculations, the Scenic Parkway road design plans, various correspondence and conversations with the Teton County Planning Department.

Sincerely;



Jorgensen Associates
Darryl Johnson, P.E., P.L.S.

We agree with the above recommendations and will provide Teton County with the appropriate documentation.

Thank you for your review, T. Drew Meppen

wants” on any long-range plan. The West Pine Creek Bridge on Idaho 31 will be replaced beginning July 16. This will result in a one-lane bridge with traffic controlled by an automated stoplight. If ITD is made aware of major events in the valley, they can have someone at the light to override the signal if necessary to improve traffic flow before or after the event.

Commissioner Riegel has also been attending school board meetings because it’s important for the Board to be aware of school issues. She said the School District and teachers union, which represents 95% of the teachers, have requested mediation to resolve salary issues.

Chairman Leake asked Commissioners Riegel and Park to help select the top five essays to be during the July 4 celebration in Driggs. Students were asked to write answers to the question: “What Does Independence Day Mean to You?”

OPEN MIC

Mark Daluge spoke about weed education and control, and about chemical safety.

PUBLIC WORKS

Director Darryl Johnson reviewed his bi-monthly report (Attachment #4).

TETON VALLEY SCENIC PARKWAY (W4000N, PACKSADDLE ROAD). Landowner Jess Horton provided a package of drawings late last week, accompanied by several memos written by his engineer (Attachment #5). Although the plans look great, said Chairman Leake, the county will have no funds for additional road maintenance in the foreseeable future. He is concerned about the county’s future obligations.

Mr. Johnson agreed that the county needs no more maintenance responsibilities. However, he said most county roads have been established simply by being driven on and require much more maintenance than a new road built to county standards. Mr. Horton is proposing to replace the old county road with a new road and understands the road receives no winter snowplowing. Mr. Johnson said the proposal is to vacate the existing county road and replace it with the new road now under construction on private property. This would require a public hearing.

Commissioner Park said the new road would greatly improve safety and would be a big improvement for the community. However, he is concerned that snowmobiles continue to have winter access in this area.

Mr. Horton said the current road doesn’t serve the public and isn’t good for the property owners. Forest users continually trespass and damage private land. He and his neighbors need reliable access to their properties and developed a plan which was reviewed by the county’s previous engineer, who encouraged them to consider replacing the entire road. He was told that a new road must protect current private accesses and be built to county standards in order for it to be adopted as a county road. Mr. Horton said all adjacent property owners have approved the new plans, which meet county road standards.

Commissioner Riegel said this proposal should have come before the Board earlier in the process even though there is no requirement to obtain county approval to build a road on private land. Although the scenic/historic pullouts and kiosks seem like a nice amenity, she is not sure the county can assume responsibility for their ongoing maintenance. She questioned why the landowners would want to attract more people to the area and said additional traffic would result in the need for more road maintenance.

Mr. Horton said his team assessed the area and analyzed how to best allow the public to enjoy the road and the area. He thinks the road would be a desirable amenity and tourist attraction, somewhat like the Blue Ridge Parkway in North Carolina. He said pullouts and kiosks are a well-intended offering, but if the county doesn’t want the features, the owners will simply build a basic road. In order to alleviate parking trespass problems, the plans also include a donation of about 8 acres of land to create parking lot for Forest users.

A small portion of the road crosses BLM land, where the county has a right-of-way. However, Mr. Horton said neither of the two muddy 2-tracks across the BLM property actually follow the county right-of-way.

Furthermore, the right-of-way curve radius is not adequate. Mr. Horton has talked with the BLM, who is amenable to modifying the county's right-of-way, but only the county can request such a modification. Commissioner Riegel expressed concern about modifying the county's BLM right-of-way before making a decision whether to vacate the existing road and adopt the new road. However, attorney Sean Moulton said the county would not lose the current access by filing a new application with the BLM.

Commissioner Riegel suggested the county might decide to adopt just a small portion of the new road, such as the switchbacks replacing the current steep grade at Kay's Hill. This would not be possible, said Mr. Horton, because a partial adoption would not resolve trespass and other problems.

Chairman Leake summarized the discussion by saying the county seems to have two major tasks: (1) Analyzing all information and engaging the public in order to decide whether the county should vacate the existing road and adopt the new road; and (2) Working with the BLM to modify the right-of-way. He estimated these tasks could take 6-8 months. Chairman Leake said the Board must weigh all factors including safety, cost, public desires and conformance with the county's transportation and development plans.

