

**Teton County Idaho Commissioners' Meeting Agenda**  
**Monday January 23, 2017 9:00 am**  
150 Courthouse Drive, Driggs, ID – 1<sup>st</sup> Floor Meeting Room

**9:00 MEETING CALL TO ORDER** – Chair  
*Amendments to Agenda*

**PUBLIC WORKS** – Darryl Johnson

1. Solid Waste
  - a. Recycling Baler Replacement Request
  - b. Approval of Loader Replacement Tires
  - c. Recycler/Operator Position Available
2. Road & Bridge
  - a. Plowing Update
3. Engineering
  - a. Cedron Road Shoulder Improvement Project
  - b. SH33Gravel Pit Reclamation
  - c. Bates Road Boat Ramp Update
  - d. Packsaddle Road Vacation

**9:30 OPEN MIC** (*if no speakers, go to next agenda items*)

**10:00 SHERIFF**– Bridger Smith  
1. Approval to Hire Deputy Sheriff

**10:30 JUVENILE PROBATION** – Rene Leidorf  
1. Quarterly Report  
2. 2016 Idaho Juvenile Justice Report – Shane Boyle

**11:00 2017 ECLIPSE PLANNING** – Alan Allred

**11:30 THE DEVELOPMENT GROUP** – Ted Hendricks

**PLANNING** – Holly Wolgamott

1. Update from Planning Services Assistant
2. Update on Planning Administrator Position

**TREASURER** – Beverly Palm

1. Quarterly Report

**1:00 SOLID WASTE FEE**

- a. Executive Session to Hire Outside Counsel as per IC74-206(1)(f)

**ADMINISTRATIVE BUSINESS** (*as time permits*)

1. Approve Available Minutes
2. Other Business
  - a. Discussion of Proposed Changes to Sign Ordinance
  - b. Discussion of Proposed Changes to Dog Ordinance
  - c. Discussion of Proposed Changes to Teton County Fee Schedule
  - d. Approval of County Revaluation Program – Contract for Appraisal Services
  - e. Executive Session for pending litigation on all civil cases involving the County per IC74-206(1)(f)
  - f. Executive Assistant Report
  - g. Beer & Wine licenses, if any
  - h. Certificates of Residency (2)
  - i. Committee Reports
  - j. Claims

**ADJOURNMENT**

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**Upcoming Meetings**

January 23 9:00 am Regular BoCC Meeting	February 13 9:00 am Regular BoCC Meeting	February 28 9:00 Packsaddle Road Public Hearing Continuation
January 23 6:00 pm Town Hall Meeting – Cedron Road Shoulder Project	February 27 9:00 am Regular BoCC Meeting	March 13 9:00 am Regular BoCC Meeting



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

**Public Works Department**  
**MEMORANDUM**

150 Courthouse Drive  
Driggs, ID 83422

January 17, 2017

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

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The following items are for your review and discussion at the January 23, 2017 BoCC Meeting.

**SOLID WASTE**

**Recycling Baler Purchase** – An inquiry was made at the 1/9/17 BoCC meeting regarding revenue associated with the Transfer Station recycling baler. The attached memorandum provides reasons for the request to replace the current baler and also includes FY2016 revenues from baled recyclables.

**Loader Replacement Foam Filled Tires** – The FY2017 Solid Waste Budget includes the replacement of the foam filled tires on the leased loader. Solid Waste Supervisor, Saul Varela, received 3 options for replacement as follows;

Option 1 – Kaufman Tire provided a quote for \$17,593.20 for tire replacement. A service crew will come to the site, remove the existing tires & rims and send off to be replaced. Anticipated down time is one week.

Option 2 – Les Schwab Tire out of Rigby will provide the same service described in Option 1 for \$18,496.

Option 3 – Les Schwab Tire will order new tires and rims and swap out the old on site. Anticipated down time is less than one day.

The Transfer Station backhoe that typically stays in the recycle center would be used in place of the loader for the down week. The backhoe does not have foam filled tires so we would be running the risk of fixing flat tires or, worst case, ruined tires from operating in the green building with all the material received.

Saul does not think the week of down time will be a significant hassle. We are recommending Option 1.

***ACTION ITEM** – Motion to approve the purchase of replacement foam filled tires for the Transfer Station Loader from Kaufman Tire. Tire purchase of \$17,593.20 to be paid from Solid Waste line item 23-473-002; Tires, Loader account.*

**Recycler/Operator Position Available** – The Transfer Station will be advertising for the Recycler/Operator position that is currently vacant.

*ROAD & BRIDGE*

**Plowing Update** – R&B continues plowing after snow events. Reminder of our snow plow policy – Crews check conditions at 2:00 a.m. If there is three or more inches of snow, they plow. Conditions are evaluated again at 7:00 a.m. and if there is 3 or more inches of snow, they plow.

R&B will respond to requests from the Sheriff's Department during off hours if it is considered an emergency situation.

*ENGINEERING*

**Cedron Road Shoulder Improvement Project** – A Town Hall Meeting is scheduled for the evening of Monday, January 23 to discuss the Cedron Road Shoulder Improvement Project. Attached is a draft of the presentation.

**SH33 Gravel Pit Reclamation** – I will provide an update of my phone conversation with the Idaho Department of Lands and Commissioner Riegel regarding the County's obligation to reclaim the County gravel pit that was sold in 2008.

**Bates Road Boat Ramp Update** – IDFG is working on incorporating the latest site plan comments. I am hoping to receive the revisions from Fish and Game later this week and will discuss with you at the BoCC meeting.

**Packsaddle Road Vacation** – This public hearing was continued to 2/27 at 9:00. Attached is a response letter to Ard Farms LLC that was agreed to be sent at the 12/27 meeting and needs signed by a commissioner.



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

**Public Works Department  
 MEMORANDUM**

150 Courthouse Drive  
 Driggs, ID 83422

DATE: January 17, 2017

TO: Board of County Commissioners

FROM: Teton County Public Works Director – Darryl Johnson, PE, PLS

SUBJECT: **Recycling Baler Replacement Request**

The Board of County Commissioners recently approved the purchase of a new recycling baler. The purpose of this memorandum is to provide reasoning for the upgrade request.

**Baler Comparison**

Currently, the Transfer Station operates a Harmony GPI Model S60XDRC vertical baler with 36 inch wide feed and above ground hopper. The above ground hopper requires that staff manually lift recycled cardboard from floor to hopper. This loading procedure has created staff injuries (multiple) in the past.

The County will be purchasing a ProPak60 baler with an in-ground conveyor. The new system has a 52” wide slider bed conveyor that will feed an opening 54” wide and 40” front to back. The in ground conveyor will allow staff to load cardboard from the floor and eliminate the need to lift onto a conveyor belt.

Another benefit of the ProPak60 baler is the 172,000 pound minimum platen force. This is a significant increase in the existing Harmony baler and will allow for heavier bales which translates to less room per pound during transport.

The ProPak60 baler comes with a 1 year labor, 2 year parts, and 3 year structure and cylinder warranty.

In researching balers, Solid Waste Supervisor Saul Varela received very high praise for the ProPak60. He found some solid waste operations that claim to have had a ProPak for over 9 years with no significant issues or breakdown.

**Baled Recycle Products**

Currently the transfer station bales aluminum cans, cardboard, #1&#2 plastics, tin and metal cans. The following table shows revenue generated and cost savings by not sending the recycled material to Circular Butte. FY2016 would be considered a very poor year for recycled revenue because costs fluctuated so much. Disposal cost is what Teton County pays to get rid of the product. Landfill savings is simply tonnage time cost/ton to haul and leave at Circular Butte which is estimated to be \$76/ton.

<b>FY 2016 Baler Processed Materials</b>				
Material	Tons Processed	Revenue	Landfill Savings	Disposal Cost
Aluminum Cans	16	\$13,692	\$1,238	\$0
Cardboard	194	\$13,736	\$14,724	\$0
Plastics #1&#2	22	\$3,052	\$1,657	\$0
Tin/Metal Cans	15	\$1,110	\$1,125	\$0
Baled Material Revenue		\$31,590		
Cost for Disposal		\$0		
Landfill Costs Diverted		\$18,745		
Total Savings		\$50,335		

Total revenue generated by baled materials (NOT including landfill diversion savings) from 2012 to 2017 is \$127,946. Additional financial data is attached.

Approximately 1,000 tons of material have been recycled through the baler. At an estimated \$76/ton cost for landfill bound material, that is \$76,000 of avoided fees.

### **New Opportunities**

The new baler will allow us to add paper to our baled material. The Transfer Station does not currently have that ability. Currently, paper is loosely stored and hauled away in walking floor trailer (trailer with sides and open top for loading). Disposal cost for the loose paper is approximately \$1,400/trailer. With the ability to bail paper, there is no longer a need for the walking floor trailer and disposal cost will be significantly reduced or perhaps eliminated.

Currently cardboard and paper is sorted and stacked/stored loosely and eventually loaded into the baler. Because cardboard and paper will now be sorted as it is fed onto the in ground conveyor, floor space will be freed up in the recycle tent. We anticipate enough room being freed to allow for the transfer station to accept #5 plastics.

In addition, cardboard is the highest volume of material collected in the recycling center. From 2014 to 2015 material received doubled (117 ton to 227 ton). With the bulk cardboard collection service now being provided, it is not unreasonable to expect 300+ tons.

### **Employee Health & Safety**

We cannot stress staff safety enough. The new ProPak baler eliminates a repetition that has caused back injuries to more than one employee in the past. Currently the baler is fed all cardboard manually through an opening that is approximately 2' x 5' and 4' off the ground. Cardboard is picked up off the ground, inspected, then loaded. Our recycler will lift an average of 3,300 pounds in an eight hour day. The in ground conveyor system will not only reduce injuries but will also allow staff to combine sorting with loading. Another health related concern is dust from the cardboard. Loading in the fashion described above exposes employees to more dust than the in-ground conveyor system will.

### **Old Baler**

Saul and I have had conversations about the re-sale value and what to do with the old Harmony baler. Searching online, a similar vertical balers on ebay are selling for about \$7,000. With our horizontal conveyor belt we might be able to get upwards of \$15,000. We are investigating the idea of keeping the old vertical load baler for the purpose of baling passenger vehicle tires. Currently when sending out loads, a truck equipped with grapple is required to load the tires. The loaded tires do not stack well leaving significant voids in the loads. If we were able to use the Harmony baler to bale tires, we would eliminate the need for a grapple and be able to ship tires on an open flatbed trailer. This would significantly reduce the cost for tire disposal.

Another option we are considering is selling to a surrounding solid waste entity. Saul has been calling around to see if there is any interest by others.

FISCAL YEAR 2016 MATERIALS DIVERTED - COST/REVENUES/SAVINGS					
MATERIAL	PROCESSED BY	PROCESSED IN TONS	REVENUE	LANDFILL SAVINGS	DISPOSAL COST
ALUMINUM CANS	Baled by Recycling Baler	16.30	\$13,692.00	\$1,238.80	\$0.00
ANIMALS /COMPOST	Compost Operation	76.13	\$0.00	\$5,785.88	
BATTERIES	palletized & wrapped	5.89	\$2,473.80	\$447.64	\$0.00
CARDBOARD	Recycling Baler	193.74	\$13,736.27	\$14,724.24	\$0.00
EWASTE	Stored & Shipped Loose	8.23	\$0.00	\$625.48	\$0.00
GLASS	Crushed by Dozer/Loader	124.50	\$0.00	\$9,462.00	\$0.00
METAL	Awarded Contractor Baler	328.07	\$26,245.60	\$24,933.32	\$0.00
OIL	Special Storage/ HAZ Haul	9.68	\$0.00	\$735.68	\$2,025.55
PAPER	Stored Loose shipped top load walking floor trialer	53.85	\$5,996.60	\$4,092.60	\$5,535.00
PLASTICS #1&#2	Baled by Recycling Baler	21.80	\$3,052.00	\$1,656.80	\$0.00
SALVAGE FEE	weekly fee (1 Visit) of \$10	0.00	\$1,120.00	\$0.00	\$0.00
SALVAGE MONTH FEE	Mnthly Fee (4 Visits) \$18	0.00	\$828.00	\$0.00	\$0.00
SALVAGE NO METAL	No Charge on wood or C&D	48.91	\$0.00	\$3,717.16	\$0.00
SALVAGE-METAL	Charge @ \$87/ton in FY 15	19.24	\$1,679.00	\$1,462.24	\$0.00
TIN/METAL CANS	Baled by Recycling Baler	14.80	\$1,110.00	\$1,124.80	\$0.00
TIRES	Stored & shipped loose	18.60	\$0.00	\$1,413.60	\$2,267.95
UNSORTED-C&D	Buried materials onsite	177.47	\$0.00	\$13,487.72	**UNKOWN
WOOD	Chipped/ used in Compost	1050.00	\$0.00	\$79,800.00	\$15,000.00
<b>TOTAL</b>		<b>2167.21</b>	<b>\$69,933.27</b>	<b>\$164,707.96</b>	<b>\$24,828.50</b>

\*\* Construction and Demolition pit will accrue cost due to space, time for proper maintenance, long term liability and proper closure plan cost.

Material Revenue = \$69,933.27

All Disposal Cost = \$24,828.50

Landfill Cost if Materials

were land-filled not

Diverted

\$164,707.96

SAVINGS =

\$209,812.73

**Current Baler Processed Materials**

MATERIAL	PROCESSED BY	PROCESSED IN TONS	REVENUE	LANDFILL SAVINGS	DISPOSAL COST
ALUMINUM CANS	Baled by Recycling Baler	16.30	\$13,692.00	\$1,238.80	\$0.00
CARDBOARD	Recycling Baler	193.74	\$13,736.27	\$14,724.24	\$0.00
PLASTICS #1&#2	Baled by Recycling Baler	21.80	\$3,052.00	\$1,656.80	\$0.00
TIN/METAL CANS	Baled by Recycling Baler	14.80	\$1,110.00	\$1,124.80	\$0.00
<b>TOTAL</b>		<b>246.64</b>	<b>\$31,590.27</b>	<b>\$18,744.64</b>	<b>\$0.00</b>

Baled Material Revenue \$31,590.27  
 All Disposal Cost \$0.00  
 Landfill Cost if Materials were land-filled not Diverted \$18,744.64  
**SAVINGS \$50,334.91**

**New Baler Processed Materials**

MATERIAL	PROCESSED BY	PROCESSED IN TONS	REVENUE	LANDFILL SAVINGS	DISPOSAL COST
ALUMINUM CANS	Baled by Recycling Baler	16.30	\$13,692.00	\$1,238.80	\$0.00
CARDBOARD	Recycling Baler	193.74	\$13,736.27	\$14,724.24	\$0.00
PLASTICS #1&#2	Baled by Recycling Baler	21.80	\$3,052.00	\$1,656.80	\$0.00
PAPER	Bale paper, Less storage, Better commodity Less freight	53.85	\$5,996.60	\$4,092.60	Unknown
TIN/METAL CANS	Baled by Recycling Baler	14.80	\$1,110.00	\$1,124.80	
TIRES	Bale Tires, Less storage, Better commodity Less freight	18.60	\$0.00	\$1,413.60	Unkown
<b>TOTAL</b>		<b>319.09</b>	<b>\$37,586.87</b>	<b>\$24,250.84</b>	<b>\$0.00</b>

Material Revenue = \$37,586.87  
 All Disposal Cost = \$0.00  
 Landfill Cost if Materials were land-filled not Diverted \$24,250.84  
**SAVINGS = \$61,837.71**



# CEDRON ROAD SHOULDER IMPROVEMENT PROJECT

Phase I: S1000W to S4500W

Phase II: W7750S to W5750S



# CEDRON ROAD



Cedron Road is an asphalt road classified as a Major Collector. Existing conditions consist of a 24-foot paved road section with unpaved shoulders, approximately 2-feet in width each side of the traveled way. Cedron Road is one of only 4 east-west connectors between Driggs and Victor.

Teton Count minimum road standard for a Major Collector is 11-foot travel lanes with 4-foot shoulders in each direction. Improving the unpaved shoulders by adding 3-feet of asphalt on each side of the road will allow more road section for shared use and reduce traffic conflict from larger vehicles.

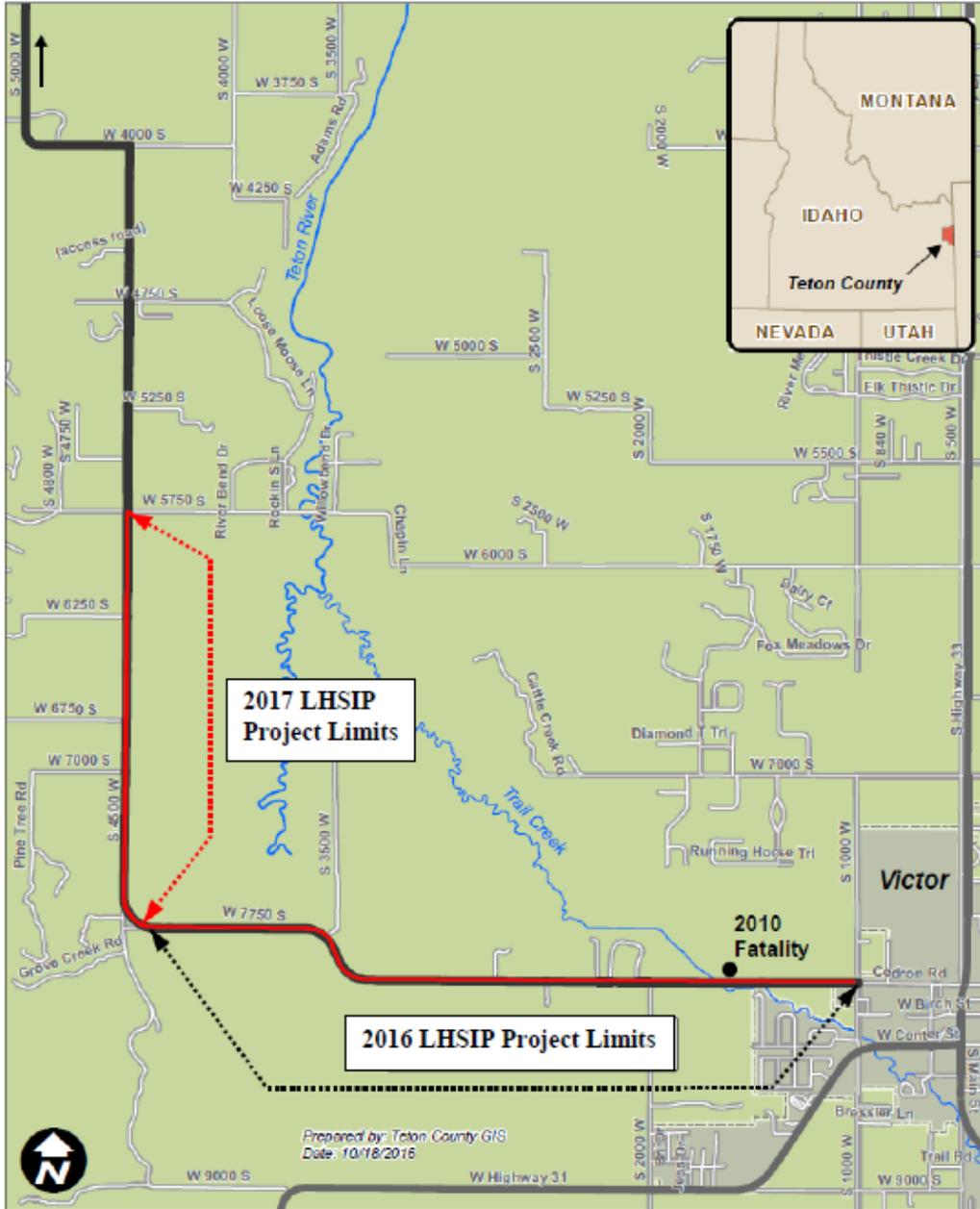


# LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL

Funding assistance was awarded by LHTAC through the Local Highway Safety Improvement Program (LHSIP)

FY 2016 LHSIP Project (S1000W to S4500W) was applied for in January, 2015. Notice of award was received in July of 2015.

FY 2017 Additional LHSIP Funding; One-Time Special Application Project (W7750S to W5750S) was applied for in November 2016. Notice of award was received in January of 2016.



## Cedron Road Shoulder Improvement Project





## LOCAL HIGHWAY SAFETY IMPROVEMENT PROGRAM (LHSIP)

The LHSIP is a federally funded program aimed at elimination Fatal and Serious Injury (Type A) crashes on the roadway system. Local Highway Jurisdictions (LHJs) receive approximately \$3.7M of the state HSIP funds through the LHSIP, a program administered through LHTAC. LHJs with at least one Serious Injury or Fatal crash over the last five years are eligible to apply. This federally funded program requires a local match, not to exceed 7.34%.

Between 2011-2015 there were 1 Fatal Crash, 3 Serious Injury Crashes, and 14 Evident Injury Crashes within this corridor.



# PROJECT FUNDING

Teton County received the following funding:

2016 LHSIP Program	\$391,000
2027 LHSIP One-Time	\$366,000
TOTAL RECEIVED	\$757,000

There is a 7.34% match associated with the LHSIP program. Teton County will pay an additional \$55,560.

In other words, Teton County will receive \$812,560 of improvements for \$55,560.

# LOCAL HIGHWAY SAFETY IMPROVEMENT PROGRAM

LHTAC is the Project Administrator

Teton County Selects a Design Engineer through a semi-formal selection process from design firms on the State Term Agreement List

LHTAC negotiates contract terms with the preferred Design Engineer

Teton County, LHTAC and the Design Engineer work together on design and permitting.

Horrocks Engineers was ranked highest and successfully negotiated a contract through LHTAC.