The Board asked Mr. Johnson to present a plan and timeline for completion of these tasks.

ROAD & BRIDGE. Construction on E5000S will begin immediately. All mag chloride treatment scheduled for 2015 was completed the week of June 22. The detour routes both north and south of E5000S were also treated. Crews are prepping roads scheduled for chip seal the end of July/first of August. They are also reconstructing S4000W. All 2015 crack sealing is complete.

SOLID WASTE. A new foreman has been hired but applications are still being taken for the seasonal laborer position. Waste hauler proposals will be opened July 1.

LANDFILL CAP. DePatco plans to begin work on June 29. Zollinger will complete hauling material from the Felt gravel pit by July 23. (The deadline was extended due to rain delays during May and early June.) Action Excavation will begin hauling the general fill material on July 11.

PLANNING & BUILDING

Administrator Jason Boal reviewed his Public Outreach/Work Plan memo, written to clarify comments made during the June 16 work meeting (Attachment #6). He emphasized that completing the text of the zoning code before drawing lines on a map had always been the plan and was a common practice. Mr. Boal expects the text to be ready for public review within a couple months, after which a zoning map could be created. However, he said public outreach efforts for zoning ordinances is much different than public outreach for a Comprehensive Plan and provided the following quote from Madison, Wisconsin:

Rewriting a zoning code differs from a comprehensive or area plan process, and therefore requires a different approach to participation. Essentially, the current zoning code is so detailed and specific, and its organization is so complex that it is difficult for the general reader to understand or navigate. At the same time, there will be a high level of public interest in the process, and many interest groups and organizations will want to be involved. The challenge is how to convey the meaning of this challenging document in such a way that citizens can understand the issues, compare the current code to the proposed new code, and make informed choices.

Commissioner Riegel agreed that the outreach should be different and suggested the county hire a consultant to insure that an effective public participation process is developed. Mr. Boal doesn't think the county got their money's worth from previous work products provided by consultants and believes his staff can perform the necessary work. He said an in-house outreach effort would also help build relationships between the planning department and public. Commissioner Riegel expressed concern that the staff's increasing workload this summer might hinder the process and reiterated the offer to hire a consultant to help the planning department prepare specific documents and conduct public workshops.



WK: 208-354-0245
djohnson@co.teton.id.us

Public Works Department
MEMORANDUM

150 Courthouse Drive
Driggs, ID 83422

DATE July 9, 2015

TO: Board of County Commissioners
FROM: Teton County Public Works Director – Darryl Johnson, PE, PLS
SUBJECT: Scenic Parkway Analysis

During the June 20, 2015 Board of County Commissioners Meeting, project representative and landowner Mr. Jess Horton presented his updated design plans for the proposed Teton Valley Scenic Parkway and requested that the BoCC consider accepting the new road corridor in exchange for the vacation of the existing road alignment as shown in the Project Overview Map submitted during the Commissioners Meeting.

The purpose of this memorandum is to summarize the impacts of the proposed Scenic Parkway road adoption and how it fits with County planning goals.

Consistency with Teton County Planning Documents

The proposed corridor was reviewed for consistency with the following documents:

- Teton County Transportation Plan
- Teton County Comprehensive Plan
- Teton County Recreation and Public Access Master Plan
- Teton County Economic Development Plan

Attached with this memorandum are excerpts from the four County documents. *In summary; there is a consistent theme throughout all documents that supports enhancing and preserving access to public lands.* In addition to adopting a road constructed to County standards, the applicant is offering to donate 8 acres of land to the County and construct a Forest Service access public parking facility. Jay Pence, USFS pointed out that there is currently no “official” parking area accessing forest service land. The proposed an 8 acre site that will accommodate 16 car parking stalls and 6 truck & trailer parking stalls.

Access Points & Driveways: The applicant submitted an access plan that appears to address all existing private land access points as well as public land access points. Should the County decide to move forward with adopting the new corridor, a condition of approval should be that all parties affected by the re-alignment be satisfied with the new access configurations.

Required Permits: Not all driveway access permits have been approved. The applicant has not received a permit to work perform work on the existing road, only access permits have been approved. The applicant will need to work with Road & Bridge to obtain all permits required. No insurmountable issues are anticipated in acquiring the proper permits if the project were to proceed.