**lhtact2**



**HORROCKS**  
ENGINEERS

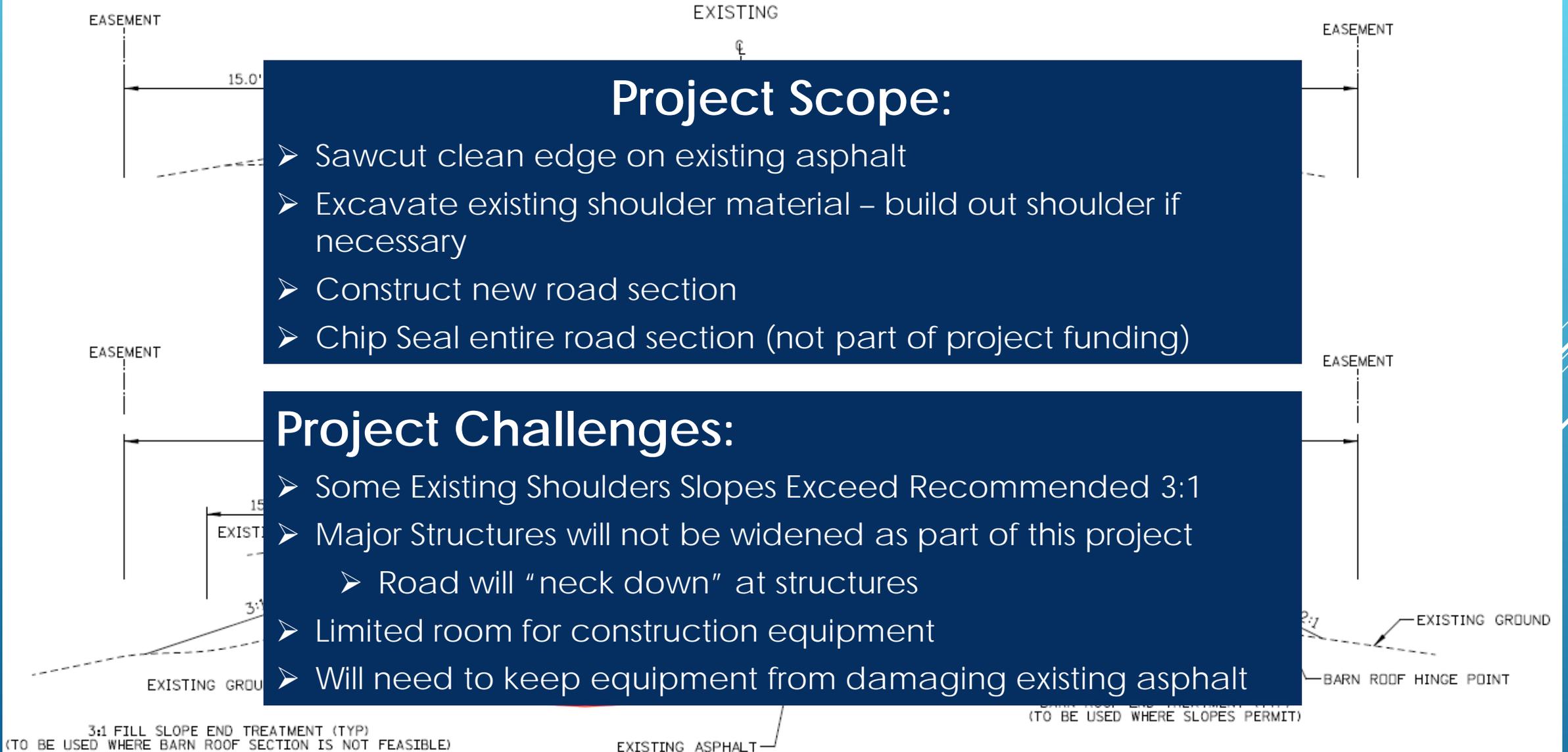
# PRELIMINARY DESIGN

## Project Scope:

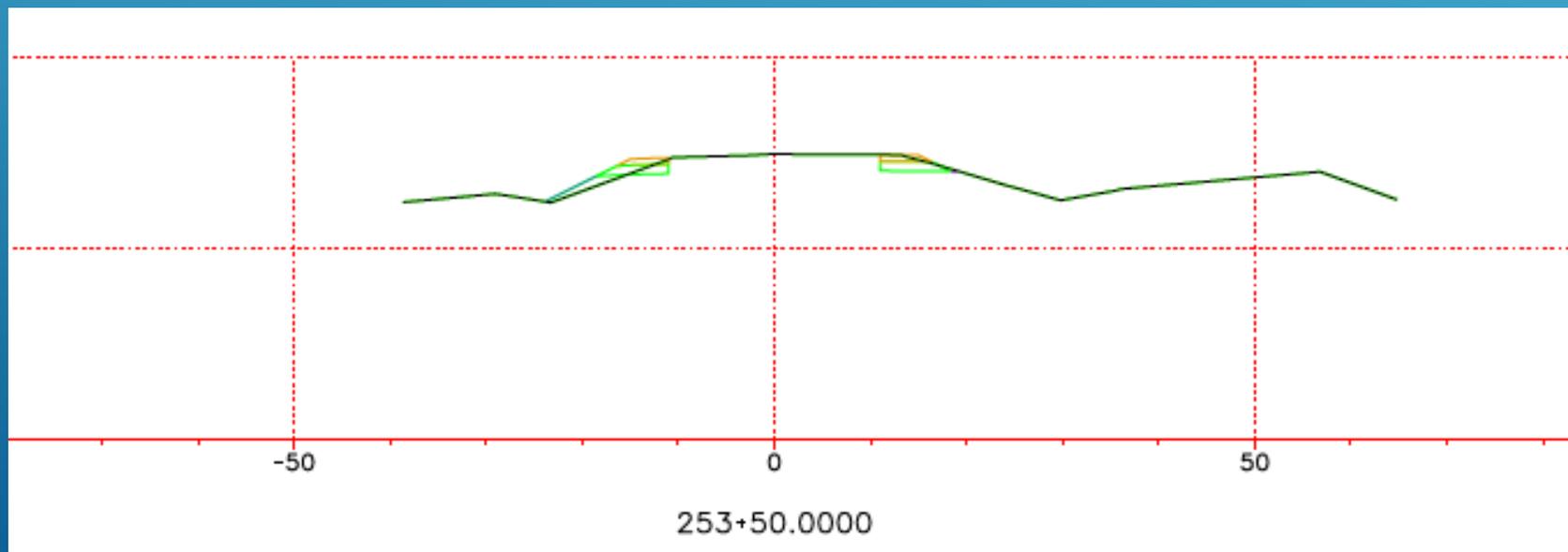
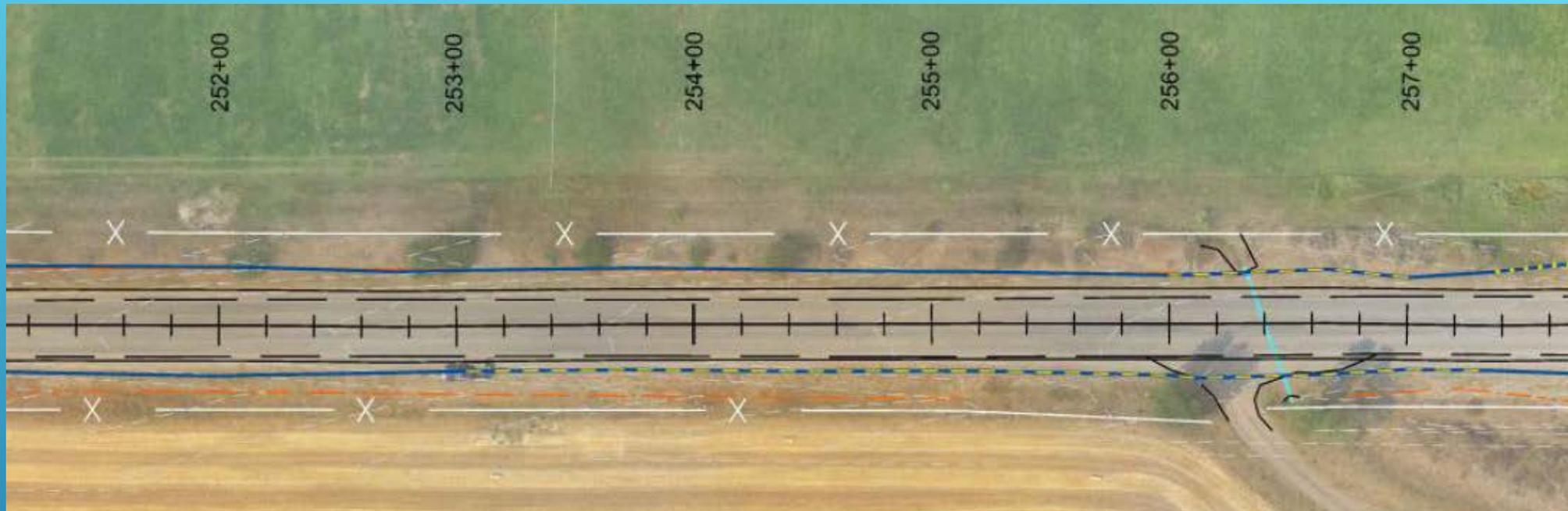
- Sawcut clean edge on existing asphalt
- Excavate existing shoulder material – build out shoulder if necessary
- Construct new road section
- Chip Seal entire road section (not part of project funding)

## Project Challenges:

- Some Existing Shoulders Slopes Exceed Recommended 3:1
- Major Structures will not be widened as part of this project
  - Road will “neck down” at structures
- Limited room for construction equipment
- Will need to keep equipment from damaging existing asphalt



# PRELIMINARY DESIGN



# PRELIMINARY DESIGN FINDINGS

- Some shoulder work will be required to accommodate the 3-foot paved shoulder
  - Preliminary cost estimate suggests that construction costs will be more than funding provided. Options;
    - Match the project scope with funding provided. Contractor would bid project AND identify the scope based on a not to exceed amount.
    - Teton County could provide funding in excess of the required 7.34% match to complete the corridor identified.
- 
- A decorative graphic consisting of several parallel white lines of varying lengths and orientations, located in the bottom right corner of the slide.

# Teton County Sheriff's Office

## Sheriff Tony Liford



reet

Driggs, Idaho 83422

PHONE  
208-354-2323

FAX  
208-354-8028

EMAIL  
sheriffdocs  
@co.teton.id.us

Dear Board of County Commissioners:

Currently Teton County does not have a court bailiff. The Teton County Sheriff's Office has been providing a deputy to cover bailiff duties since November 2016. This coverage of the court is placing a strain on current Teton County Sheriff's Office (TCSO) patrol operations.

Historically the position of court bailiff falls within the responsibility of the sheriff. Idaho Statute 31-2202, lays out the duties of sheriff which states the sheriff shall attend all courts within the county, e.g.: bailiff.

The TCSO is seeking permission to hire an additional full time certified patrol deputy, who will provide bailiff and court security functions and also perform regular patrol duties. The current county job description for Deputy Sheriff includes the phrase "May be delegated to additional assignments..." These bailiff duties certainly fall within the guidelines of these additional assignments.

The funding for this additional deputy sheriff position could come from funds already budgeted within the court and prosecutor budgets for the former bailiff/investigator position that is no longer filled.

County Clerk Mary Lou Hansen has provided TCSO with the remaining Bailiff funding in the current budget (Please see attached). At this time with the unspent salary available in the prosecutor budget, combined with the unspent salary available in the court budget, there is roughly \$47,044 available to supplement the TCSO budget for an additional patrol deputy/bailiff.

A proficient deputy at pay grade 8 working 42.75 hours a week will make roughly \$48000. (Tax and benefits not included)

If TCSO is granted funding for the additional deputy, TCSO will have enough marked patrol vehicles to accommodate all sworn positions, plus one vehicle as an emergency spare. However, two of these vehicles have over 100,000 miles and will need replaced the next budget cycle regardless. This is due to safety concerns of high mileage emergency response vehicles.

Respectfully,



Bridger Smith  
Chief Deputy  
Teton County Sheriff's Office

# TETON COUNTY JUVENILE PROBATION

230 N MAIN #108 • DRIGGS ID 83422 • P208-354-3862 • F208-354-2994

Renee Leidorf  
Chief Juvenile Probation Officer

## **Quarterly Commissioner Report October 1, 2016 – December 31, 2016**

ON December 31, 2016

**Total Probation Caseload = 11**

**Total number of Juveniles on formal PROBATION – 4**

Male – 4 (Includes 1 in Teton County Drug Court)

Female - 0

**Total number of Juveniles on DIVERSION – 7**

Male – 3

Female -4

**Interstate Compact – 0**

Juveniles supervised in Teton County through ICJ – 0

Juveniles supervised in other states through ICJ -0

**Courtesy Supervision – 0**

Juveniles supervised in Teton County -0

Juveniles supervised in other counties – 0

**Juveniles in Department of Juvenile Corrections – 1**

**Pretrial Release Supervisions = 1**

**The following information has been compiled for the past THREE months**

**Number of drug tests done – 33 (Basin Alternative School – 15)**

Positive – 15

Negative – 18

Untestable-0

**How many times each drug came up positive**

NICOTINE – 2

THC (Marijuana)-15

ALCOHOL-3

AMPHETAMINES-5

CREATININE- 2

OPIATES: 0

**Formal Probation violations filed – 3**

Juveniles whose probation was revoked due to noncompliance – 0

Juveniles whose probation was extended– 0

**Detention Days: 51 Days**

Days Juveniles spent in 5-C -51

Days Juveniles over 18 years of age spent in Madison County Jail-0

**Juveniles released from probation/diversion – Probation-2 / Diversion-0**

Cases transferred to Adult Misdemeanor Probation – 0

**Total Money Collected: \$126.25**

Cost of supervision fees – \$70.00

Drug testing fees - \$56.25

Other fees - 0

**Offenses committed by Juveniles currently on probation**

Alcohol minor consumption – 1

Battery – 2

Grand Theft- 2

Habitual Truancy – 1

Possession of Drug Paraphernalia-3

Property-malicious injury to property – 1

Runaway-2

Trainings:        Reading Body Language - Online  
                      My Kid is in Trouble: Addiction and Recovery Primer for Parents - Online

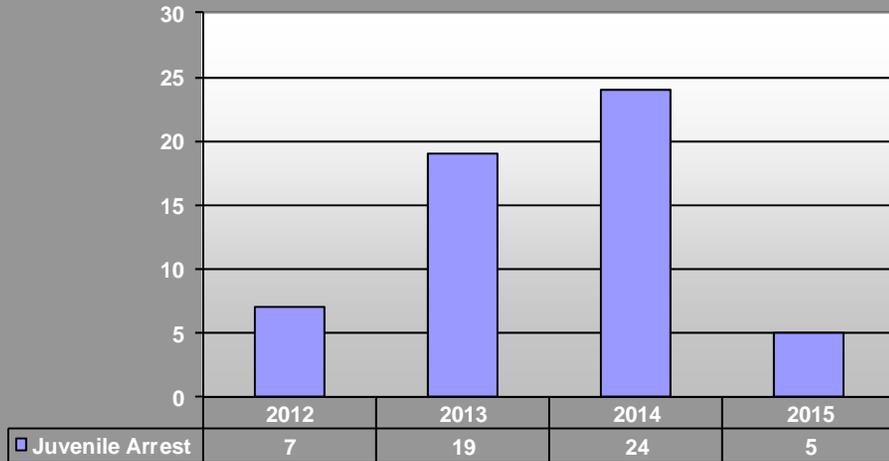
Meetings:        Bi-Weekly Staff Meeting with Teton County Drug Court  
                      Monthly Suicide Prevention Network of Teton Valley  
                      Monthly District 7 Juvenile Justice Council  
                      Monthly Teton Valley Mental Health Coalition  
                      Monthly Meeting of Probation Officers (5C, Madison, Jefferson, Fremont and Teton)  
                      Bi-Weekly Staff Meetings at Idaho Juvenile Correctional Center  
                      Monthly Teton County Department Head Meetings

Teton County Court Services  
2016 Annual Juvenile Justice Report  
Prepared by Idaho Department of Juvenile Corrections



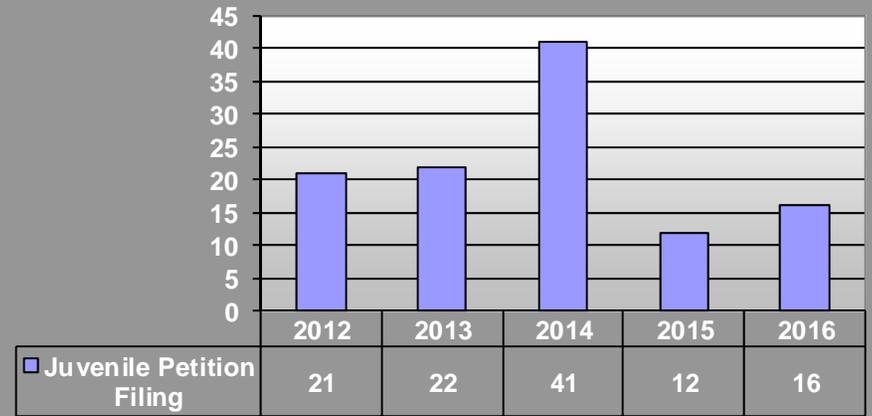
# Teton County

## Juvenile Arrest

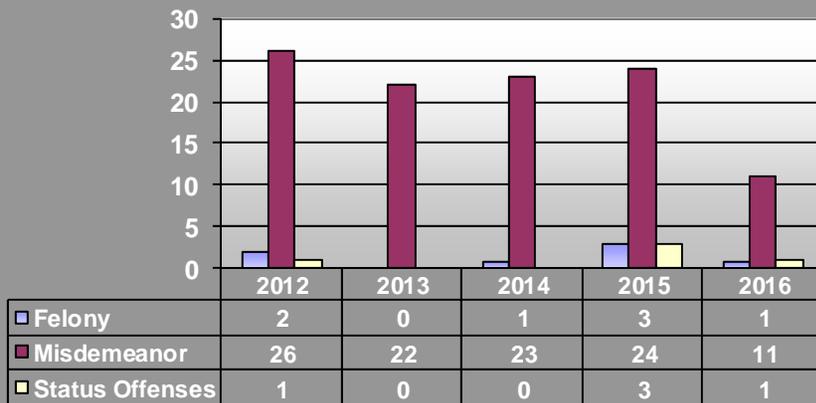


Arrest information provided by Idaho State Police

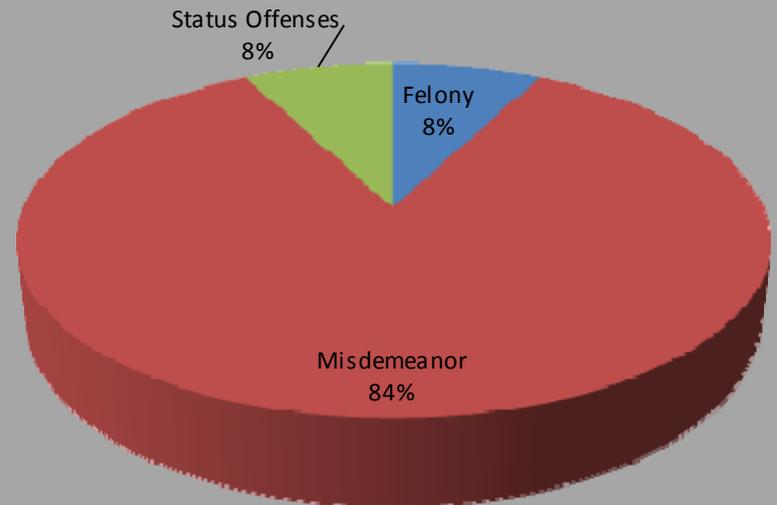
## Juvenile Petition Filing



## Offenses Listed on Petition



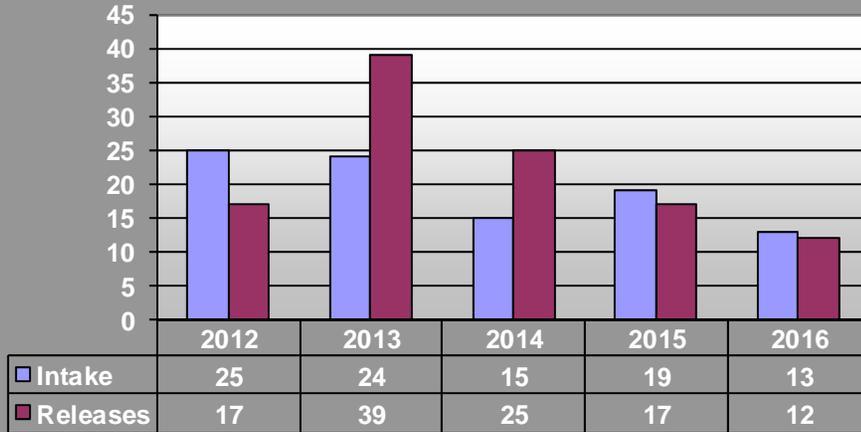
## Teton County Offenses 2016



Data provided by Teton County Annual Juvenile Justice Report

# Teton County

## Intakes and Releases



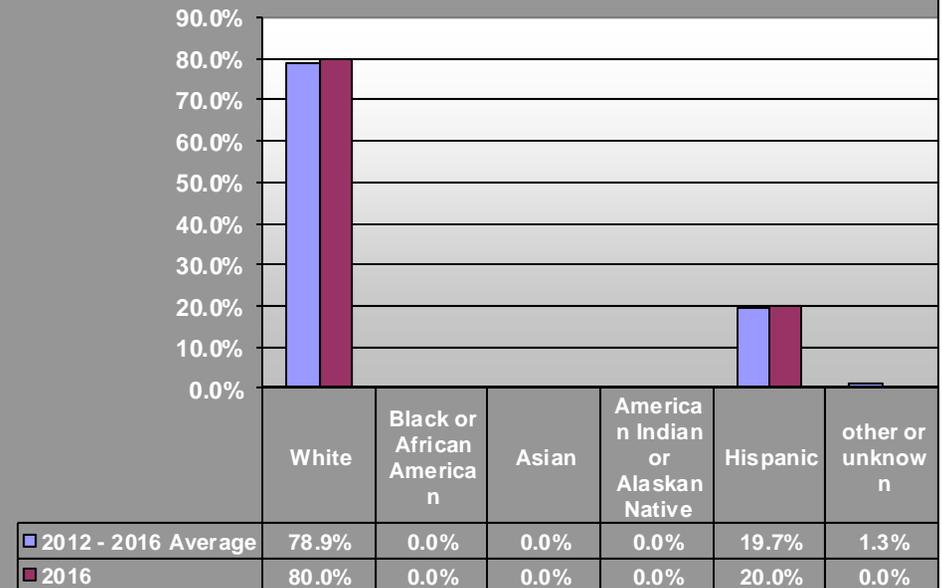
## Average Age at Point of Intake on Probation



## Gender at Point Of Intake on Probation / Diversion

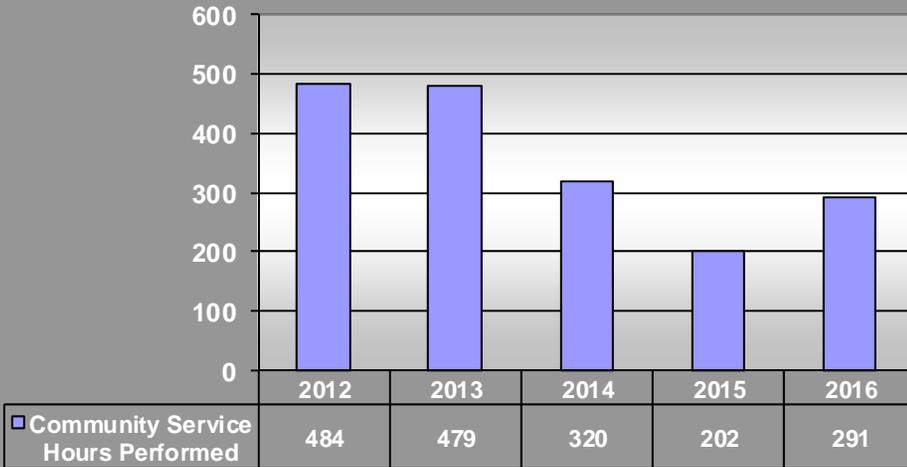


## Probationers by Race and Ethnicity

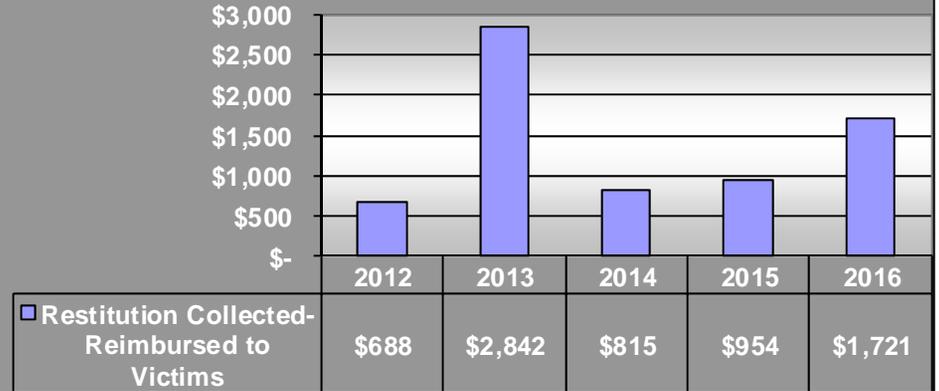


# Teton County

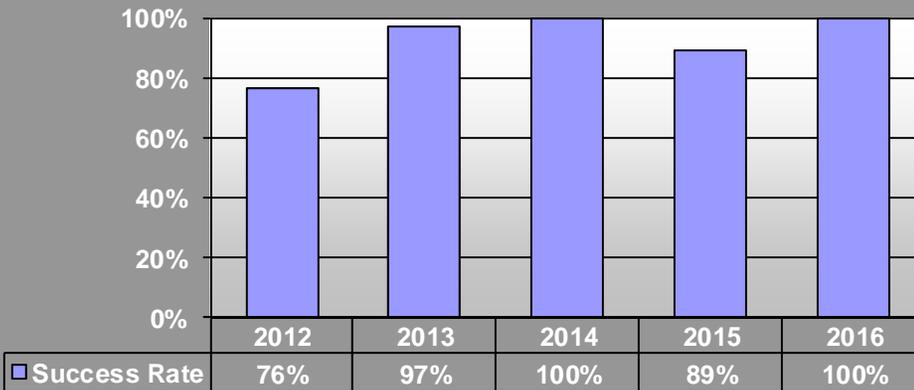
## Community Service Hours Performed



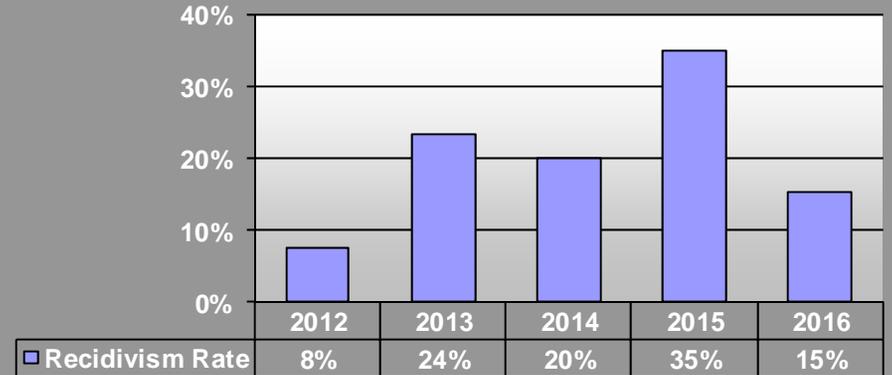
## Restitution Collected for Victims



## Juveniles Who Successfully Completed Probation



## Juveniles Who Recidivated

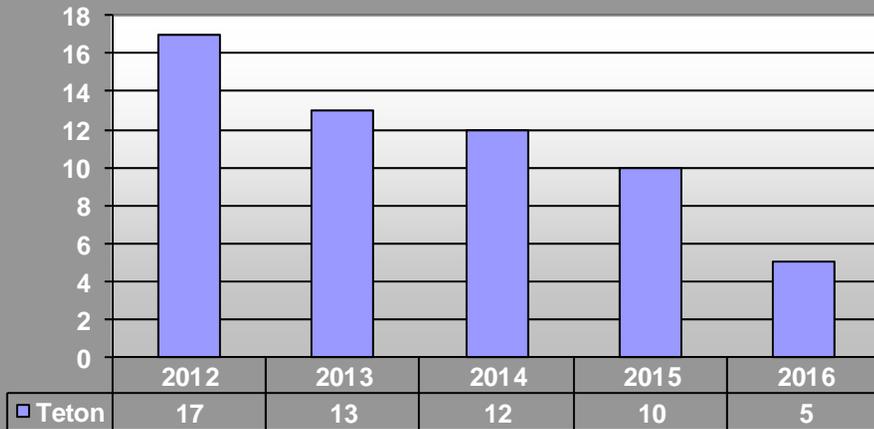


It is recommended that Success Rate not be compared between counties as the definition of who successfully completes probation is defined by each local jurisdiction.

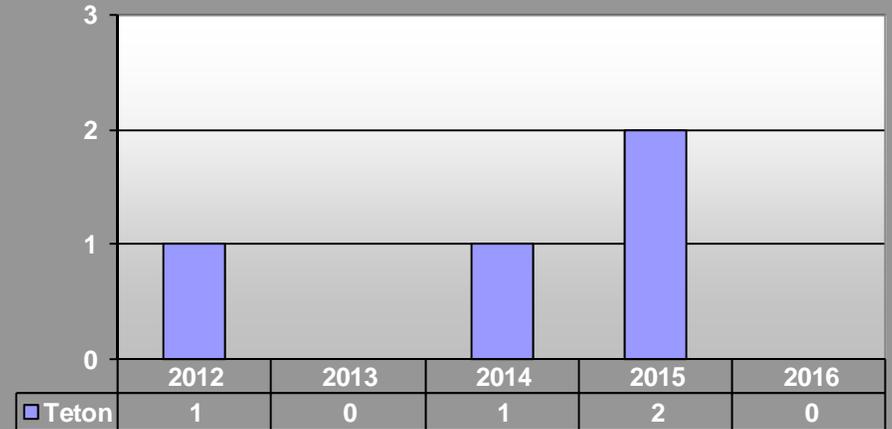
Recidivism is defined as “Total number of juveniles who have been “adjudicated” of a new misdemeanor or felony within 24 months of being placed under supervision in the county prior to the reporting period. Do not include courtesy supervision, interstate compact, or juvenile placed on probation for alcohol and tobacco offenses. “

# Teton County

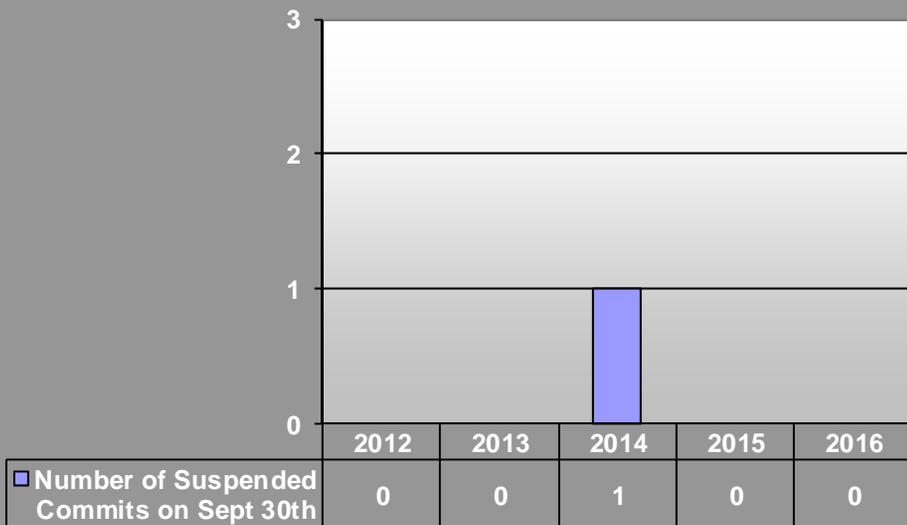
## 1 Day snapshot of Juveniles on County Probation on September 30th



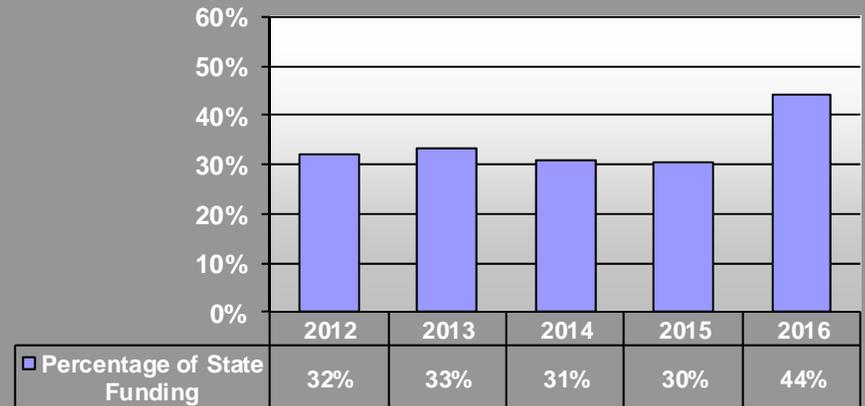
## Juveniles in IDJC Custody on Sept 30th (run the same day as Counties)



## Number of Suspended Commits on Sept 30th

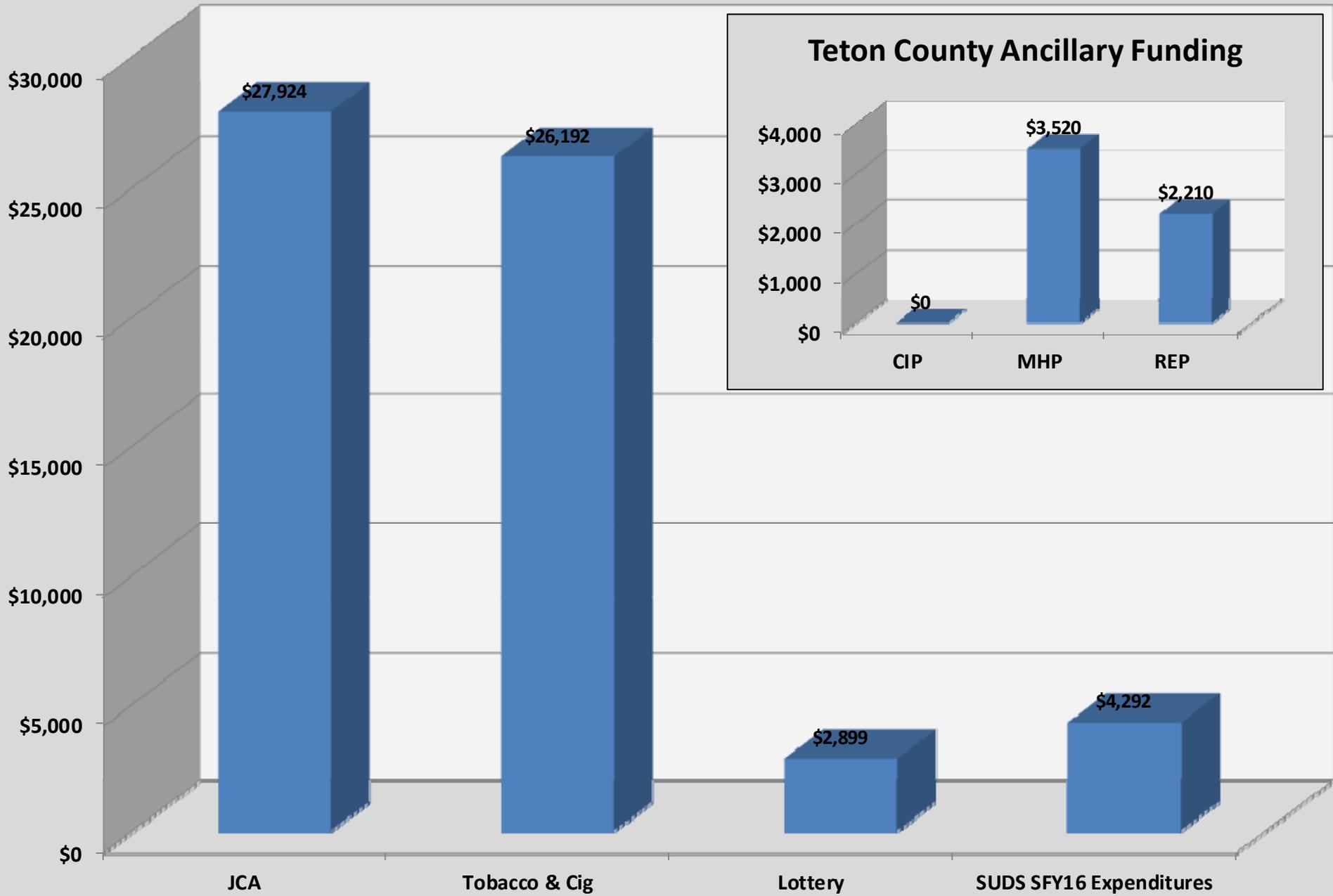


## Juvenile Justice Budget

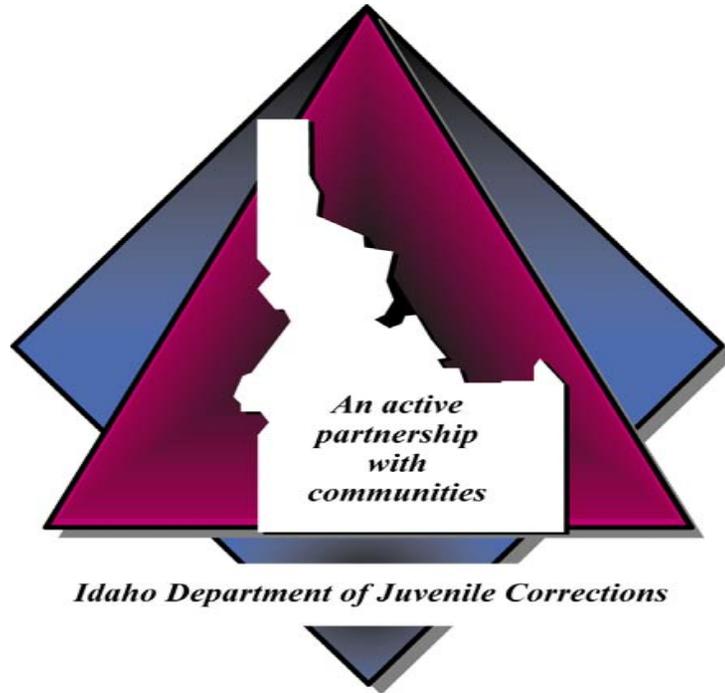


# Teton County

## Teton County Financials



Data provided by Teton County Annual Juvenile Justice Report & IDJC Fiscal Department



## *IDJC Mission*

*Developing productive  
citizens in partnership  
with communities,  
through juvenile crime  
prevention, education,  
rehabilitation, and reinte-  
gration.*

The preceding charts were generated from data provided by your respective county from their Annual Juvenile Justice Report. The following page is provided by the *Idaho State Police, Crime In Idaho 2015* which provides a comprehensive perspective of crime in your county. Additional data can be found at [www.isp.idaho.gov](http://www.isp.idaho.gov)

# Agency 2015 Crime Report

## Teton County Sheriff - County Total

Population: 12,077  
County: Teton

### Offense Overview

- Offense total 137
- % change from 2014 4.6
- # of cleared offenses 68
- Percent cleared 49.6

• Group "A" Crime Rate per 100,000 population 1134.4

• Summary based reporting crime rate per 100,000 population is calculated for other state crime comparisons only. 356.0

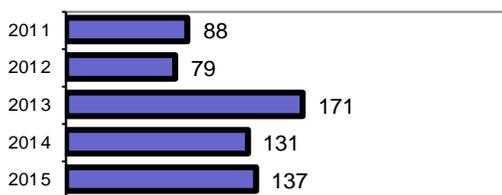
### Arrest Overview

- Arrest total 146
- % change from 2014 -27.0
- Adult arrest total 141
- Juvenile arrest total 5

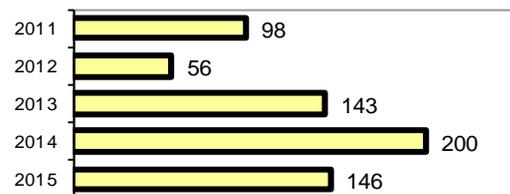
• Arrest Rate per 100,000 population 1208.9

Group "A" Offenses	Offenses		Arrests	
	# Reported	# Cleared	Adult	Juvenile
Murder	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	1	1	2	0
Robbery	0	0	0	0
Aggravated Assault	7	6	3	0
Burglary	6	0	0	0
Larceny	29	2	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Simple Assault	17	14	7	1
Intimidation	3	0	0	0
Bribery	0	0	0	0
Counterfeiting/Forgery	0	0	0	0
Vandalism	15	3	1	0
Drug/Narcotics	20	19	19	0
Drug Equipment	26	22	3	2
Embezzlement	0	0	0	0
Extortion/Blackmail	0	0	0	0
Fraud	12	0	0	0
Gambling	0	0	0	0
Kidnapping	0	0	0	0
Pornography	0	0	0	0
Prostitution	0	0	0	0
Sodomy	0	0	0	0
Sexual Assault w/Object	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	1	1	0	0
Stolen Property	0	0	0	0
Weapon Law Violation	0	0	0	0
<b>Total Group "A"</b>	<b>137</b>	<b>68</b>	<b>35</b>	<b>3</b>

**Total Offenses - 5 year trend**



**Total Arrests - 5 year trend**



Group "B" Arrests	Arrests	
	Adult	Juvenile
Bad Checks	0	0
Curfew/Vagrancy	0	0
Disorderly Conduct	0	0
DUI	56	0
Drunkenness	0	0
Family Offense-nonviolent	13	0
Liquor Law Violation	7	0
Peeping Tom	0	0
Runaways	0	1
Trespass	0	0
All Other Offenses	30	1
<b>Total Group "B"</b>	<b>106</b>	<b>2</b>

# Breakdown of needs based on 30K (non-self-contained) visitors

Note: Based on Committees 50KL estimate less estimated 20K that are self-contained in hotels, rental properties, staying with families, etc,

How many square feet per acre: 43,560 sq. ft

Based on 80% usage and 20% infrastructure: @ 35,000 sq. ft.

How many people per acre (80%): 3,200 people at 11 sq.ft per person

At 3,200 people per acre we need approximately 10 acres for people standing to view the eclipse

Estimates:

1000 sq ft per RV = 35 RV per acre

240 sq ft per campsite = 145 tents per acre

160 sq ft per parking space = 220 cars/trucks per acre

Portable toilets = 13 per 1000 people or 390 for 30K

Recommended water consumption = 96 ounces per person per day or 6 each, 16 ounce bottles per person per day X 30,000 people = 180,000 16 oz. bottles per day!

How many venues?

2 full service county based "villages"

City or privately sponsored? Unknown

How does county rent land from landowners?

Fair market value

Negotiate

Profit share

Tax write-off

other

How does county profit share with all contractors and subcontractors?

How many acres for people (based on 10 acres for 30K at 3,200 people per acre at 11sq ft per person):

How many acres for cars/parking (at 220 cars/trucks per acre):

How much to charge for parking?

How many acres for campsites (at 145 campsites per acre):

How much to charge for camping?

How many acres for RV parking (at 35 RV's per acre):

How much to charge per RV?

How many concession stands/food outlets per 1000 people:

How many meals can be served per hour:

How many hours per day will food service outlets need to operate per day based on 40k people x 3 meals per day plus prep and clean up:

How to best presell tickets

Accounting/ account management

Manpower/resource plan for

Food service,

Ancillary equipment; lighting, fencing, other

Security

Transportation & Parking volunteers/workers

How many TOTAL volunteers

Solid trash management,

Portable toilet maintenance,

Hydration stations,

First aid stations

Showers

Bike racks to handle additional bikes

Pet management (?)