Application to the BLM: Teton County began coordination with the BLM in the fall of 2014 in anticipation of assisting Mr. Horton with the BLM application necessary for re-alignment of the road across BLM property. By having the County submit the application, the associated fee would be waived. In a recent conversation with the BLM it was learned that an environmental assessment (EA) study was required as a part of the application. Although the BLM would be able to provide the EA study, it was communicated that it would likely take up to or possibly more than a year before the BLM was able to get to this request due to their backlog of work. The BLM suggested that the applicant consider having a

consultant conduct the EA study if this was a time sensitive project. Cost of an EA study was not determined at the time of this report. The County has temporarily ceased with assistance of the application effort until notice to proceed has been directed by the BoCC.

Cost Analysis: The Public Works Department has established an estimated cost to maintain our existing gravel county roads to be approximately \$3,000 per mile. Maintenance includes grading 3 to 5 times per year and snow removal in the winter time. Excluding winter maintenance, the cost is reduced to approximately \$2,100/mile. Total length of the proposed corridor from west of the intersection of W4000N and N9000W to the intersection of Highway 33 is approximately 10.4 miles. Currently, the County does minimal annual maintenance on the existing road and does not maintain/plow the road in the winter time. A crude calculation of maintenance for the entire 10.4 miles of road section is as follows:

- Current annual maintenance: \$18,700
- Seasonal maintenance, closed during winter months: \$21,800
- Year round maintenance \$31,200

Note: Maintenance costs shown do not include lifecycle reconstruction costs. Heavy traffic is not anticipated along this corridor for the foreseeable future. Annual maintenance on a road section built to County standards should not require significant road reconstruction for 15-20 years.

Agency Support: The following is a response email from the USFS District Ranger Jay Pence:

The Forest Service is neutral in this discussion and I wish the county well in their deliberations.

On review, it appears that the proposal improves the access to the National Forest (Packsaddle, Rammell Hollow, Road 657) due to overall reductions in grade vs the existing county road. Thank you for considering larger vehicles (logging trucks, recreational vehicles).

The parking lot (Rammell Hollow/Packsaddle) is a generous concession to the County? It will effectively move the winter parking from Kays Dairy to this location at some time in the future. How could this affect the winter snowmobile grooming of the area? Is there an enlarged easement to allow for grooming parallel to the "plowed" county road? If the area or county significantly increases in size, how large should this kind of parking lot (land base) be in order to provide for anticipated future parking and snow storage?



Jay Pence
District Ranger

Forest Service
Caribou-Targhee National Forest, Teton Basin Ranger District

p: 208-354-2312
jpence@fs.fed.us

515 S. Main Street
P.O. Box 777
Driggs, ID 83422

Caring for the land and serving people

Recommendation:

Based on the consistency with applicable planning documentation and information provided by the project representative the County Engineer is recommending the following actions:

1. Allow for public input
2. Schedule a dedicated work meeting with the applicant and discuss:
 - Public concerns
 - Level of amenities desired by the County
 - The County's role in assisting approval through other government agencies
 - Identifying a timeline for County's decision to adopt the Scenic Parkway Road as a County Road
3. Provide the project representative the County's decision on whether or not they wish to adopt the Scenic Parkway Road and associated conditions

Consistency with Teton County Planning Documents

Transportation Plan

The purpose of the Teton County Transportation Plan is to provide a safe, efficient and logical hierarchy of roadways that meets the growing commercial, personal and emergency needs of Teton County residents and visitors facility, with multi-modal opportunities, to meet the personal and commercial needs of local residents and visitors to the region.

The Task force and Technical Advisory Group also helped define the specific goals for the Teton County Transportation Plan as follows:

- GOAL #1** *The Teton County Transportation System will be planned and organized to include arterials, collectors and local roads that meet the need of in county and through county travelers.*
- GOAL #2** *The cost of needed transportation system improvements to support growth and development will be paid for primarily by the developers, rather than the general public.*
- GOAL #3** *Teton County will strive to maintain existing public road access to surrounding public lands.*

Chapter 5 – Impacts of Growth and Future Needs:

The evaluation of future needs for the Teton County Transportation System plan is shaped by this Purpose Statement and the Goals developed for this plan. Existing transportation conditions and projected future transportation conditions are evaluated in terms of the Purpose Statement and Teton County Goals to determine what general types (and general locations) of improvements are needed to improve the current system or mitigate the impacts of future traffic growth on the system. The Needs Assessment is also based on advisory committee input and public comments received at meetings, written comments forms, and Internet surveys. Much of the discussion regarding Teton County Transportation System focuses on SH-33, since the corridor is the major arterial connecting Teton County communities, and it forms an important linkage to communities to the west and to Teton County Wyoming.