Other

How many buses/vans/cars will we need to execute park and ride strategy:

How many trash pick-up points per 1000 people:

How often should trash pick-up points be serviced?

How often should portable toilets be serviced per day per 1000 people:

How many toilet service trucks will we need:

Where will they dump liquid waste:

How many hydration stations per 1000 people:

How many showers per 1000 people?

How many first aid stations per 10K people:

How much lighting per acre:

How much fencing per acre:

Best practices/recommended number of law enforcement per 1000 people

Best practices/recommended number of first responders per 1000 people

Best practices/recommended number of medical personnel 1000 people

Legal/Regulatory

MOU's with Wyoming/Teton Co. WY Law enforcement

Fire Department

S&R

Aviation/Helicopter rescue and medical evacuation

County event specific Insurance coverage/protection

City event specific Insurance coverage/protection

Internet management:

Website creation

Posting preparations & plans

PayPal or other means to handle ticket presales and merchandise credit card transactions

Preselling parking/camping/RV/viewing from venue

Entertainment and events supporting the eclipse'

Preselling T-shirt, hats, water bottle, etc

Linking to other websites

Management and linking of Eclipse calendar

Permitting plan:

How many permits should be issued and for what

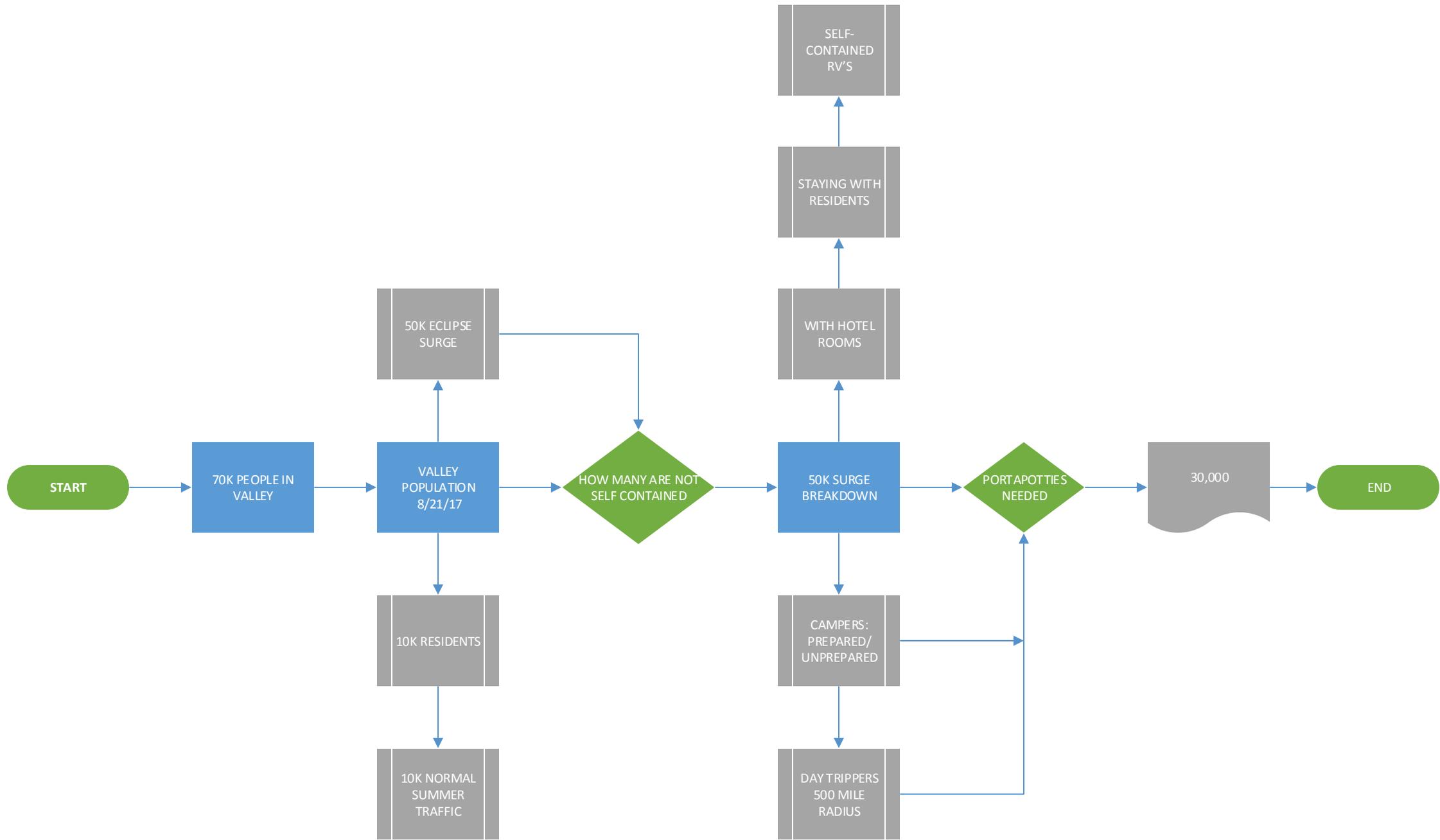
Permit application

Permit criteria

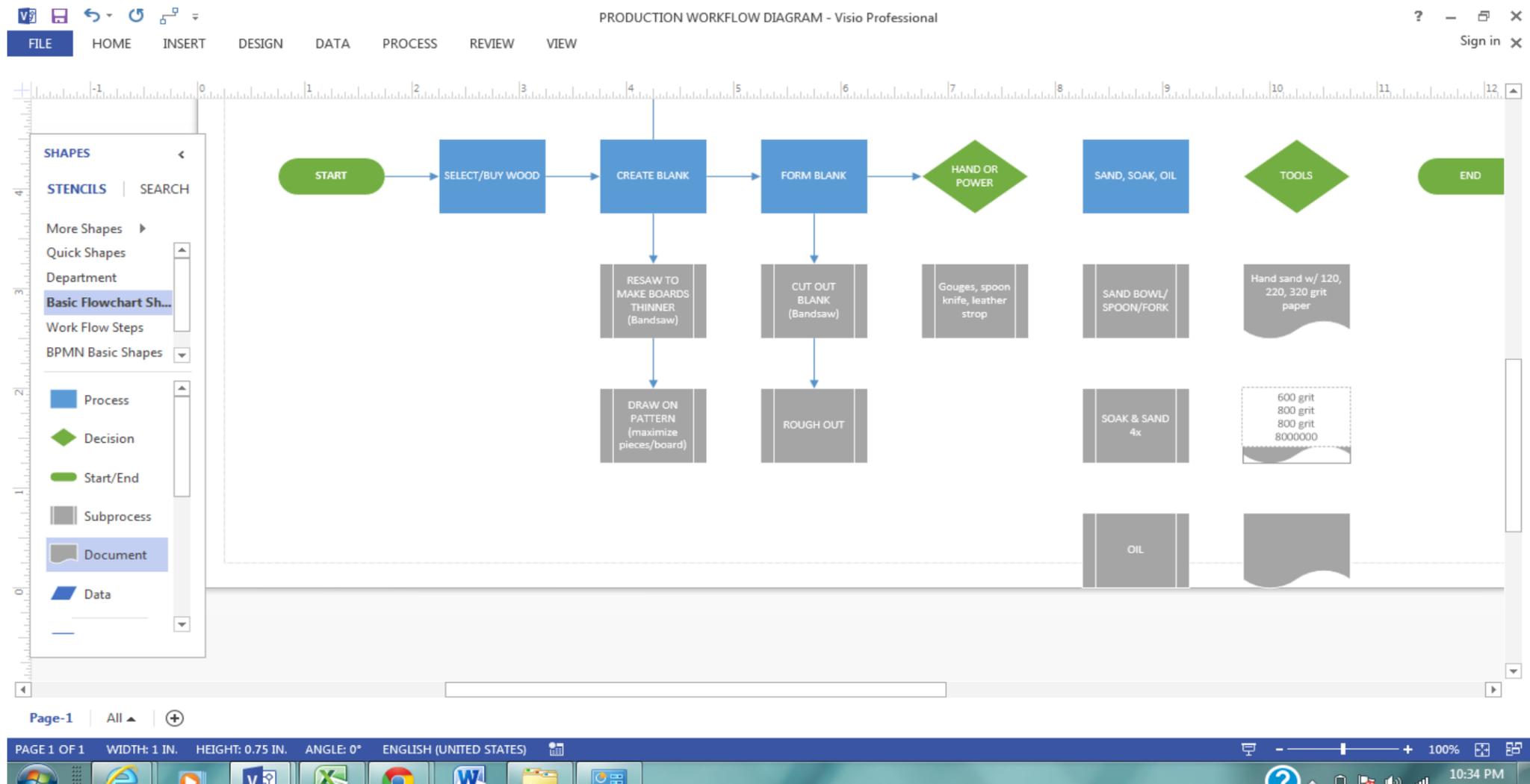
Permit approval

Permit fees

Permit enforcement



	High Risk/High Probability		Low Risk/High Probability		High Risk/Low Probability		low Risk/Low Probabilit
too many people on trails	7	too many people on creeks	5	forest/wildfires	4	overfishing river	6
too many people on River	6	too many people on River	4	Wildlife harrassment	2	damage to ecosystem	3
Overcrowded parking lots	6	overcrowded campsites	4	Illegal BC camping	1	forest/wildfires	3
liquid waste	6	Illegal BC camping	4	too many people on River	0	Illegal BC camping	2
solid waste	5	too many people on trails	3	too many people on creeks	0	illegal offroad vehicles	2
too many people on creeks	4	Overcrowded parking lots	3	too many people on trails	0	Wildlife harrassment	2
insuffecient infrastructure	4	solid waste	3	Overcrowded parking lots	0	overcrowded campsites	1
overcrowded campsites	3	liquid waste	3	overcrowded campsites	0	solid waste	1
damage to ecosystem	3	damage to ecosystem	3	solid waste	0	insuffecient infrastructure	1
illegal offroad vehicles	3	illegal offroad vehicles	3	liquid waste	0	too many people on creeks	0
overfishing river	1	insuffecient infrastructure	3	overfishing river	0	too many people on trails	0
Illegal BC camping	1	overfishing river	1	damage to ecosystem	0	Overcrowded parking lots	0
forest/wildfires	1	forest/wildfires	1	illegal offroad vehicles	0	liquid waste	0
Wildlife harrassment	1	Wildlife harrassment	1	insuffecient infrastructure	0	too many people on River	0



ENVIRONMENTAL IMPACT RISK ASSESSMENT	High Risk/High Probability	MITIGATION	RESPONSIBLE	DUE DATE	% COMPLETE
too many people on trails	7	educate public: residents and guests.			
		increased Rangers			
		improved signage			
		organized volunteer plan			
		develop alternative activities			
too many people on River	6	educate public: residents and guests.			
		organized volunteer plan			
		develop alternative activities			
		IDFG enforcement			
		river patrols			
Overcrowded parking lots	6	provide additional parking lots/spots			
		improve infrastructure: signage,garbage cans, portopotties,			
		Park & Ride			
liquid waste	6	Portopotties			
solid waste	5	Waste plan in collaboration with RAD			
too many people on creeks	4	educate public: residents and guests.			
insuffecient infrastructure	4	improve infrastructure: signage,garbage cans, portopotties,			
overcrowded campsites	3	provide alternatives			
damage to ecosystem	3	wildlife conservation plan in collaboration with DEQ, IDFG. S&W Dist			
illegal offroad vehicles	3				
overfishing river	1	wildlife conservation plan in collaboration with DEQ, IDFG. S&W Dist			
Illegal BC camping	1	shoot the first one and hang them on the NO CAMPING sign			
forest/wildfires	1				
Wildlife harrassment	1	Show everyone the REVENANT			



## Planning Department Update

---

Sharon Fox <sfox@co.teton.id.us>

Wed, Jan 18, 2017 at 10:35 AM

To: Holly Wolgamott <hwolgamott@co.teton.id.us>

Last week we were able to get signatures on two administrative applications so they could be recorded. We are still waiting for revisions from the applicants engineers on three boundary adjustments and two One Time Only lot splits. I also received a new boundary adjustment application this week and I am working with two other boundary adjustment applicants who plan to submit soon. I received a request to renew a Home Occupation permit and for a Floodplain Development Permit. The Home Occupation permit is an administrative review and can be processed as soon as the taxes are paid on the property. The floodplain request will be processed by Jen Zung at Harmony Design per an Agreement for Services dated May 23, 2016.

After the eclipse event meeting this week I attended a meeting with Ashley Koehler at the City of Driggs along with Alan Allred, Greg Adams, Ron Carlentine and Bill Leake to discuss the temporary permit process for the eclipse event. Since the cities do not have a Temporary Use section in their zoning ordinance and Kristin was not able to finish amending our existing ordinance, it was decided that Ashley will write a resolution to cover the use of a "Mass Gathering" permit that will be used by the cities and the county to cover this particular event. An ordinance can be adopted in the future based on the success or problems incurred throughout the eclipse event permitting process.

I received an email from Bruce Arnold on January 16th resigning from the Planning Commission effective immediately. The Commission will be holding a work session meeting on January 24th to review the changes they have approved for the draft code and produce a document that specifies exactly what changes are to be made to the existing draft code. Those changes will be incorporated into the document through the redline process so they can be easily identified. Once that work is complete the redline version will be reviewed again at another work session and then another public hearing will be scheduled for the public to comment on the revised version of the draft code.

Sharon Fox  
Planning Services Assistant  
Teton County Planning Department  
[208-354-2593 ext. 204](tel:208-354-2593)  
[sfox@co.teton.id.us](mailto:sfox@co.teton.id.us)

January 23, 2017

From: Beverly Palm

To: Teton County Board of Commissioners

Enclosed is a reporting of the 4th quarter, 2016 cancellations and pending cancellations. Please see attachments.

**The following parcels require your approval for cancellation:**

PARCEL ID #	NAME	TAX	SW FEE	TOTAL	LATE FEE	REASON
RP B0086004005B A	Teton Science School	1105.02	97.00	1102.02		Non Profit Exemption/Beard
RP 005610000330 A	Robin Jarchow	1019.69				Missed Ag Exemption/Beard
RP B00940000180 A	Chad Rogers	1035.36				Missed HO Exemption/Beard

**These have been canceled because they are under the \$250.00 limit or because they were already approved for cancellation:**

RP 07N43E136600 A	United State/ BLM	60.00			1.20	no federal government entities chrgd
MH0154	Carlos Valdivieso	45.20	97.00	142.20		duplicate taxed properties/Beard
RP05N43E250600A	Teton Timbers	128.02			2.58	per motion by commissioners 10/24/16
RP06N44E191205A	Grand View Ranch	968.18				per motion by commissioners 10/24/16
RP05N43E360010A	Teton Timbers	244.75			4.90	per motion by commissioners 10/24/16

**The following tax percentages were collected as of Dec. 31, 2016:**

Year	% of pd	Total Billed	Total Pd	Total # parcels billed	Total # Owing
2016	60.24%	\$15,033,844.38	\$9,047,149.68	15,075	8822
2015	97.61%	\$15,683,103.62	\$14,439,072.27	15,081	703
2014	98.53%	\$15,658,233.56	\$15,427,623.68	15,089	375
2013	99.27%	\$14,875,181.14	\$14,765,916.73	15,041	174

There is one outstanding parcel in Teton Reserve that the county owns. Not sold thru Tax Deed. Taxes owing on the books is \$239,364.84.

Respectively submitted by Beverly Palm, Treasurer

11/14/16

PMO100 - PARCEL MASTER INQUIRY

11:03:34

PARCEL: RP B0086004005B A F1=SL

F12=RC

F17=DD F19=SP

PETON SCIENCE SCHOOLS INC

LEGAL DESCRIPTION  
TAX #6512 & TAX #6513  
BLK 4 VICTOR TOWNSITE  
SEC 11 T3N R45E

700 COYOTE CANYON RD

CODE AREA 2-0000 OWNER CD

JACKSON WY 83001

PARC TYPE LOC CODE

141 W BIRCH

EFFDATE 4202007 EXPDATE

PREV PARCEL

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
30	1	2015		3950				
41	1	2015		88026				
81	1	2016						

TOTALS

91976

ENTER NEXT PARCEL NUMBER RP \_\_\_\_\_ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG  
 F8=CT F13=TM F18=HS F20=Srch F22=EU

*Cancel  
 Exempt  
 Property*

*per Assessors office*

*TL*

*Ben Palm*

*11-16-16*

11/14/16

PMO100 - PARCEL MASTER INQUIRY

11:08:02

PARCEL: RP 005610000330 A

F17=DD F19=SP F12=RC  
F23=AG

JARCHOW, ROBIN RENE

LEGAL DESCRIPTION

\*NEWCN

LOT 33  
SPRING HOLLOW RANCH PHASE II  
SEC 9 & 16 T6N R45E

415 N DAROCA AVE

ProVal Area Number 1

SAN GABRIEL CA 91775

CODE AREA 6-0000 OWNER CD

8773 PAINTED SKY WAY

PARC TYPE LOC CODE

EFFDATE 4152008 EXPDATE

PREV PARCEL

X for parcel comments

CAT/ST#	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
15 1	2016	7580	AC	144020				
37 1	2016			499505				

TOTALS 7580 643525

ENTER NEXT PARCEL NUMBER RP \_\_\_\_\_ A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG  
F8=CT F13=TM F18=HS F20=SrcH F22=EU

*Cancel*

*132,447*

*missed by Exemption*

*per Assessor's office*

0\*\*

*TL*

*B Pak*

*11-16-16*

122,447.00  
0.008227005  
1,019.600

0\*\*

*cancel \$1,019.70*

11/16/16

TECHNICAL SUPPORT BUREAU  
PMO080 - PARCEL MASTER ENTRY/UPDATE

08:15:58

PARCEL: RP B00940000180 A CM SP MS SW UR RPT HO CB REL PARC DD YO  
"X" to select> AX \_ MH \_ RC \_ PP \_ LD \_ RI SL  
DS  
LEGAL DESCRIPTION

ROGERS, CHAD E

LOT 18  
BROOKSIDE HOLLOW  
SEC 10 T3N R45E

PO BOX 1554  
JACKSON WY 83001  
1445 BROOKTROUT DR

CODE AREA 20000 OWNER CODE  
PARC TYPE LOC CODE  
EFFDATE 8122002 EXPDATE

CAT	SHEET	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
20	1	2016	370	AC	34000				
41	1	2013			201797				

TOTALS 370 235797

F1=Help F3=Exit F4=Prmpt F5=Refrsh F6=Name F7=Lgl F8=Cat F9=Msc F24=More Keys

Cancel \$ 94,745 Value  
missed Homeowner Exemption  
307-699-2028

TU

per Assessor's Office

Per Pam 11-16-16

cancel \$1,035.36

each half 517.68

0.00

94,745.00

0.010927788

1,035.36

1,035.36

2,070.72

000

1,035.36

1,638.54

1/17/17

TAX DUE INQUIRY

15:42:37

PARCEL NUMBER RP 003100TRAC10 A

INTEREST AS OF DATE 1/17/2017

NAME TETON COUNTY

LEGAL TRACT 1 COMMERCIAL  
TETON RESERVE  
SEC 35 T4N R45E

ADDR 150 COURTHOUSE DRIVE

DRIGGS ID 83422

TAX KEY	YEAR	BILL#	TAX	LATE	INTEREST	COST	TOTAL
RP003100TRAC10A	13	9836	3525.20	70.50	1315.74		4,911.44
RP003100TRAC10A	12	9835	17353.60	347.08	8601.08		26,301.76
RP003100TRAC10A	11	24926	16373.50	327.48	10124.90		26,825.88
RP003100TRAC10A	10	8840	56038.04	1120.76	41511.34		98,670.14
RP003100TRAC10A	09	9818	43891.72	877.84	37886.06		82,655.62

CURRENT DUE: 239,364.84

TOTAL DUE: 239,364.84 **Bottom**

Enter=ReStart F3=Exit F7=PM Inq F8=TM Inq F9=Print Bill F20=All Searches  
F1=Help F15=Print Report F6=TOGGLE 2ND LINE F4=TAX COMMENTS

**STATEMENT OF TREASURER'S CASH**

AS OF 12/31/2016

<b>Fund #</b>	<b>Description</b>	<b>Balance</b>
0001	GENERAL FUND (CURRENT EXPENSE)	3,180,323.40
0002	ROAD AND BRIDGE	1,250,667.77
0003	ROAD & BRIDGE - RESERVE	3,215.00
0006	DISTRICT COURT & JUVENILE PROB	248,824.70
0007	DRUG CT/MNTL HLTH: IC 31-3201E	17,402.80
0009	COURT FACILITY: IC 31-867(3)	21,972.37
0010	COURT - RESTITUTION	61,438.18
0012	COURT - BONDS	38,091.50
0013	IGNITION INTERLOCK: IC 18-8010	15,912.42
0015	ELECTIONS - STATE FUNDS	140,576.87
0016	INDIGENT AND CHARITY	64,745.62
0018	EMPLOYEE BENEFIT ACCOUNT	171,753.76
0020	REVALUATION	42,102.66
0022	SOLID WASTE - SELF ASSURANCE	301,407.31
0023	SOLID WASTE	917,933.57
0024	TORT	51,714.55
0025	SOLID WASTE - RESERVE	668.00
0027	WEEDS	91,488.00
0033	ROAD, SPECIAL	439,738.69
0036	PROSECUTOR'S SPECIAL DRUG FUND	17,843.45
0040	YOUTH PROGRAM: IC 49-418B	2,174.00
0041	BUILDING FUND	90,639.73
0043	ROAD IMPROVE-DEVELOPER DONATIO	103,826.33
0044	EMERGENCY 911 COMMUNICATIONS	84,881.91
0045	EXTENSION & 4H PROGRAMS	258.12
0050	AMBULANCE SERVICE DISTRICT	345,479.32
0051	MOSQUITO ABATEMENT DISTRICT	151,576.90
0052	MOSQUITO ABATEMENT RESERVE FUN	40,000.00
0054	WATERWAYS/VESSEL FUND	17,544.67
0075	COUNTY HOSPITAL OPERATION	273,691.40
0082	FAIRGROUNDS & FAIR	55,701.57
0086	GRANTS	(34,466.00)
0090	IMPACT FEES-REC FACILITIES	46,636.03
0091	IMPACT FEES-SHERIFF FACILITIES	58,052.24
0092	IMPACT FEES-EMS FACILITIES	8,442.44
0093	IMPACT FEES-CIRC FACILITIES	212,269.94
9001	STATE REMITTANCE ACCOUNT	1,383.06

**STATEMENT OF TREASURER 'S CASH  
AS OF 12/31/2016**

<b>Fund #</b>	<b>Description</b>	<b>Balance</b>
9002	DEPARTMENT OF TRANSPORTATION	4,312.50
9010	CITY - DRIGGS	3,672.83
9011	CITY - VICTOR	3,177.66
9012	CITY - TETONIA	365.41
9020	SCHOOL DISTRICT - #401	20,121.29
9050	CEMETERY - BATES	15.48
9051	CEMETERY - CACHE-CLAWSON	38.25
9053	CEMETERY - DRIGGS-DARBY	7,199.32
9054	CEMETERY - HADEN	21.43
9055	CEMETERY - VICTOR-CEDRON	306.49
9056	CEMETERY - FELT	6,134.97
9060	TETON COUNTY FIRE PROTECTION	2,289.79
9063	FLOOD CONTROL DISTRICT	3,482.56
9070	LIBRARY - VALLEY OF THE TETONS	1,060.37
9095	DRIGGS URBAN RENEWAL	2,209.72
9096	VICTOR URBAN RENEWAL	186.50
9101	AUDITORS TRUST	32,211.72
9112	COURT-FINES AND FEES	16,335.81
9117	TETON CO MOTOR VEHICLE TRUST	186,205.81
9134	PLANNING & ZONING TRUST FUND	65,012.73
	<b>TOTAL OF FUNDS :</b>	<b>8,890,272.92</b>

**STATEMENT OF TREASURER 'S CASH**

**AS OF 12/31/2016**

**ACCOUNT BALANCES**

Type	Account Code	Account Description	Balance
C	BCOOKE	INSURANCE B COOKE	43,337.90
I	BCUCD	BEEHIVE CD	100,000.00
C	BOC INVEST	BOCCK INVESTOR CHECKING	40,000.00
C	BOC REG	BOC REG ACCT	960,117.65
I	BOCCDCOOKE	COOKE-CD	128,622.68
O	COHCA	CASH ON HAND	1,122.34
I	ICCUCD	IDAHO CENTRAL CREDIT UNION CD	200,000.00
S	ICCUSAV	IDAHO CENTRAL CREDIT UNION SAVINGS	25.00
I	MBS INVEST	MBS INVESTMENTS	1,786,174.07
C	PRCK	US PAYROLL	95,508.56
S	STABLG	STATE POOL-BUILDING-3068	635,499.05
O	STAPL	STATE POOL-1038	4,268,781.30
O	STASW	STATE POOL-SOLID WASTE-2989	301,407.31
I	US CD	US BANK CD	100,000.00
C	USBANK ASS	USBANK CR CARD ASSESSOR	111,093.49
C	USBANK PZ	US BANK P&Z	18,537.28
I	WEST MARK	WESTMARK CD	100,020.74
S	WESTMARK S	WESTMARK PRIMARY SAVINGS	25.55
		<b>TOTAL OF CHECKING ACCOUNTS :</b>	<b>1,268,594.88</b>
		<b>TOTAL OF INVESTMENT ACCOUNTS :</b>	<b>2,414,817.49</b>
		<b>TOTAL OF SAVINGS ACCOUNTS :</b>	<b>635,549.60</b>
		<b>TOTAL OF OTHER ACCOUNTS :</b>	<b>4,571,310.95</b>
		<b>TOTAL OF ACCOUNTS :</b>	<b>8,890,272.92</b>

**SUMMARY TOTALS :**

<b>TOTAL OF ACCOUNTS :</b>	<b>8,890,272.92</b>	<b>TOTAL OF FUNDS :</b>	<b>8,890,272.92</b>	<b>DIFFERENCE:</b>	<b>0.00</b>
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# Board of Teton County Commissioners

## MINUTES: January 9, 2017

Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho

9:00 Oath of Office – Newly Elected Officials  
Appointment of Commission Chair

**MEETING CALL TO ORDER** – Chair  
*Amendments to Agenda*

9:30 **OPEN MIC** (*if no speakers, go to next agenda items*)

**PROSECUTOR** – Billie Siddoway

1. Budget
2. Approval to Hire Deputy Attorney at 100% of Market Rate

10:00 **TETON REGIONAL ECONOMIC COALITION** – Brian McDermott

1. Quarterly Report

**BUILDING** – Wendy Danielson

1. Building Permit Reports
2. Combined County Wide Building Department
3. Idaho Association of Building Officials Education Institute

**EMERGENCY MANAGEMENT** – Greg Adams

1. Update on Current Projects
2. Approval for Greg Adams and Ronn Carlentine to attend the annual ID Emergency Management Association Meeting

12:00 **MONTHLY ELECTED OFFICIALS AND DEPARTMENT HEAD MEETING**

**PUBLIC WORKS** – Darryl Johnson

1. Solid Waste
  - a. Approval of a ProPak60 Recycling Baler from Altitude Recycling
  - b. Approval to Promote William Wise to Solid Waste Equipment Operator Position at 100% of Market Rate
2. Road & Bridge

- a. Plowing Update
- b. Hauling for Snow Sculpture – Great Snow Fest

3. Engineering
  - a. Cedron Road Improvement Project Town Hall Meeting Schedule
  - b. ID Parks and Recreation Grant Applications
  - c. Packsaddle Road Vacation

**PLANNING** – Holly Wolgamott

1. Update from Planning Assistant Sharon Fox
2. Interim Planning Administrator
3. Planning Administrator Interview Schedule

**CLERK**

1. Quarterly Financial Reports
2. Approval of Resolution 2017 – 0109 – Budget Adjustments for First Quarter of 2017

**ADMINISTRATIVE BUSINESS** (*as time permits*)

1. Approve Available Minutes
2. Other Business
  - a. Approval of to Promote Bridge Smith to Chief Deputy in Sheriff's Department
  - b. Commissioner Committee Appointments
  - c. Commissioner Calendar – Town Hall Meetings
  - d. Beer & Wine licenses, if any
  - e. Approval of Non-Motorized Pathways Ordinance
  - f. Approval of LTI and PTO policy changes
  - g. Executive Assistant Report
  - h. Committee Reports
  - i. Claims
  - j. Executive Session as needed per IC74-206(1)

**ADJOURNMENT**

**COMMISSIONERS PRESENT:** Mark Ricks, Harley Wilcox, Cindy Riegel

**OTHER ELECTED OFFICIALS PRESENT:** Assessor Bonnie Beard, Clerk Mary Lou Hansen, Treasurer Beverly Palm, Sheriff Tony Liford, Coroner Tim Melcher, Prosecutor Billie Spitzer

Commissioner Riegel called the meeting to order and led the Pledge of Allegiance.

## **OATHS OF OFFICE & APPOINTMENT OF CHAIR**

Magistrate Judge Jason Walker administered the Oath of Office to Mark Ricks, Third District Commissioner; Harley Wilcox, Second District Commissioner; Tony Liford, Sheriff; Billie Siddoway, Prosecutor; and Lindsey Blake, Deputy Prosecutor.

- **MOTION.** Commissioner Wilcox made a motion to appoint Mark Ricks as Chair of the Board of County Commissioners. Motion seconded by Commissioner Riegel and carried unanimously.
- **MOTION.** Commissioner Wilcox made a motion to add a discussion of the need to give notice to review the sign ordinance, fee schedule and dog ordinance under Other business. Motion seconded by Commissioner Ricks and carried unanimously.
- **MOTION.** Later in the meeting, Commissioner Wilcox made a motion to amend the agenda to discuss the contract with Applied Communication because he forgot to make the motion at the start of the meeting and hoped to avoid some expense. Motion seconded by Commissioner Riegel and carried unanimously.

## **OPEN MIC**

Bob Fitzgerald welcomed the new Commissioners.

Denny Arnold spoke about the need for a reduced speed limit in Felt and requested a letter of support.

- **MOTION.** Commissioner Ricks made a motion to amend the agenda to add a discussion of the speed limit in Felt at 1:30 pm. Motion seconded by Commissioner Riegel and carried unanimously.

Jim Schulz spoke in support of the Teton Regional Economic Coalition.

## **PROSECUTOR**

Prosecutor Siddoway requested approval to hire her new Chief Deputy at 100% of the market rate due to her experience and knowledge of the law.

- **MOTION.** Commissioner Riegel made a motion to approve hiring Lindsey Blake at 100% of the market rate as requested. Motion seconded by Commissioner Wilcox and carried unanimously.

## **LEGAL COUNSEL FOR SOLID WASTE FEE LAWSUIT**

- **MOTION.** At 9:27 am Commissioner Wilcox made a motion for Executive Session pursuant to Idaho Code 704-206(1)(f) to speak with legal counsel regarding the hiring of outside legal counsel. The motion was seconded by Commissioner Riegel and a discussion followed with Chairman Ricks recused due to his status as a plaintiff in the lawsuit.

Prosecutor Siddoway said the legal counsel (Chris Meyer) hired by the previous Board to represent the County in the solid waste fee lawsuit was not lawfully hired because certain constitutional requirements were not met. She counseled the Board to correct that error and said that she and her Deputy were fully prepared to discuss the issue with the Commissioners.

A roll call vote was held with all in favor, but with Chairman Ricks recusing himself from the Executive Session due to his conflict. Prosecutor Siddoway also recused herself from the Executive Session.

The Executive Session ended at 10:12 am.

Later in the meeting, Prosecutor Siddoway said she anticipates that Mr. Meyer will submit a bill that the current Board will try to deny because of errors in the process of hiring him. She said the meeting minutes should have included the Board's reasons for finding it necessary to hire outside counsel, not just the motion to hire Mr. Meyer. Prosecutor Siddoway recommended that a new motion be made with the appropriate fact finding in order to remedy the error.

Commissioner Riegel questioned whether the Prosecutor should be providing counsel to the Board since she has a conflict related to the solid waste fee litigation.

Prosecutor Siddoway said she does not have a technical conflict and described her limited involvement in the case. She said she shared a draft document with the plaintiffs at no charge because she had performed the legal research in anticipation of being hired by a different client. She also submitted an affidavit providing her opinion of the appropriateness of the legal fee reimbursement requested by the plaintiff. Prosecutor Siddoway said she has discussed her situation with ICRMP and the Idaho Bar Association and said her actions do not create a "hard" conflict. However, since her position is political, Prosecutor Siddoway said she decided to establish a "firewall" with her Deputy Prosecutor who could then counsel the Board on this matter.

Commissioner Riegel said the previous Board made a decision which is now being challenged by persons who want the County to lose the lawsuit. She said it is not possible for a Deputy with a conflicted boss to represent the County. Prosecutor Siddoway disagreed.

At this point, Chairman Ricks said he was becoming increasingly concerned about being present for this conversation, due to his legal status as a plaintiff in the lawsuit, and left the room.

Commissioners Wilcox and Riegel continued to discuss the situation and agreed to hold an Executive Session with the Deputy Prosecutor January 11 in order to seek further counsel.

## **TETON REGIONAL ECONOMIC COALITION**

Executive Director Brian McDermott distributed briefing notebooks to the Board and presented an Executive Summary (Attachment #1). He said TREC was created by a merger of the former Teton Valley Business Development Center and Chamber of Commerce and is affiliated with the Teton Geotourism Center. Their mission is, "To develop a stable and diverse economy by retaining, strengthening and recruiting businesses in Teton Valley and enhancing the visitor experience."

## **BUILDING**

Director Wendy Danielson said 10 permits were issued during December, four for new single family dwellings. She is continuing to explore the possibility of a combined building department with the cities.

● **MOTION.** Commissioner Riegel made a motion to approve overnight travel for Wendy to attend the Idaho Association of Building Officials Education Institute in Boise January 23-27. Motion seconded by Commissioner Wilcox and carried unanimously.

## **EMERGENCY MANAGEMENT**

Director Greg Adams reviewed his monthly report (Attachment #2).

● **MOTION.** Commissioner Riegel made a motion to approve overnight travel for Greg to attend the Idaho Emergency Management Association meeting in Boise February 6-9. Motion seconded by Commissioner Wilcox and carried unanimously.

## **PLANNING**

The Board reviewed the memo provided by Land Use Assistant Sharon Fox (Attachment #3).

**ECLIPSE CAMPING PERMITS.** Commissioner Riegel said the County's intent was to establish a process to issue permits to people who were collecting money from campers. The previous Planning Administrator prepared a draft ordinance which was discussed and tabled by the Planning and Zoning Commission.

Driggs Mayor Hyrum Johnson said this topic had been discussed by the Council of Governments for several months. The cities don't think this should be a land use issue, just a general ordinance, which would eliminate the need for planning commission involvement. He said the Driggs planning staff is working with the County Eclipse Planner to prepare a camping ordinance.

**INTERIM PLANNING ADMINISTRATOR.** The Board discussed the need to hire an interim PA and agreed they should meet with the Chair of the Planning and Zoning Commission to learn more about the Commission's schedule and needs, especially tasks related to the draft Code.

## **PUBLIC WORKS**

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

**SOLID WASTE.** Four bids were received for the new recycling baler, but two were rejected because they did not meet the required specifications. Mr. Johnson said the new baler should last 15-20 years and that he intends to sell the current baler. Mr. Johnson said the new baler purchase was being made due to concerns about employee health and safety.

- **MOTION.** Commissioner Riegel made a motion to approve purchase of a ProPak60 baler for \$104,400 from Altitude Recycling using funds budgeted in line item 23-00-817. Motion seconded by Commissioner Wilcox and carried unanimously.

- **MOTION.** Commissioner Wilcox made a motion to promote William Wise to 100% of Pay Grade 5 concurrent with his acceptance of the Solid Waste Equipment Operator position for reasons listed and discussed. Motion seconded by Commissioner Riegel and carried unanimously.

**ROAD & BRIDGE.** Mr. Johnson said the sand/salt mixture applied to Ski Hill Road was making a difference. He will investigate the cost of variable signage and the possibility of sharing the cost with Driggs.

The Board reviewed plans for the January 23 Town Hall meeting to discuss the Cedron Road Shoulder Improvement Project. The meeting is being held to exchange information, not to make any decisions. Notices have been sent to all adjacent landowners and an ad will be published in the newspaper.

Mr. Johnson notified the Board that the County Road Map must be updated every five years via a public hearing process, which will begin this year.

**PACKSADDLE ROAD.** The Board approved the letter prepared by Mr. Johnson in response to Ard Farms LLC (Attachment #5).

## **CLERK**

The Board reviewed the quarterly financial reports prepared by Clerk Hansen (Attachment #6). She said both revenues and expenses were reasonably near anticipated amounts and that the County budget was in good shape.

- **MOTION.** Commissioner Riegel made a motion to approve Resolution 2017-0109 Budget Adjustments for First Quarter FY 2017. Motion seconded by Commissioner Wilcox and carried unanimously. (Attachment #7)

## **ELECTED OFFICIAL & DEPARTMENT HEAD MEETING**

Nine elected officials (Commissioners Ricks, Wilcox and Riegel, Treasurer Beverly Palm, Clerk Mary Lou Hansen, Prosecutor Billie Siddoway, Sheriff Tony Liford, Coroner Tim Melcher and Assessor Bonnie Beard) and six department heads (Jenifer VanMeeteren-Shaum, Holly Wolgamott, Darryl Johnson, Saul Varela, Bridger Smith, Wendy Danielson) discussed issues of mutual concern.

**ADMINISTRATIVE**

● **MOTION.** Commissioner Riegel made a motion to approve the minutes of December 27, as continued December 28 and January 3, with minor correction to page 3. Motion seconded by Commissioner Wilcox and carried unanimously.

● **MOTION.** Commissioner Riegel made a motion to approve hiring Bridger Smith as Chief Deputy Sheriff at 86% of the market rate. Motion seconded by Commissioner Wilcox and carried unanimously.

**COMMITTEE ASSIGNMENTS.** The Board discussed the various committees requiring Commissioner participation. They agreed on the allocation of assignments and made the required motions, all as shown below.

● **MOTION.** Commissioner Riegel made a motion to appoint Mark Ricks to the Eastern Idaho Public Health board. Motion seconded by Commissioner Wilcox and carried unanimously.

● **MOTION.** Commissioner Wilcox made a motion to appoint Mark Ricks to the 7<sup>th</sup> Judicial District Magistrate Commission. Motion seconded by Commissioner Riegel and carried unanimously.

● **MOTION.** Chairman Ricks made a motion to appoint Harley Wilcox to the Tri-County Misdemeanor Probation board and the 5-C Juvenile Detention Facility board. Motion seconded by Commissioner Riegel and carried unanimously.

● **MOTION.** Commissioner Wilcox made a motion to appoint Cindy Riegel to serve on the board of High Country RC&D. Motion seconded by Chairman Ricks and carried unanimously.

● **MOTION.** Commissioner Riegel made a motion to appoint Harley Wilcox to serve on the board of The Development Company. Motion seconded by Chairman Ricks carried unanimously.

**Commissioner Committee Assignments for 2017-2018**

Cindy	City of Victor	As Needed
Cindy	Henry's Fork Watershed Council	Monthly
Cindy	Teton Water Users Association	Monthly
Cindy	Teton Food & Farm Coalition	tbd
Cindy	Eastern Idaho Community Action Partnership	Monthly
Cindy	Employee Committee	Monthly
Cindy	*High Country RC&D	Quarterly, meets afternoon of ECIPDA
Cindy/Harley	Teton Area Advisory Forum (TAAF)	Monthly
Harley	Fair Board/Eastern Idaho State Fair	Monthly
Harley	City of Driggs	As Needed
Harley	*Tri County Misdemeanor Probation (&Teton Drug Court)	Quarterly
Harley	*5C Juvenile Detention	Quarterly
Harley	*The Development Company (ECIPDA)	Quarterly, meets evening of RC&D
Mark	Council of Governments (COG)	Monthly
Mark	*Eastern Idaho Public Health	Quarterly + as needed
Mark	*Magistrate Commission	As needed
Mark	City of Tetonia	As Needed
Mark	Local Emergency Planning Council (LEPC)	Monthly
Mark/Cindy	Eclipse Planning	Weekly
Mark/Cindy/Harley	School Board Meetings	Quarterly, or as needed

*\*These committees require a formal motion.*

**COMMISSIONER CALENDAR.** The Board reviewed their 2017 schedule. Town Hall meetings are planned for January 23 (Cedron Road Shoulder Widening Project) and April 10 (Road Report & Snowplowing Policy). The Board decided to schedule a March 13 Town Hall meeting to discuss the effects of government on business and a May 8 meeting to discuss the Bates River boat ramp and park. Chairman Ricks said it would be important to solicit participation at these meetings by inviting specific individuals who might be interested in the topic, as well as by advertising the in the newspaper, website and elsewhere.

**MEETING PROTOCOL.** The Board discussed how to shorten meetings and make them more efficient. It was agreed that the agenda and packet information submittal deadline should be moved up to 5 pm Tuesday in order that agenda packets could be available Thursday morning. It was also decided that it may not be necessary for department heads to be present at every meeting. Clerk Hansen encouraged the Board to meet regularly with the employees they supervise directly, and to meet with them as a Board, not just as individuals.

- **MOTION.** Commissioner Riegel made a motion to approve the retail alcoholic beverage license for Teton Valley Foundation for their January 13, 2017 Chiller Dedication event. Motion seconded by Commissioner Wilcox and carried unanimously.

- **MOTION.** Commissioner Riegel made a motion to approve the changes to the Non-Motorized Pathways Ordinance as presented, with the addition of a signature block for Chairman Ricks. Motion seconded by Commissioner Wilcox and carried unanimously. (Attachment #8)

Executive Assistant Holly Wolgamott said the changes to this ordinance had been reviewed and approved by Skyliners Motor Club President Wade Kaufman. She is still working with him to obtain a copy of the 1996 agreement that he referenced during the December 12 meeting.

- **MOTION.** Commissioner Riegel made a motion to approve the letter of support as requested by Denny Arnold asking Governor Otter to reduce the speed limit in Felt from 65 mph to 45 mph. Motion seconded by Commissioner Wilcox and carried unanimously. (Attachment #9)

**COMMITTEE REPORTS.** Commissioner Riegel attended a meeting of the Teton Water Users Association during which she learned that Friends of the Teton River and Teton Regional Land Trust had received an \$825,000 grant for the Teton River Corridor project. The Water Users will be inviting the Commissioners to a January 26 coffee/dessert event at Cicero’s.

Commissioner Riegel has been asked to provide a 10-minute “State of My Jurisdiction” presentation at the annual “22 in 21” meeting of the Charture Institute in Jackson, Wyoming on January 19. She is happy to do so, but is also happy to let one of the other commissioners provide the Teton County Idaho update.

**EXECUTIVE SESSION**

- **MOTION.** At 4:35 pm Commissioner Riegel made a motion for Executive Session pursuant to Idaho Code 704-206(1)(a)&(d) for personnel and indigent matters. Motion seconded by Commissioner Wilcox and a roll call vote found all in favor. The Executive Session ended at 5:20 pm.

- **MOTION.** Commissioner Riegel made a motion to deny Indigent Case #1T-2017-10007 due to lack of cooperation. Motion seconded by Commissioner Wilcox and carried unanimously.

**CLAIMS**

- **MOTION.** Commissioner Riegel made a motion to approve the following claims as presented. Motion seconded by Commissioner Wilcox and carried unanimously.