The purpose of the Teton County Transportation Plan is to provide a safe, efficient and logical hierarchy of roadways that meets the growing commercial, personal and emergency needs of Teton County residents and visitors facility, with multi-modal opportunities, to meet the personal and commercial needs of local residents and visitors to the region.

The Task Force and Technical Advisory Group also helped define the specific goals for the Teton County Transportation Plan as follows:

- GOAL #1** *The Teton County Transportation System will be planned and organized to include arterials, collectors and local roads that meet the needs of in county and through county travelers.*
- GOAL #2** *The cost of needed transportation system improvements to support growth and development will be paid for primarily by the developers, rather than the general public.*
- GOAL #3** *Teton County will strive to maintain existing public road access to surrounding public lands.*

Chapter 6 – Recommended Improvements and Implementation

<p>Teton County will strive to maintain existing public road access to surrounding public lands.</p>	<ol style="list-style-type: none"> 1. Teton County will require opportunity for comment from public land management agencies regarding any action that poses a threat to public access to public lands from county roadways. 2. Teton County will insure to the best of their ability that all access points on county roadways to public lands are clearly marked 	<ol style="list-style-type: none"> 3. Teton County will work with area public land managers to cooperatively develop road management plans that meet public needs for access to public lands
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Comprehensive Plan

Natural Resources & Outdoor Recreation

Guiding Principles

- Enhance and preserve our access to public lands and recognize the need to accommodate different user groups in a way that minimizes user conflict and area damage
- Conserve public lands and natural resources (air, water, wildlife, fisheries, wetlands, dark skies, viewsheds, soundscape, soils, open space, native vegetation)
- Provide multiple use recreation, including biking, hiking, hunting, skiing, fishing, motorized and non-motorized trail riding, horseback riding, boating, non-motorized flight and more
- Balance private property rights and protection of natural resources

transportation

Goal T 1: Provide well-maintained transportation infrastructure including roads, paved pathways and sidewalks.

Policies

- 1.5 Provide/promote off-road transportation corridors to and from Public Lands suitable for both motorized and non-motorized vehicles.

Natural Resources & Outdoor Recreation

Goal NROR 2: Enhance and preserve our access to public lands and recognize the need to accommodate different user groups in a way that minimizes user conflict and damage to natural resources.

Policies

- 2.1 Maintain and improve existing public land and river access.
- 2.2 Support the creation of new public land access when it's consistent with natural resource conservation goals.
- 2.3 Support the creation of a County motorized and non-motorized summer and winter travel plan which includes access points.
- 2.4 Consider and accommodate access for different user groups to minimize user conflict and resource damage.
- 2.5 Seek cooperation of private landowners to improve accessibility to adjacent public lands.
- 2.6 Work with state and federal agencies and private landowners to protect environmentally-sensitive areas from resource degradation.

Goal NROR 3: Provide and promote exceptional recreational opportunities for all types of users (including but not limited to biking, skiing, fishing, off-highway vehicle use, target practice, hunting, trail users, equestrians, boating and non-motorized flight) as a means for economic development and enhanced quality of life.

Policies

- 3.1 Enhance and improve all-season access to public lands and waterways, except where necessary to protect areas from environmental degradation, negative impact to wildlife habitat, or to protect public safety.

Recreation & Public Access Master Plan

Executive Summary:

Master Plan Goals

- Improve administration and coordination of existing programs and facility maintenance
- Establish one or more stable funding sources and develop a long-range funding plan for facilities, programs and access
- Improve the condition of existing facilities before making investments in new ones
- Conduct feasibility studies for larger capital improvements which will require capital campaigns to fund and will not be able to be funded solely by a recreation district or sales taxes
- Grow and expand recreation programs targeted to youth in the short term and middle aged and senior populations in the long term

PUBLIC ACCESS

Access to the beautiful and world class public lands and waterways is one of the most important assets in Teton Valley. There are a total of thirty-six points of access onto Forest Service and Bureau of Land Management (BLM) land, eight points of access to the Teton River, and one access point to Trail Creek Pond. Most of the river accesses have restrooms available, although very few of the land accesses have restroom facilities. Only one waterway access, to Trail Creek Pond has American with Disabilities Act (ADA) compliant fishing accessibility.