General .....	\$52,681.09
Road & Bridge.....	34,669.73
Court & Probation .....	39,276.12
Court-Restitution .....	57,203.38
Elections-State Funds .....	64.88
Solid Waste.....	21,689.43
Parks & Rec.....	1,912.50
Road Levy .....	49,315.50
E911 .....	3,609.23
Extension & 4H Programs.....	155.35
Fairgrounds & Fair .....	1,403.18
Grants .....	1,049.00
<b>TOTAL .....</b>	<b>\$263,029.39</b>

● **MOTION.** At 5:56 pm Commissioner Riegel made a motion to recess the meeting until Wednesday at 9:00 am when the Board would reconvene to finish their agenda business and hold Executive Sessions for legal and personnel. Motion seconded by Commissioner Wilcox and carried unanimously.

## **Board of County Commissioners: January 11, 2017 Continuation Meeting**

*Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho*

**COMMISSIONERS PRESENT:** Mark Ricks, Cindy Riegel, Harley Wilcox

**OTHER ELECTED OFFICIALS PRESENT:** Clerk Mary Lou Hansen, Prosecutor Billie Siddoway, Treasurer Beverly Palm

Chairman Ricks reconvened the meeting at 9:20 am.

Risk Manager Holly Wolgamott spoke about best practices related to agenda amendments. She explained that agenda publication requirements are intended to guarantee the public the opportunity to know what's on an agenda so they can participate if desired. She said the public's biggest complaint is that the County is not transparent. Although amending an agenda during a meeting is technically legal if a good faith reason is given, it still gives the impression of a lack of transparency.

The Board decided that the removal of computers from the Prosecutor's office could be discussed in Executive Session pursuant to 704-206(1)(i) claim prevention.

### **APPLIED COMMUNICATIONS CONTRACT FOR REVIEW OF DRAFT CODE**

Since this item was added to the agenda after Open Mic, Commissioner Riegel asked if the public could be allowed to comment about it. Chairman Ricks agreed.

Former Commissioner Bill Leake said he had supported the contract because it was important to get an outside review of the draft Code and identify any necessary changes in order to help the Board move the process forward.

Commissioner Wilcox said he did not disagree with the need for professional review, just the process and timing. He said the contract had been approved after being added to the agenda at the last minute and believes the Board should have obtained competing proposals with specific deliverables.

Commissioner Riegel said contract was actually approved on December 27 after being itemized on the agenda and included in the meeting packet and on the County website. The contract does include a Scope of Work with specific deliverables. She said there is no requirement for an RFB for professional services.

The Board finalized this contract discussion later in the meeting when they had a clearer understanding of the Planning & Zoning Commission schedule due to their conversation with PZC Chairman Cleeve Booker.

At that time, Commissioner Riegel said she had previously understood that the red-lined version of the code (see below) would be submitted to the Board. Therefore, she had supported the Applied Communications contract so the Board could obtain a professional, technical review of the draft, along with suggestions about how to proceed, before beginning their review process. Now that she has learned the PZC will produce a second red-lined document, she agrees that the technical review to be performed by Applied Communications should be postponed until the final draft document is available from the PZC.

● **MOTION.** Commissioner Wilcox made a motion to put the Professional Agreement with Applied Communication for review of the draft code on temporary hold until further notice. Motion seconded by Commissioner Riegel and carried unanimously.

## **PLANNING & ZONING COMMISSION**

Chairman Cleeve Booker said the PZC is trying to stay out of the politics and move forward with the Code. They have been working on the document for two years and would like to get a clean copy to the Board. He said the PZC is currently awaiting delivery of a draft document with the red-lined changes that were requested after the first public hearing process. The Land Use Assistant said the red-lined draft has not been produced because a planner must write the requested new definitions and tell her what words to insert. Mr. Booker and the Board discussed what must occur before the PZC is able to deliver a final draft document to the Board. They identified the following multi-step process:

1. Mr. Booker and the Land Use Assistant will create a detailed list of the exact changes desired.
2. The PZC will meet as soon as possible to review and finalize that list of changes.
3. The changes will be made and the red-lined code reviewed by the PZC for accuracy.
4. The PZC will hold public outreach activities and/or a formal public hearing.
5. The PZC will discuss the comments received and make any changes deemed necessary.
6. The PZC will make a formal recommendation and send their final draft to the Board.

Everyone agreed that it was important to continue moving forward with the process as quickly as possible. Mr. Booker said he could help complete Task #1 within the next week and would immediately begin the process to schedule a PZC meeting.

When different changes to the draft code are voted on, Chairman Ricks said he would like to know the results of those votes because he would perceive a change approved by a 4-3 vote quite differently than one approved by a 6-1 vote.

Mr. Booker reminded the Board that the PZC was currently one member short, and that a new member was needed to complete the 9-member Board in order to avoid tie votes.

## **LEGAL COUNSEL FOR SOLID WASTE FEE LAWSUIT**

Commissioner Riegel said the Board met in Executive Session Monday morning with Deputy Prosecutor Lindsey Blake in order to obtain advice regarding the previous Board's process of hiring outside counsel. She said there was a difference of opinion regarding whether attorney Chris Meyer was hired properly or not and whether Ms. Blake had a conflict.

Prosecutor Siddoway said Chairman Ricks should obtain advice from his personal attorney regarding how his conflict in this lawsuit affects his ability to participate in the discussion about the legitimacy of the previous Board's hiring process. She suggested the Chairman review four possible areas of conflict:

1. Solid waste litigation
2. General process for hiring outside counsel
3. Whether outside counsel should be hired
4. Was the January 3 hiring appropriate

Commissioner Wilcox said he wanted to discuss the specific hiring decision and procedure and had understood the Board was going to seek outside advice. Prosecutor Siddoway said there was no reason for her not to provide advice about the hiring procedure. Commissioner Riegel said the hiring procedure was intricately tied to the solid waste fee lawsuit and she would be more comfortable obtaining advice from outside counsel.

Commissioner Riegel insisted that Mr. Meyer's hiring was legal, but Prosecutor Siddoway disagreed and offered to fashion a complaint against the Board and file it with the court so that the court could decide whether the hiring was legal.

The meeting was recessed at 12:09 pm. Chairman Ricks called the meeting back to order at 1:07 pm.

Commissioner Riegel announced that she had a solution that would eliminate Prosecutor Siddoway's concern that the County's hiring of Mr. Meyer was illegal because there was no finding of necessity in the minutes. She

said she had written a memo providing details about the January 3 Executive Session discussion which led to the Board's decision to hire outside counsel. Her memo had been signed by four of the six persons present at that Executive Session; Commissioner Riegel said she would obtain the other two signatures.

Commissioner Riegel read aloud from her memo, which summarized what the Board learned about Prosecutor Siddoway's conflict, and the January 23 Supreme Court deadline, which caused them to decide it was necessary to hire outside counsel (Attachment #10).

Commissioner Riegel also read aloud from an email written by Mr. Meyer after a January 9 phone conference with Prosecutor Siddoway. He refuted the Prosecutor's claim that the engagement of his firm was defective and disputed her belief that it would be ethical for her Deputy Prosecutor to counsel the Board (Attachment #11).

Finally, Commissioner Riegel provided a copy of the County's Engagement Letter with Givens Pursley law firm wherein the County's need for outside counsel was clearly articulated (Attachment #12).

Chairman Ricks said the decision to hire a new attorney could have waited for the new Board rather than burdening the new Board with a last minute decision by the prior Board. Commissioner Wilcox said the Board should ignore Mr. Meyer's email because it was in his firm's financial interest to continue representing the County, creating a conflict for him. Commissioner Wilcox also questioned how the previous Board could know that Prosecutor Siddoway had a conflict without asking her themselves.

Commissioner Riegel said the Board knew that Commissioners Ricks and Wilcox, along with Prosecutor Siddoway, had been discussing the case with Moulton Law Office and that Commissioner Wilcox had not heard any of the arguments from the County's perspective. The Board also knew there was a January 23 deadline with the Supreme Court. The Board hired Mr. Meyer to be sure the County had an effective and vigorous defense since so much was at stake with this lawsuit. Commissioner Riegel asked Commissioner Wilcox to go into Executive Session with Mr. Meyer to discuss the lawsuit.

Commissioner Wilcox said he was uncomfortable talking with Mr. Meyer until the issue of his hiring was resolved. He asked what would be best for the public. He expressed concern about the cost of a Supreme Court appeal and the cost of an expensive attorney. He said private law firms can establish a "wall" between attorneys to eliminate conflicts and believed the Prosecutor's office could do the same.

The Board made a pre-arranged call to attorney Carl Ericksson at ICRMP (the County's insurance agency). Mr. Ericksson said he had been asked to provide his legal advice regarding the question, "If an elected prosecutor has a conflict, would it be possible for a deputy prosecutor to handle the case by establishing a 'Chinese' wall?"

Mr. Ericksson said the critical aspect of this situation is the fact that the deputy is stepping into the shoes of the elected official to perform that official's duties. The deputy is acting for, and on behalf of, the elected official. Therefore, if the elected official has a conflict, he said a "Chinese" wall would not eliminate the conflict for the Deputy. Mr. Ericksson said this is a much different situation than what occurs in private practice, but admitted there might be differing opinions.

Commissioner Riegel said Commissioner Wilcox was putting the County at risk by not talking with the County's attorney, Mr. Meyer. Commissioner Wilcox said the issue here is what is best for the County, and asked Commissioner Riegel if she were open to settling this case. Commissioner Riegel said she would welcome the chance to have that discussion in Executive Session with Mr. Meyer and Commissioner Wilcox.

Since Commissioners Wilcox and Riegel are the only two Commissioners able to make a decision, Chairman Ricks asked them what was needed to resolve this issue.

Commissioner Riegel said the hiring issue had been resolved by the information she provided after lunch. She said Commissioner Wilcox should do his duty by speaking with the attorney hired by the former Board.

Chairman Ricks recessed the meeting at 2:33 and called it back to order at 2:53 pm.

Commissioner Wilcox said he was still unwilling to go into Executive Session to talk with an attorney he feels was hired improperly, but is not opposed to outside counsel. He said he believes the previous Commission is forcing their will on the current Commission.

Commissioner Riegel said she had just talked with Mr. Meyer who is willing to talk with the Board in open session about the hiring process. She said Mr. Meyer and Mr. Moulton are currently discussing time sensitive issues and negotiations are going on in a good faith effort and in the best interest of the County. She said it sounded like the two attorneys were working some things out.

Commissioner Wilcox said he would like time to do more research. Chairman Ricks said he needs advice regarding whether he's conflicted regarding the hiring decision.

Commissioner Riegel said there was no need to revisit the decision to hire outside counsel. She expressed concern that there was an effort to sabotage this case and this attorney because Prosecutor Siddoway had refused to sign a Substitution of Counsel for the January 17 stay hearing.

The Board agreed to hold a special meeting to discuss this issue further.

The following motions were made at different times during the preceding discussion, but each motion failed due to the lack of a second:

- Commissioner Wilcox made a motion to hire Givens Pursley LLC to represent the County on this case.
- Commissioner Riegel made a motion for Executive Session per IC 704-206(1)(f) to discuss the solid waste fee case with attorney Chris Meyer.
- Commissioner Wilcox made a motion for Executive Session per IC 704-206(1)(f) to discuss the hiring process.
- Commissioner Wilcox made a motion to give notice to Givens Pursley LLC that there is a conflict within the Commission regarding the procedure to hire him.

## **INTERIM PLANNER**

The Board discussed the need for an interim planner and identified several tasks currently needing planning expertise:

- Daily planning and permitting
- Preparation of the red-line code and assist PZC to move project forward
- Answering specific land use questions from potential applicants
- Eclipse permitting process for camping

Commissioner Wilcox emphasized the need to have someone in the office on a regular basis in order to answer technical land use questions. They estimated that an interim planner might work 15-20 hours per week. The possibility of contracting with Driggs Planner Ashley Koehler was mentioned, but Ms. Wolgamott said Ashley would not be available for that many hours.

## **EXECUTIVE SESSION**

● **MOTION.** At 3:12 pm Commissioner Wilcox made a motion for Executive Session to discuss personnel matters and potential claims pursuant to IC 74-206(1)(a)& (i). Motion seconded by Commissioner Riegel and a roll call vote showed all in favor. The Executive Session ended at 3:54 pm.

The Board asked Ms. Wolgamott to contact the local folks who had applied for the planner position to learn if they might be interested in the interim position.

## **ADMINISTRATIVE BUSINESS**

The Board scheduled a special meeting for 12 noon on January to discuss legal counsel for the solid waste fee lawsuit and other topics. Ms. Wolgamott will post the agenda at least 24 hours prior to that the meeting.

● **MOTION**. At 4:11 pm Commissioner Wilcox made a motion to adjourn. Motion seconded by Commissioner Riegel and carried unanimously.

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Mark Ricks, Chairman

ATTEST: \_\_\_\_\_  
County Clerk or Deputy

Attachments: #1 TREC briefing and 2016 Progress Report  
#2 Emergency Mgt, Mosquito Abatement and IT report  
#3 S. Fox planning memo  
#4 Public Works update  
#5 Letter to Ard Farms  
#6 Quarterly financial report  
#7 Resolution 2017-0109 Budget Adjustments for first quarter FY 2017  
#8 Non-Motorized Pathways Ordinance  
#9 Letter to Governor requesting lower speed limit in Felt  
#10 C. Riegel memo regarding Executive Session decision to hire outside counsel for solid waste fee litigation  
#11 C. Meyer email regarding decision to hire outside counsel and conflict in Prosecutor's office  
#12 Givens Pursley letter of engagement

Draft

# Board of Teton County Commissioners

## MINUTES: January 13, 2017

*Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho*

### AGENDA

#### 12:00 MEETING CALL TO ORDER – Chair

*Amendments to Agenda*

1. Solid Waste Fee Lawsuit
  - a. Hiring of outside counsel
  - b. Executive Session as needed per IC74-206(1)(f) legal consultation and (i) for risk management
2. Interim Planner
  - a. Executive Session as needed per IC74-206(1)(a) for personnel
  - b. Discussion of January 20<sup>th</sup> Planning Administrator interview
3. Penalty and Interest on 2015 Solid Waste Fee Non-Payments or Partial Non-Payments
4. Acquisition of Electronic Equipment for New Prosecuting Attorney's Office
5. Disposal of Former Prosecuting Attorney's Office Computers
  - a. Executive Session as needed per IC74-206(1)(i) for risk management
6. Approval to Pay Lead Auditor at 106% of Market Rate
  - a. Executive Session as needed per IC74-206(1)(b) for personnel

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**COMMISSIONERS PRESENT:** Mark Ricks, Harley Wilcox, Cindy Riegel

**OTHER ELECTED OFFICIALS PRESENT:** Clerk Mary Lou Hansen, Treasurer Beverly Palm, Prosecutor Billie Siddoway

Chairman Ricks called the meeting to order at 12:03 pm.

● **MOTION.** Commissioner Wilcox made a motion to approve the agenda as modified within the past 24-hours. Motion seconded by Commissioner Riegel and carried.

### LEGAL COUNSEL FOR SOLID WASTE FEE LAWSUIT

Chairman Ricks announced that the County had been copied on a January 12 email sent by attorney Chris Meyer to Prosecutor Siddoway stating that he would proceed with motions to withdraw from the solid waste fee lawsuit due to her failure to respond to his recent emails, putting him in an untenable position (Attachment #1). As a result, Chairman Ricks said Commissioners Wilcox and Riegel should discuss the hiring of outside counsel while Chairman Ricks recuses himself due to his conflict in this matter.

Commissioner Riegel said she would like to resolve the situation peacefully and professionally and wants the Board to develop a good working relationship. However, she believes the actions of Prosecutor Siddoway and Commissioner Wilcox during the previous meeting were purposefully planned to thwart the former Board's decision to hire outside legal counsel and prevent Commissioner Wilcox from discussing the merits of the case with Mr. Meyer. She continues to believe that Prosecutor Siddoway is conflicted and asked Commissioner Wilcox to go into Executive Session to discuss the need to hire outside counsel.

Prosecutor Siddoway said she has a conflict of interest in this case and has no interest in representing the County. She said the issue she raised with the Commission wasn't whether there was a necessity to hire outside counsel, only whether there had been a finding of necessity on the record. Prosecutor Siddoway said her office is now stepping away from this case and would be happy to recommend attorneys to represent the County.

Commissioner Riegel said she was happy to learn that the Prosecutor now agreed with the necessity of hiring outside counsel since she had previously insisted that her Deputy Prosecutor could handle the case. She asked the Prosecutor to clarify the status of County representation at the Motion of Stay hearing scheduled for January 17. Prosecutor Siddoway said the County currently had no counsel of record on that case so anyone could probably call the court office and get the date changed.

Plaintiff's attorney Roy Moulton said he would notify the court of the need for a postponement. He said he had intended to submit a motion to withdraw Mark Ricks as a plaintiff in this lawsuit so that Mr. Ricks could function as a county commissioner; the motion would require an opinion from the Attorney General. After further discussion, Mr. Moulton said he would ask the court to continue the Motion of Stay hearing without introducing a motion to withdraw Commissioner Ricks as a plaintiff.

Commissioners Riegel and Wilcox discussed the best approach to hiring an attorney. They asked Executive Assistant Holly Wolgamott to contact ICRMP and the Idaho Association of Counties to obtain the names of their top two recommended attorneys. They said she should then contact those four attorneys to learn if they are interested in representing the County and also provide them a list of plaintiffs for a conflict check. Commissioners Riegel and Wilcox would then interview the attorneys and decide who to hire.

## **PLANNING ADMINISTRATOR**

Ms. Wolgamott reported that she had contacted both persons who might be suitable for the contracted Interim Planner position and both are interested in the job. Later in the meeting, after an Executive Session, the Board decided to hold a special meeting on January 18 to interview both candidates.

The Board discussed plans for their January 20 interview of a Planning Administrator candidate. His flight arrives in Jackson Thursday afternoon and departs Saturday afternoon. His interview with the Board is set for 8:30 am. Planning & Zoning Chairman Cleeve Booker was invited to participate. Mr. Booker welcomed the opportunity to observe the interview, and to take the applicant out to lunch afterwards, but said he would not ask any questions. Mr. Booker said it was important for the County to hire a Planning Administrator who would stay with the County and provide stability to that position. Ms. Wolgamott will make arrangements for the applicant to meet other folks he may end up working with.

Mr. Booker suggested that there be a future joint meeting with the Board, Commission and new PA to receive training from a statewide expert regarding their respective roles and responsibilities.

## **PENALTY & INTEREST ON 2015 SOLID WASTE FEES**

● **MOTION.** Commissioner Wilcox made a motion to approve a letter instructing the Treasurer how to deal with these fees. Motion seconded by Chairman Ricks with discussion followed.

Commissioner Wilcox said the letter he distributed was written with the help of Prosecutor Siddoway in response to Treasurer Beverly Palm's January 10 letter to the Board (Attachment #3). In that letter Treasurer Palm said the former Prosecutor had instructed her to take no actions related to any lawsuit judgements since the case was still being litigated. She asked the Board's approval to seek outside legal counsel regarding the interpretation of Judge Moeller's decisions since there could be a conflict with the current Prosecutor.

Commissioner Riegel questioned whether Prosecutor Siddoway should be providing legal advice regarding this matter since she is conflicted and also whether Chairman Ricks should participate in the discussion due to his status as a plaintiff in the lawsuit.

Prosecutor Siddoway said Commissioner Wilcox's letter is not discussing how to treat the plaintiffs in the solid waste fee lawsuit, but how to treat every taxpayer with unpaid 2015 solid waste fees. Therefore, neither she nor Chairman Ricks are conflicted. She said it is her opinion that the County will be in violation of the judgement if the Treasurer sends out past-due pink slip notices.

Treasurer Palm said she doesn't want to jeopardize the County but is unclear about the interpretation of the Court's judgement. She described the limitations of the computer software she uses to track property taxes and send out notices.

**EXECUTIVE SESSION**

● **MOTION.** At 1:48 pm Commissioner Wilcox made a motion for Executive Session pursuant to Idaho Code 704-206(1)(f) to speak with legal counsel regarding a pending claim. Motion seconded by Commissioner Riegel and a roll call vote showed all in favor, but with Commissioner Riegel stating that she was uncomfortable taking legal advice from Prosecutor Siddoway on this matter.

The Executive Session ended at 2:08 pm and Commissioner Wilcox withdrew his motion. Chairman Ricks said Treasurer Palm would work with the State Tax Commission and Prosecutor Siddoway.

**PROSECUTOR COMPUTERS**

Ms. Wolgamott reviewed her memo regarding the disposal of computers from the former Prosecutor’s office (Attachment #3). The former Prosecutor and Deputy used Mac computers. After the incoming Prosecutor indicated she did not use Mac computers, the former Prosecutor learned from the IT department that those computers had no value and would be destroyed by the IT department. The former Prosecutor subsequently requested and received approval from the Board to dispose of the two laptops and two monitors pursuant to IC 31-829 and the County received a \$700 check from the former Deputy Prosecutor in payment of those items. Ms. Wolgamott also learned that all County files were kept on County servers or Google Docs, not on the computer hard drives.

Finally, Ms. Wolgamott learned that there were two computers in the Prosecutor’s office on January 9 and that replacement computers for the Prosecutor and Deputy had not been ordered because IT staff was waiting to learn their requirements.

● **MOTION.** Commissioner Wilcox made a motion to approve purchasing new computers for the Prosecutor’s office using funds from the IT contingency account 1-14-526 for a cost of not more than \$3,828.90. Motion seconded by Chairman Ricks and carried unanimously.

● **MOTION.** Commissioner Riegel made a motion to approve County cell phones for the Prosecutor and Deputy Prosecutor. Motion seconded by Commissioner Wilcox and carried unanimously.

**LEAD AUDITOR SALARY REQUEST**

The Board discussed Clerk Hansen’s request to pay the Lead Auditor at 106% of the market rate due to the fact that his critical position is under-valued by the County’s current pay structure, as supported by a letter from CPA Brad Reed (Attachment #4). She said the Lead Auditor was considering accepting a different position and his knowledge and accounting skills would be a great loss to the County. Clerk Hansen said she would reduce the number of hours he worked each week so this change would not increase her budget.

Although the Board was sympathetic to the request, they felt it would be unfair to other employees and said raises should be approved during the budget process. Ms. Wolgamott said the Lead Auditor should have negotiated a higher starting salary if he felt the market rate was inadequate.

**EXECUTIVE SESSION**

● **MOTION.** At 3:12 pm Commissioner Riegel made a motion for Executive Session to discuss personnel matters pursuant to IC 74-206(1)(a). Motion seconded by Commissioner Wilcox and a roll call vote showed all in favor. The Executive Session ended at 3:55.

● **MOTION.** At 3:56 pm Chairman Ricks made a motion to adjourn. Motion seconded by Commissioner Wilcox and carried unanimously.

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Mark Ricks, Chairman

ATTEST: \_\_\_\_\_  
County Clerk or Deputy

- Attachments: #1 C. Meyer email regarding motions to withdraw  
#2 Jan. 10 letter from Treasurer Palm  
#3 H. Wolgamott memo regarding Prosecutor office computers  
#4 Clerk Hansen memo regarding lead auditor salary

# Board of Teton County Commissioners

**MINUTES: January 18, 2017**

*Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho*

## AGENDA

**1:00 MEETING CALL TO ORDER** – Chair

*Amendments to Agenda*

1. Interim Planner Contract Position
  - a. Executive Session as needed per IC74-206(1)(a) for personnel

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**COMMISSIONERS PRESENT:** Mark Ricks, Harley Wilcox, Cindy Riegel

**OTHER ELECTED OFFICIALS PRESENT:** Clerk Mary Lou Hansen

Chairman Ricks called the meeting to order at 1:10 pm.

## EXECUTIVE SESSION

● **MOTION.** At 1:13 pm Commissioner Riegel made a motion for Executive Session to discuss personnel matters pursuant to IC 74-206(1)(a). Motion seconded by Commissioner Wilcox and a roll call vote showed all in favor. The Executive Session ended at 3:00 pm.

● **MOTION.** Commissioner Riegel moved to hire Joshua Chase as a Temporary Contract Planner seconded by Commissioner Wilcox and carried unanimously.

● **MOTION.** At 3:23 pm, Commissioner Riegel made a motion to adjourn. Motion seconded by Commissioner Wilcox and carried unanimously.

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Mark R. Ricks, Chairman

ATTEST: \_\_\_\_\_  
County Clerk or Deputy

## CHAPTER 9

**SIGNS:**

## SECTION:

8-9-1:	Purpose; Intent
8-9-2:	Applicability
8-9-3:	Permit Required
8-9-4:	Design and Construction Standards
8-9-5:	Sign Removal
8-9-6:	Appeal
8-9-7:	Variance Procedure

**8-9-1: PURPOSE; INTENT:** The purpose of this chapter is to allow the reasonable display of signs to identify homes, public buildings, cultural, professional and business establishments and to advertise products and services for the information and convenience of the people and the flourishing of enterprise. This chapter sets forth uniform standards for the fabrication and placement of signs in the county with the intent of making it easier and less costly for businesses and individuals to have their messages seen while preserving the character of the community as described in the county comprehensive plan.

**8-9-2: APPLICABILITY:**

**A. SIGN DEFINED:** For the purposes of this chapter, the term “sign” shall mean a display of letters, numbers, illustrations, symbols, lights or devices erected to attract attention to the subject matter for advertising purposes.

**B. SCOPE:** This chapter regulates all exterior signs, permanent or temporary, and interior signs intended to be visible from outside the buildings, in which they are installed, within the county, outside the city limits of Victor, Driggs, and Teton, with the exception of the types of signs listed in the following subsection.

**C. EXEMPTIONS:** Signs exempted from regulation are:

1. Official Signs: Traffic signs, guidance signs, welcome signs and official notices placed by a public agency;
2. Private Traffic Signs: Private traffic signs that are similar in design and size to the official signs and do not confuse the intent and operation of the official signs;
3. Individual, Nonprofit Organization Flags: Flags of individuals and nonprofit organizations are allowed, one each per location, provided they are no larger than 20 square feet in area and are not attached to a sign;

4. Historic: Historic site markers, commemorative tablets and signs that name buildings or give their date of construction;
5. Murals; Sculptures: Murals and sculptures displayed as art and not connected with advertising of a business;
6. Time and/or Temperature: Time and/or temperature signs whereon time and temperature are the only changeable copy and the remaining copy is limited to the sponsor's name;
7. Political: Political campaign signs pertaining to a specific election, provided they are displayed no earlier than 60 days before the election and removed within ten (10) days after the election;
8. Owner/Occupant Identification: Owner or occupant identification signs for residential structures, provided they do not exceed one square foot in area (for example, 6" x 24");
9. Private Warning: Private warning signs up to six (6) square feet in area;
10. Sale, Lease, or Rent: Property owner and/or realtor signs for sale, lease or rental if they do not exceed six (6) square feet in area, one sign per street frontage of property where they are displayed on the property owner's real property; in addition, one directional sign will be allowed for each property noticed for sale. (amended 12/13/2012)
11. Window Display: Window displays of business enterprises;
12. Construction Sites: Construction sites signs up to 24 square feet in area, one sign per street frontage at the site;
13. Informative Signs: "Open/closed", "vacancy/no vacancy", business hours and credit card acceptance signs up to three (3) square feet in area, one sign of each type per frontage at each business location;
14. Special Event: Special event signs where the event lasts no longer than five (5) days;
15. Signs on Vehicle: Signs on a vehicle, provided the vehicle is not left standing in a conspicuous place for the purpose of advertising for more than 72 hours;
16. Temporary Signs or Banners: Temporary signs or banners advertising grand openings (on a one-time basis), sales or events sponsored by nonprofit groups, or garage or yard sales, provided the sign is located entirely on private property and is not supported by structures located on public property. "Temporary" shall mean in place no earlier than 15 days before the event and removed the day after the event.
17. Flags: Flags of the official United States and Idaho state flags.

**8-9-3: PERMIT REQUIRED (Amd. 11/15/2012):**

- A. REQUIRED; FEE:** It is unlawful to erect, alter or relocate any sign not exempted in subsection 8-9-2 C from these regulations without first obtaining a sign permit from the office of planning and zoning.
- B. FEE:** The fee for a sign permit is one dollar (\$1.00) per square foot of sign area with a minimum of ten dollars (\$10.00) and a maximum of \$50.00 per permit and is subject to change without notice.
- C. APPLICATION:** Applications for sign permits must be accompanied by legible plans or designs and specifications stating clearly the dimensions, structure, materials, colors and lighting, if any, and plan of installation stating clearances and setbacks.
- D. AUTHORITY TO APPROVE:** The planning administrator has the authority to approve any sign permit except for variances and matters of spacing. The planning administrator's decision may be appealed to the planning commission.
- E. SEASONAL SIGNS:** Seasonal signs may be removed for the off-season and reinstalled without a new sign permit, provided they are not structurally altered and they otherwise conform to these regulations. Maintenance and repainting of signs shall not require a new permit.

**8-9-4: DESIGN AND CONSTRUCTION STANDARDS:**

- A. DEFINITIONS:** The following definitions should be used in interpreting the standards and making permit applications:

**AREA:** The area of all faces within the perimeter that forms the outside shape of the sign including the frame, but not including the uprights or brackets necessary to support the sign. For the purpose of this chapter, however, a flat sign shall be considered to have the area of one of its faces whether the second face is used or not.

**CANOPY SIGN:** A sign attached to or constructed in or on a canopy or marquee over a sidewalk or passageway.

**DIRECTIONAL SIGN:** A sign indicating a route to a location.

- FREE STANDING SIGN:** A sign erected on a supporting framework that is not attached to any building.
- OFF-PREMISES:** Shall be defined as, but not limited to, Idaho Code subsection 40-1910A(2)(a) 1. See also subsection E of this chapter.
- ON-PREMISE:** A sign that advertises the goods, services, and activities on the premises on which the sign is located. All other signs will be considered off-premises signs.
- PREMISES:** That piece of land.
- PROJECTING SIGN:** A sign attached to a building with the sign projecting outward away from the wall.
- SETBACK:** The distance from the sign to the nearest property line.
- TEMPORARY:** A sign in place no earlier than 15 days before the event and removed the day after the event.
- WALL SIGN:** A sign painted on, attached to or erected against the wall of a building with the signs face parallel to the wall.

**B. HEIGHT LIMITS:**

1. Freestanding Signs: Freestanding signs may be erected to a height no greater than 20 feet above the ground.
2. Wall Signs: Wall signs may extend beyond the wall on which they are displayed no more than one foot (12") in any direction.
3. Projecting Signs; Canopy Signs: Projecting signs and canopy signs may not be less than seven and one-half feet (90") from the ground above which they are suspended.

**C. SETBACK REQUIREMENTS:**

1. Freestanding Private Signs: Freestanding private signs shall be permitted to stand in public rights of way.
2. Projecting Signs: Projecting signs must be a minimum of 18 inches from a line extending vertically from the nearest street curb, or if the curb is absent, from the property line.
3. Obstruction Prohibited: No signs shall be permitted that obstructs a clear view of traffic control devices from the street.

4. Interference Prohibited: No sign shall be permitted that interferes with a fire escape exit, or standpipe or that obstructs an opening for ventilation or light.

5. Overhead Electrical Conductors: Signs shall be located no less than six feet (72”) horizontally or 12 feet vertically from overhead electrical conductors that are energized in excess of 750 volts unless such conductors are enclosed in an iron pipe or other material of equal strength.

\* See subsection E1 of this section for definition of “off-premises outdoor advertising”.

6. Setbacks:

a. Highways: Setbacks from the highway shall be a minimum of 50 feet.

b. Other Roads: Setbacks from other roads shall be a minimum of 35 feet from the edge of the road.

c. Distance from Other Signs: Signs shall not be located any closer than 660 horizontal feet from any other advertising sign.

**D. CONSTRUCTION:**

1. Conformance Required: Material and construction of all permanent signs shall conform to the standards of the uniform building code adopted by the county.

2. Wind and Seismic Loads: Signs must withstand the wind loads and seismic loads set forth in the uniform building code. Bracing systems shall be constructed to transfer lateral forces to the foundations. Signs on buildings shall transmit dead weight and lateral loads through the structural frame of the building to the ground in a manner that will not overstress any elements thereof.

3. Colors: Colors shall be normal spectrum colors, including shades of tints thereof, plus gold and silver. Fluorescent, loud and/or gaudy colors are prohibited. Reflective finishes may be used for lettering only.

**E. OFF-PREMISES SIGNS (amended 12/13/2012):**

1. Definition: Idaho Code subsection 40-1910A(2)(a):” Off-premises outdoor advertising” means any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing which is designed, intended or used to advertise or inform and which is situated in order to be visible from any highway, or other traveled way and which is located on property which is separate from and not adjoining the premises or property on which the advertised activity is carried out.

2. Off-Premise Outdoor Advertising Signs: As of January 1, 2013, Teton County sign permits will not be issued for new off-premise outdoor advertising signs along the State of Idaho designated Scenic Byway routes, which include Highways 31, 32, and 33 and Ski Hill Road. The following exceptions apply:

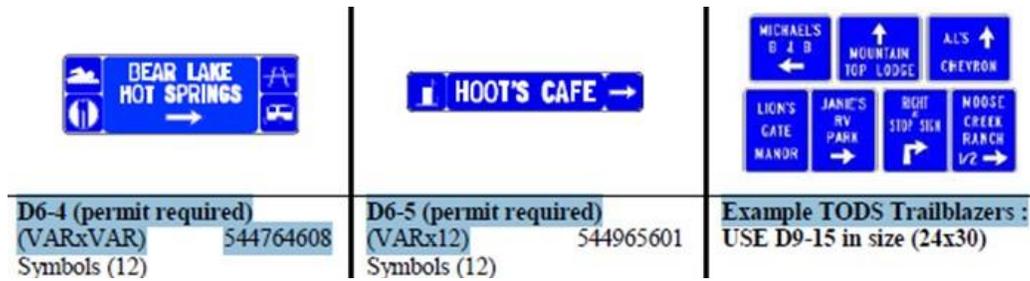
- a. State Approved Single Business Off-Premise Outdoor Advertising Signs that meet State of Idaho Transportation Department dimensional and design standards. These signs are located in the state highway right-of-way and must be approved by the State and also require a Teton County sign permit. These signs are the Idaho Transportation Department Business Panel type signs, which are oriented to the needs of tourists.

			
E10-3 (120x48) 542910344	E10-4 (120x30) 542910443 E10-4A (VARx36) 542910047	E10-5A GAS (60x36) 610000000 Business Panel	E10-5A FOOD (60x36) 610000000 Business Panel
			
E10-5A LODGING (60x36) 610000000 Business Panel	E10-5A CAMPING (60x36) 610000000 Business Panel	E10-5A ATTRACTION (60x36) 610000000 Business Panel	

- b. State Approved Multi-business Signs: Multiple businesses signs advertising two (2) or more off-premise businesses may be permitted within the rights-of way of Highway 31, 32, or 33. The dimensional and design standards of the State shall apply. A sign permit issued by Teton County and approved by the State is required. These signs may include the Idaho Transportation Department Multi-Panel type signs shown below, which are oriented to the needs of tourists.

		
D6-4 (permit required) (VARxVAR) 544764608 Symbols (12)	D6-5 (permit required) (VARx12) 544965601 Symbols (12)	Example TODS Trailblazers : USE D9-15 in size (24x30)

- 3. State Approved Tourist Oriented Directional Signs, as defined by the Idaho Transportation Department, may obtain a permit and be approved by the Idaho Department of Transportation. These signs are legally placed within the state highway right-of way and shall require a sign permit issued by Teton County as well as the State.



**F. PROHIBITED SIGNS:**

1. Wind-Blown Streamers, Pennants, and Balloons: Wind-blown streamers, pennants, and balloons are prohibited except on temporary signs.
2. Rotating, Swinging or Moving: Rotating, swinging or otherwise moving signs or parts are prohibited.
3. Internally Lit Signs: Internally lit signs or signs with moving or flashing lights or other animated decorations are prohibited unless exempted in subsection 8-9-2 C of this chapter.
4. Neon Lighting: Neon lighting, except inside buildings, is prohibited.
5. Portable Signs: Portable signs (signs not attached to the ground or building) are prohibited except in the temporary situations exempted in subsection 8-9-2 C of this chapter.
6. Changeable Copy Signs: Changeable copy signs are prohibited except the following:
  - a. Time/Temperature Signs: Time/Temperature signs exempted in subsection 8-9-2 C of this chapter.
  - b. Theater Marquee Signs: Theater marquee signs for films, plays and other shows;
  - c. Tavern, Café Signs: Tavern and café signs for changing entertainment, one per establishment;
  - d. Fuel Station: Fuel station price signs, two (2) per station.
  - e. All permitted changeable copy signs must conform to the other regulations of this chapter.

**G. PERMITTED SIGNS:**

1. Outdoor Posters: Outdoor posters up to 12 square feet in area are permitted if displayed in cases permanently attached to a building or other structure.
2. Subdivision Signs: One on-premises, 32 square foot, permanent, unlit, identification and directional sign shall be allowed for a subdivision.
3. Occupation Signs: Customary residential, professional, and home occupation signs, not to exceed six (6) square feet in area, may be erected in any districts.
4. Information Signs: One on-premise information sign in conjunction with commercial or industrial uses, provided that the surface area does not exceed 32 square feet.
5. Agricultural Businesses: Agricultural businesses are allowed one on-premises sign not larger than 32 square feet.
6. Entry Gate: Entry gate sign shall be permitted for ranch and subdivision identification.
7. Posting Notices: Posting notices may be erected anywhere on a parcel of land, as long as they are spaced no closer than the minimum spacing provided by state laws, and the sign face does not exceed two (2) square feet, i.e., “No Trespassing”, etc.
8. Business Not Located in Shopping Center: One on-premise, permanent sign per street frontage for a business not located within a shopping center provided the surface area does not exceed 32 square feet, 20 in height, and may be lit upon approval.
9. Signs Located On Building: One permanent sign located on a building for the occupant as listed in Table A. The size of a sign is calculated from the linear feet of the occupant’s share of building frontage on street, sidewalk or parking lot.

**TABLE A**

Occupant’s Frontage In Linear Feet	Sign Area in Square Feet
60	15-30
70	30-45
80	45-60
90	60-75
100	75-90
125	over 90

**H. NONCONFORMING SIGNS:**

1. Definition: A nonconforming sign is any sign that was in place prior to December 8, 1997, but does not conform to the requirements of this chapter as it may be amended from time to time.
2. Alteration; Relocation; Destruction: Nonconforming signs that are to be structurally altered as to size and shape, relocated, or destroyed by an act of God, or the business nature and/or ownership has changed shall be made to conform at the time of the change and a permit applied for.
3. Continuance of Existing Signs: Each sign that was physically in place prior to December 8, 1997, and which does not conform to the requirements of this chapter, may be continued for a maximum of three (3) years and no longer, this includes, but is not limited to, all lease signs, off-premises signs, and on-premises signs.
4. Spacing or Minor Physical Nonconformity: Preexisting signs with a spacing or minor physical nonconformity may be dealt with as a variance.

**I. MISCELLANEOUS:**

1. Business Signs: Any business sign can be either single- or double-faced as long as the same business is displayed on both sides.
2. Permanently Closed Business: If any business is permanently closed, any signs pertaining to that business must be removed within 30 days.

**8-9-5: SIGN REMOVAL:** Any sign deemed defective or dangerous by the building official shall be repaired or removed by the owner within a time period set by the building official, depending on the perceived danger. If the sign is not removed within the designated time the building official shall have it removed and a \$100.00 fine shall be assessed. Any cost incurred in the sign removal that exceeds the fine shall be paid by the owner. Unpaid costs shall be considered a lien against the property.

**8-9-6: APPEAL:**

- A. RIGHT TO APPEAL:** The sign applicant may appeal the decision of the Planning Administrator, provided the written appeal is filed with Planning Department within five (5) working days after the decision of the Planning Administrator is made. (amd. 2011-05-12)
- B. COMMISSION ACTION:** The Planning & Zoning Commission shall schedule to hear the appeal during their next available regular meeting, but no later than 45 days after the appeal request is received. The Planning and Zoning Commission shall approve, disapprove, or modify the action of the Planning Administrator. (amd 2013-04-11; amd. 2011-05-12)

**8-9-7: VARIANCE PROCEDURE:** The planning and zoning commission may recommend to the board of county commissioners, as a result of unique circumstances such as topographical – physical limitations, a variance from the provision of this chapter on a finding that undue hardship results from the strict compliance with specific provisions or requirements of this chapter or that application of such provisions or requirements is unpractical.

## Signs

### 1. General Provisions

#### a. Purpose

This division is intended to provide comprehensive regulations for signs within Teton County and to eliminate confusing, distracting, and unsafe signs while assuring the reasonably efficient transfer of information and enhancing the visual environment of the County. It is declared that the regulation of signs within Teton County is necessary and in the public interest and also relates to the following goals:

- i. To provide a pleasing overall environmental setting and community appearance which is deemed vital to tourism and the continued economic attractiveness of the County;
- ii. To improve the legibility and effectiveness of signs;
- iii. To allow signs appropriate to the planned character of each zoning district;
- iv. To promote the public safety, welfare, convenience, and enjoyment of the unique rural character of the County;

#### b. Applicability

- i. No sign may be erected, altered, refurbished or otherwise modified after the effective date of this Code except in accordance with the requirements of this Division.

#### c. Sign Permit Required

- i. All sign types described in Div. 11.3.7 require a sign permit before they may be installed, constructed, reconstructed, altered, or relocated. Signs described in Div. 11.3.5 do not require a sign permit, but must follow applicable standards.
- ii. The following alteration and maintenance activities do not require a sign permit:
- iii. Painting, cleaning, or other normal maintenance and repair of a sign, provided that no change is made to any structural or electronic component of the sign.
- iv. Changing the message of an existing changeable copy of sign, provided that no change is made to any structural or electronic component of the sign.
- v. Any sign that encroaches upon or over a public right-of-way requires an encroachment permit.

#### d. Permit Application Process

- i. All sign applications shall be submitted to and reviewed by Teton County for compliance with this Division. A sign application must include the appropriate fee plus the following items:
- ii. A completed application using the form supplied by the County;
- iii. For building signs: A building elevation drawn to scale which specifies the location of the proposed new sign, as well as the location and size of any other sign of the same type on the building;
- iv. For freestanding signs, portable signs, and entry feature signs: A site plan drawn to scale which specifies the location of the new sign structure with respect to adjacent structures and property lines;
- v. A scaled drawing of the sign including dimensions of all sign faces, descriptions and colors of materials to be used for sign faces and support

- structures, including detailed specifications for any footers, posts, and hardware, and a detailed sign lighting plan which clearly indicates the location, type, and illumination strength (lumens) of all sign lighting fixtures;
- vi. Tenants of buildings with multiple occupants must include a copy of the approved overall sign plan and indicate how their proposed sign(s) fit(s) into the approved plan. If the new sign does not conform with the approved sign plan, then the applicant must include an amended sign plan with the building owner's signature;
  - vii. Any other information deemed necessary by the Administrator.
- e. Nonconforming Signs
- i. All nonconforming signs in existence before the effective date of this Code may continue to be used provided they are maintained in a safe manner and are kept in good repair. Minor repair and maintenance of a nonconforming sign is allowed.
  - ii. Nonconforming signs may stay in place until one of the following occurs (except to bring the sign out if its nonconforming condition and into compliance with the requirements of this Division):
  - iii. The sign has damage exceeding 50% of its value immediately prior to the event causing the damage or destruction;
  - iv. The deterioration of the sign makes it a hazard;
  - v. The Administrator will not approve a permit for a nonconforming sign to be:
  - vi. Relocated in any manner;
  - vii. Structurally altered; or
  - viii. For more than 50% of the sign face to be permanently altered.
  - ix. For the purpose of this Division, structural alteration of sign modifies the sign dimensions, height, lighting, or support structure.
  - x. If determined by the Planning Administrator that a nonconforming sign meets the criteria of Div. 11.3.1.E.2, the Planning Administrator will give the owner 30 working days written notice to bring the sign into conformance or the sign will be removed at the owner's expense. In the case where winter weather conditions hinder the removal of said sign, the Planning Administrator will issue a follow up date for the sign to be removed by.
  - xi. Temporary signs (including sidewalk signs) cannot be considered nonconforming and are subject to the requirements of this Division on or after the effective date of this Code.
- f. Location
- i. Off premise, outdoor advertising is prohibited. No sign, other than signs placed by agencies of government or a sign whose placement is authorized by such agencies, may be erected or placed on public property, including streets and the public right of way.
  - ii. No sign shall be located so as to conflict with the clear and obvious appearance of public devices controlling traffic or so as to impede clear vision between a height of three feet and ten feet above the centerline grades of intersecting streets through the area created by drawing an imaginary line

between points 30 feet back from where the curb lines of the intersection meet nor shall a sign obstruct the free use, of any public right-of-way, intersection, ingress or egress point, transit stop, parking space, drive aisle, driveway, sidewalk, building entrance, fire escape, or accessibility ramp.