Public access needs, especially for the more heavily used locations, include securing right-of-ways or easements to improve or maintain existing access locations, improving signage and wayfinding, constructing parking facilities, and adding restrooms. There is also a need for improving and coordinating the information that is provided to the public on access areas.

3.5 Public Access:

"An important recreation issue is the need to ensure that there is continued and improved public access to the Forest Service and BLM land and to local streams and rivers. This includes having good trails for motorized and non-motorized users, as well as good access points that have adequate parking and restroom facilities.

Another identified concern is establishing right-of-ways and easements to secure historic access points and to make additional accesses available. This may be difficult to accomplish as part of the recreation master plan and will certainly involve partnerships with local government, the federal land managers, and private land owners."

Economic Development Plan

- **Protection and Fostering of Lifestyle-** People move to Teton Valley because they love the outdoors and because they have flexibility in their location decisions. The assets that create our high quality of life need to be protected and enhanced. These assets include: access to the natural and recreational resources, arts and cultural events/unique community character, agriculture and local food, and affordability.

Strategy B1g: Improve recreation infrastructure

One of Teton Valley's main assets is its access to high quality outdoor recreation. Building and enhancing this asset is an important component of attracting investment. Recreation improvements may include: basic park facilities, forest access and parking, trails, pathways, motorized routes, groomed winter trails, the Kotler Ice Arena, Teton Valley riding area, and a future recreation center. By working with the US Forest Service on trails and Idaho Department of Fish and Game on river accesses, and other public lands agencies, the community could add to the overall attractiveness of Teton Valley improve its position as a recreation destination.

Darryl Johnson

From: Jess Horton <jwh@clmna.com>
Sent: Wednesday, July 22, 2015 1:25 PM
To: Darryl Johnson
Subject: RE: Scenic Bypass Report to BoCC

Darryl -

I will plan to be available on the dates you have identified.

Our objective is to 1- Provide reasonable access to our properties that can be easily maintained, 2- Provide the public the access and parking they need to use the public lands (NFS), and 3- Eliminate public use and resulting damage of our private ground. Accepting the road where and as being built with the new parking area will, in our judgment, accomplish these objectives. These are absolutes for us, not the other items offered for consideration.

The other items that have been proposed such as the multi-use trail and the pullovers for public appreciation and enjoyment are NOT absolutes from our perspective. They were offered as an option for the BOCC to consider and they can be provided to the County at their choosing. All other things being agreed, it is possible that we would donate a Right of Way of the width necessary for the trail to be built later, assuming that the Commissioners and/or public did NOT want the trail completed at this time. The Pullovers could be eliminated or later constructed by a Historical Group that would be responsible for their construction and maintenance.

In summary, we are very flexible on the items in the above paragraph but we have no flexibility in our objectives paragraph. We have chosen to spend a large amount of money to offer what we believe is a fair and reasonable solution to the public needs and to solve our private property concerns. We chose not to complain or create a problem for the public because frankly the public needs a place to park and better access to the NFS. We understand this and have chosen to react with a positive plan to solve a mutual problem.

On maintenance, we have not ask for any maintenance now or in the future on the road we are presently building. There has been a long history of NO maintenance on the existing two track that is called a County Road that travels through our lands. If the County chooses to NOT MAINTAIN the relocated road, that will not be a change from the existing road maintenance activity. You and I know that the new road would require much less maintenance to make it usable for normal traffic and if MAINTENANCE was the problem for the BOCC, we (the West Bench Property Owners) could consider a Private Maintenance Association to satisfy our

needs. Maybe the answer is that we keep it a PRIVATE ROAD and deed the public a right of way for use, assuming that is workable with the attorneys. That would be similar to the existing NFS accesses. They indicate on their signs that their access is a PUBLIC ACCESS across PRIVATE PROPERTY. We would not prefer this approach but it is an option for your consideration.

I hope that this has clarified any questions that you or the BOCC members may have about our position on the offering and I am sorry that my earlier explanations were not more clearly stated.

It may be helpful if you make sure that much of this has been communicated to the BOCC members prior to their review. This could be very helpful in making sure they understand our position and where we are flexible.

Thanks.

Jess