- iii. No sign may be placed so as to obstruct any door.
- iv. Signs must be located so that they do not cover architectural features of a building or structure, including, but not limited to, transoms, insignias, or any other architectural feature.
- v. Signs cannot be painted on or attached to a telephone or utility pole, tree, or traffic sign.

g. Construction

- i. Signs must be constructed of permanent materials and be permanently affixed to the ground or a structure, except for allowed temporary signs (including sidewalk signs).
- ii. If a raceway is necessary, it must not extend in width or height beyond the area of the sign. A raceway must be finished to match the background surface to which it is attached, or integrated into the overall design of the sign.
- iii. Signs that have structural components exceeding 6 feet in height must obtain a Building Permit when they obtain a Sign Permit. The structure will be subject to a plan review as well as any inspections required by the Building Official and appropriate fees applied.

h. Maintenance

- i. Signs must be maintained in good condition at all times and must be kept free of cracked or peeling paint, or missing or damaged components.
- ii. The Planning Administrator may cause to be removed after due notice any sign which shows gross neglect, becomes dilapidated.
- iii. The Planning Administrator will give the owner 10 working days written notice to correct the deficiencies or to remove the sign or signs. If the owner refuses to correct the deficiencies or remove the sign, the Planning Administrator will have the sign removed at the owner's expense.
- iv. Multi-Tenant Building and Multi-Business Complexes
- v. A sign plan is required for all multi-tenant buildings and multi-business complexes. The plan must indicate the size and location of all projecting, wall, freestanding, directory, and other signs. Individual tenants of a multi-tenant building or multi-business complex must subsequently receive permits for their individual signs which must conform to the overall sign plan.

2. Signs Not Allowed

- a. All signs not expressly allowed by this Division are deemed not allowed. Signs not allowed include, but are not limited to, the following.
- b. Rotating, moving, or animated signs involving motion or sound, except for clocks.
- c. Any sign with audio speakers or any form of pyrotechnics.
- d. Flashing, blinking, or varying light intensity signs.
- e. Signs that have a scrolling, flashing, or moving message, except those signs constructed by a governmental entity.

- f. Signs that contain or are an imitation of an official traffic sign or signal or other government sign.
  - g. Any reflective or mirrored sign.
  - h. Streamers.
  - i. Inflatable signs, including but not limited to balloons, gas inflated signs, or similar inflated devices.
  - j. Search lights and beacons.
  - k. Outdoor image projections (signs projected from an external light source onto a building or structure) or any other similar devices.
  - l. Any sign attached to the roof of a building.
  - m. Any abandoned signs.
3. Heritage Signs
- a. A sign having historical significance, and which advertises an establishment or product no longer in existence or a product no longer being offered, may be designated as a heritage sign.
  - b. In order for a sign to be designated a heritage sign, the Planning and Zoning Commission must make written findings that the sign is at least 50 years old, and meets at least one of the following criteria:
  - c. The sign has historic character, interest, or value as part of the development, heritage, or cultural characteristics of Teton County.
  - d. The sign is significant as evidence of the history of the product, business, or service advertised.
  - e. The sign embodies elements of design, detailing, materials, or craftsmanship that make it significant or innovative.
  - f. The sign has a unique location or contains singular physical characteristics that make it an established or familiar visual feature within the community.

District	Duration	Size (max)
RA, LA, ARN, FH, RC, RS-	Allowed 14 days	8 sf per allowed sign
CX, DX, CC	Allowed 14 days	8 sf per allowed sign
CIV, REC	Allowed 14 days	8sf per allowed sign
PRS	Not allowed	Not allowed

4. Temporary Signs
- a. The following temporary signs do not require a sign permit but must follow applicable standards.
  - b. Temporary signs must be located on private property with the property owner's consent.
  - c. Temporary signs cannot be located within the public right-of-way.
  - d. Temporary signs cannot be illuminated.
  - e. Specific requirements for temporary signs are listed below.
  - f. No premises may display more than 4 temporary signs per year.

- g. Temporary signs shall have the first date of display affixed to the sign (front or back) at the beginning of each 14 day period.
5. Signs Allowed Without a Permit
- a. The following signs are allowed and are exempt from Div. 11.3.7 but must follow applicable standards.
  - b. All signs erected in a public right of way by a public agency.
  - c. Official notices issued by any court, public agency, or officer.
  - d. Flags.
  - e. A maximum of 2 flags are allowed per street frontage.
  - f. An individual flag cannot exceed 30 square feet in area.
  - g. The maximum height of a flagpole is 30 feet, measured from the highest point of the flagpole.
  - h. Signs designated by the Planning and Zoning Commission as being Heritage Signs;
  - i. A sign installed inside a window for the purposes of viewing from outside the premises. Such signs cannot exceed 10% of the total window area;
  - j. Any government sign, meaning any sign put up by a government agency either required by law or in sponsorship of a government function (a building permit may still be required for the construction of these signs);
  - k. Any directional sign. Parking lot directional signs shall not project higher than 7 feet above the existing grade;
  - l. One Incidental sign per property that does not exceed 6 square feet and does not exceed 6 feet in height,
  - m. Any sign that replaces an equivalent sign within a multi-tenant freestanding sign, so long as it complies with the overall multi-tenant sign plan.
6. Signs along State Highways and Ski-Hill Road.
- a. The following regulations apply to signs along State Highways 31, 32, and 33 and Ski Hill Road. The Teton Scenic Byway passes through Teton County. There are Federal regulations that control outdoor advertising along these byways (Title 23, Section 131 of the United States Code).
  - b. Existing signs may remain in accordance with Div. 11.3.1.E.
  - c. No new outdoor advertising signs shall be constructed within 650 feet of the right of way of these roads, that is visible from these roads.
  - d. Only State Approved Single Business Off-Premise Outdoor Advertising Signs, State Approved Multi-Business Signs, State Approved Point of Interest Signs, and State Approved Tourist Oriented Directional Signs are permitted. These are signs that meet State of Idaho Transportation Department dimensional and design standards, are located in the state highway right-of-way, approved by ITD, and must be supplied/installed by ITD. Teton County should be notified when an application is made to ITD.

**IMAGE**

7. Signs Requiring a Permit
- a. Sign Types

- i. The following signs are allowed following the issuance of a sign permit.

Sign Descriptions	
Specific Sign Types	Illustration
<b>Building Signs</b>	
Wall Sign. A building sign applied to or attached to the outside wall or surface of a building or structure, the display surface of which does not project more than 1 foot from the outside wall of the building or structure.	IMAGE
Awning Sign. A building sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning valance material as an integrated part of the awning itself.	IMAGE
Canopy Sign. A building sign attached to a canopy so that the display surface is parallel to the plane of the front building facade.	IMAGE
Projecting Sign. A building sign attached to the outside wall or surface of a building or structure at a 90-degree angle, extending more than 1 foot from the outside wall of the building or structure.	IMAGE
Hanging Sign. A building sign attached to the underside of a beam or ceiling of a porch, gallery or similar covered area.	IMAGE
<b>Freestanding Signs</b>	
Monument Sign. A freestanding sign which is wholly independent of a building for support attached to the ground along its entire width to a continuous pedestal.	IMAGE
Double Post Sign. A freestanding sign where the primary support is supplied by two posts positioned no more than 2 inches from the outer edge of the sign face.	IMAGE
Single Post Sign. A freestanding sign where the primary support is supplied by a single post and where the sign hangs from a bracket or support.	IMAGE
<b>Other</b>	

Sign Descriptions	
Specific Sign Types	Illustration
Entry Feature Sign. A sign permanently affixed to the ground which is wholly independent of a building for support, is located at the entry of a subdivision, and is approved with the subdivision.	IMAGE
Sidewalk Sign. A movable sign not secured or attached to the ground or surface upon which it is located.	IMAGE

b. Sign Types Allowed by District

Signs are allowed by district. Specific requirements for each sign are shown on the following pages.

	RA	LA	ARN	FH	RC	Residential Districts	Mixed Use Districts	IL	IH	CIV	REC	PRS
<b>Building Signs</b>												
Wall Sign	--	--	--	--	--	--	--	P	P	P	P	--
Awning Sign	--	--	--	--	--	--	--	P	--	P	P	--
Canopy Sign	--	--	--	--	--	--	--	P	--	P	P	--
Projecting Sign	--	--	--	--	--	--	--	P	--	P	P	--
Hanging Sign	--	--	--	--	--	--	--	P	--	P	P	--
<b>Freestanding Signs</b>												
Monument Sign	--	--	--	--	--	--	--	P	P	--	--	--
Double Post Sign	P	P	P	P	P	--	--	P	P	P	P	--
Single Post Sign	P	P	P	P	P	--	--	P	P	P	P	--
<b>Other Signs</b>												
Entry Feature Sign	P	P	P	P	P	--	--	P	P	P	P	--
Sidewalk Sign	--	--	--	--	--	--	--	P	P	P	P	--
P = sign type allowed    -- = sign type not allowed												

- i. The maximum total sign area may be allocated among the permitted signs in each district, provided that each sign conforms to the applicable regulations of the district in which the sign is located and the applicable regulations for the sign type.
- ii. In no case may the total area of all signs on a particular site exceed the maximum total sign area given for a site in a particular zoning district.
- iii. Heritage signs do not count toward the maximum total sign area or the maximum number of permitted signs.

c. Allocation of Sign Area

	Building Signs	Freestanding Signs	Sidewalk Sign
RA, LA, ARN, FH, RC, RS-, RM-	0.25 sf per linear ft of building frontage or 12 sf, whichever is greater	8 sf per allowed sign	Not allowed
RX	0.50 sf per linear ft of building frontage or 24 sf, whichever is greater	16 sf per allowed sign	9 sf per allowed sign
NX	0.75 sf per linear ft of building frontage, or 24 sf, whichever is greater	16 sf per allowed sign	9 sf per allowed sign
CX	1.00 sf per linear ft of building frontage, or 32 sf, whichever is greater	16 sf per allowed sign	9 sf per allowed sign
DX	1.00 sf per linear ft of building frontage, or 32 sf, whichever is greater	16 sf per allowed sign	9 sf per allowed sign
CC	1.00 sf per linear ft of building frontage, or 32 sf, whichever is greater	Monument: Based on # of tenants Double/Sign Post: 16 sf per allowed sign	9 sf per allowed sign
CH, IX, IL, IH	1.50 sf per linear ft of building frontage	Monument: Based on # of tenants Double/Sign Post: 16 sf per allowed sign	9 sf per allowed sign
CIV, REC	0.75 sf per linear ft of building frontage	16 sf per allowed sign	9 sf per allowed sign
PRS	Not allowed	Not allowed	Not allowed

- i. The maximum sign area for each sign type is determined by district and is established below. There must be a building on the property to increase the size

- ii. Building frontage is determined by measuring the total length of each street-facing building facade that runs approximately parallel with the street the sign is intended to be viewed from. Non street-facing building facades are not allocated sign area, however, sign area allocated to a street-facing building facade may be used on a non-street-facing building facade. Sign allocation from one street-facing building facade cannot be transferred to another street-facing building facade.
  - iii. Street frontage is that portion of a lot that abuts a public or private street. A lots that abuts one street has one street frontage, a lot that abuts 2 streets has 2 street frontages, a lot that about 3 streets has 3 street frontages, and a lot that abuts 4 streets has 4 street frontages.
- d. Sign Design Standards for Non-Temporary Signs
- i. All Districts
    - 1. All signs shall be made of durable materials such as wood and metal or others deemed similar in appearance
  - ii. Rural and Residential Districts
    - 1. Signs shall feature muted colors consisting of warm earth tones
    - 2. No fluorescent colors or reflective surfaces shall be permitted

8. Wall Sign		
Image	image	
image		
Description	Dimensions	
A building sign applied to or attached to the outside wall or surface of a building or structure, the display surface of which does not project more than 1 foot from the outside wall of the building or structure.	Allocation of sign area	see Div. 11.3.7.C
General Provisions	Size	
<p>A wall sign must be placed no higher than 18 feet above the sidewalk.</p> <p>No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.</p> <p>A wall sign cannot cover windows or architectural details.</p> <p>A wall sign may be externally or internally illuminated in accordance with Div. 11.3.19.</p>	CIV, REC	24 sf max
	IL, IH	40 sf max
	Projection - measured from building facade	1' max
	Right of Way Encroachment	
	May encroach over the public sidewalk but not over any public street or alley.	

9. Awning Sign		
Image	image	
image		
Description	Dimensions	
A building sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning valance material as an integrated part of the awning itself.	Allocation of sign area	see Div. 11.3.7.C
General Provisions	Size	
<p>An awning sign cannot extend outside the awning. Only awnings over ground story doors or windows may contain signs.</p> <p>One sign is allowed per awning. A sign may be on either the front or side valance (but no on both).</p> <p>Signs are not allowed on the sloping face of an awning.</p> <p>An awning sign cannot be illuminated.</p>	CIV, REC	9 sf max
	IL	20 sf max
	Height	1' max
	Right of Way Encroachment	
	May encroach over public sidewalk but not over a public street or alley. Sign must be a minimum of 2 feet inside the curb line or edge of pavement, whichever is greater.	

**10. Canopy Sign**

Image	image
image	

Description	Dimensions		
A building sign attached to a canopy so that the display surface is parallel to the plane of the front building facade.	Allocation of sign area	see Div. 11.3.7.C	
General Provisions	Size		
<p>A canopy sign cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy.</p> <p>A maximum of one sign is allowed per canopy.</p> <p>A canopy sign may be externally or internally illuminated in accordance with Div. 11.3.19.</p>	CIV, REC	16 sf max	
	IL	32 sf max	
	Height	2' max	
	Depth	1' max	
	Clear height		
	above sidewalk	9' min	
	above parking area or driveway	14' min	
	Right of Way Encroachment		
	May encroach over public sidewalk but not over a public street or alley. Sign must be a minimum of 2 feet inside the curb line or edge of pavement, whichever is greater.		

11. Projecting Sign		
Image	image	
image		
Description	Dimensions	
A building sign attached to the outside wall or surface of a building or structure at a 90-degree angle, extending more than 1 foot from the outside wall of the building or structure.	Allocation of sign area	see Div. 11.3.7.C
General Provisions	Size	
<p>A projecting sign must be located below the window sills of the second story on a multi-story building or below the roof line on a single-story building.</p> <p>Only one projecting sign is allowed per tenant per street frontage.</p> <p>A projecting sign may be erected on a building corner when the building corner adjoins the intersection of two streets. Allocation of sign area from both frontages may be used.</p> <p>A projecting sign may only be externally illuminated in accordance with Div. 11.3.19.</p>	CIV, REC	12 sf max
	IL	20 sf max
	Projection - measured from building facade	4' max
	Width	1' max
	Clear height	
	above sidewalk	9' min
	above parking area or driveway	14 min'
	Right of Way Encroachment	May encroach over public sidewalk but not over a public street or alley. Sign must be a minimum of 2 feet inside the curb line or edge of pavement, whichever is greater.

12. Hanging Sign		
Image	image	
image		
Description	Dimensions	
A building sign attached to the underside of a beam or ceiling of a porch, gallery or similar covered area.	Allocation of sign area	see Div. 11.3.7.C
General Provisions	Size	3 sf max
<p>A hanging sign must be located within 5 feet of an accessible building entrance.</p> <p>A hanging sign cannot be illuminated.</p>	Height	2' max
	Width	3' max
	Clear height	
	above sidewalk	9' min
	above parking area or driveway	14 min'
	Right of Way Encroachment	May encroach over public sidewalk but not over a public street or alley. Sign must be a minimum of 2 feet inside the curb line or edge of pavement, whichever is greater.

13. Monument Sign		
Image	image	
image		
Description	Dimensions	
A freestanding sign which is wholly independent of a building for support attached to the ground along its entire width to a continuous pedestal.	Allocation of sign area	see below
General Provisions	Size (by number of tenants)	
<p>Only one freestanding sign is allowed per street frontage, except that one additional freestanding sign is allowed for properties with 500 feet or more of street frontage.</p> <p>Monument signs must display the street address of the property. If the area of the address is 5 square feet or less, the area does not count towards the allocation of sign area.</p> <p>A monument sign must be set back at least 10 feet from the primary or side street lot line and 15 feet from a side lot line.</p> <p>A monument sign may be externally or internally illuminated in accordance with Div. 11.3.19.</p>	1 tenant	24 sf max
	2 to 3 tenants	32 sf max
	5 or more tenants	40 sf max
	Height	
	IL, IH	10' max
	Base height	
	IL, IH	2' min
Right of Way Encroachment	Not allowed.	

**14. Double Post Sign**

Image	image
image	

Description	Dimensions	
-------------	------------	--

A freestanding sign where the primary support is supplied by two posts positioned no more than 2 inches from the outer edge of the sign face.	Allocation of sign area	see below
---	-------------------------	-----------

<b>General Provisions</b>	Size	16 sf max
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	Height	4' max
--	--------	--------

	Right of Way Encroachment	
--	---------------------------	--

<p>Only one freestanding sign is allowed per street frontage, except that one additional freestanding sign is allowed for properties with 500 feet or more of street frontage.</p> <p>A double post sign must be set back at least 10 feet from the front lot line and 15 feet from a side lot line.</p> <p>A double post sign must display the street address of the property. If the area of the address is 5 square feet or less, the area does not count towards the allocation of sign area.</p> <p>A double post sign may only be externally illuminated in accordance with Div. 11.3.19.</p>	Not allowed.	
---	--------------	--

15. Single Post Sign		
Image	image	
image		
Description	Dimensions	
A freestanding sign where the primary support is supplied by a single post and where the sign hangs from a bracket or support.	Allocation of sign area	see below
General Provisions	Size	16 sf max
<p>The hanging bracket must be an integral part of the sign design.</p> <p>Only one freestanding sign is allowed per street frontage, except that one additional freestanding sign is allowed for properties with 500 feet or more of street frontage.</p> <p>A single post sign must be set back at least 10 feet from the front lot line and 10 feet from a side lot line.</p> <p>A single post sign may only be externally illuminated in accordance with Div. 11.3.19.</p>	Height	6' max
	Length	4' max
	Width	4' max
	Right of Way Encroachment	Not allowed.

**16. Entry Feature Sign**

Image	image
image	

Description	Dimensions	
A feature permanently affixed to the ground which is wholly independent of a building for support, is located at the entry of a subdivision and is approved with the subdivision.	Allocation of sign area	see below
General Provisions	Size	24 sf max
One entry feature sign is allowed per street frontage. An entry feature sign must be set back at least 15 feet from the front property line and 15 feet from a side property line. An entry feature sign may only be externally illuminated in accordance with Div. 11.3.19.	Height	8' max
	Right of Way Encroachment	
	Not allowed.	

17. Sidewalk Sign		
Image	image	
image		
Description	Dimensions	
A movable sign not secured or attached to the ground or surface upon which it is located.	Allocation of sign area	see below
General Provisions	Size	9 sf max
<p>Each ground floor tenant may have one sidewalk sign located adjacent to the primary facade with the principal customer entrance, or up to 8 feet from that facade.</p> <p>A sidewalk sign must be removed and placed indoors at the close of business each day.</p> <p>A sidewalk sign cannot obstruct vehicular, bicycle or pedestrian traffic and must comply with ADA clearance and accessibility. A minimum sidewalk clearance of 6 feet in width must be maintained.</p> <p>A sidewalk sign must have a locking arm or other device to stabilize the structure.</p> <p>A sidewalk sign cannot be illuminated.</p>	Height	4' max
	Width	3' max
	Right of Way Encroachment	
	May encroach on a public sidewalk but not over a public street or alley. The sign cannot obstruct vehicular, bicycle or pedestrian traffic and it must comply with ADA clearance and accessibility. A minimum sidewalk clearance of 6 feet in width must be maintained.	

## 18. Sign Measurements

### a. Sign Area

- i. Sign area includes the area of the smallest enclosing circle, half-circle, parallelogram, or triangle that encloses all of the letters, figures or symbols that comprise the sign message.

IMAGE

- ii. Irregular shapes are calculated by up to a maximum of 3 connected shapes.

IMAGE

- iii. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign and the background used to differentiate the sign from the structure on which it is mounted.

IMAGE

- iv. Sign area does not include any structure supporting the sign unless the support structure forms a part of the message being displayed.
- v. The area for a sign with more than one face is computed by adding together the area of all sign faces greater than 45 degrees; if the sign face angle is less than 45 degrees, only the area of the largest sign face is computed as part of the sign area.

IMAGE

### b. Sign Height

- i. The total height of a ground sign is measured from the highest point of the sign or supporting structure to the finished grade directly below it.
- ii. The height may not be artificially increased by the use of mounding.

IMAGE

## 19. Illumination

Illumination of signs must be in accordance with the following requirements.

	Internal	External
Building Signs		
Wall Sign	Allowed	Allowed
Awning Sign	Not allowed	Not allowed
Canopy Sign	Allowed	Allowed
Projecting Sign	Not allowed	Allowed

Hanging Sign	Not allowed	Not allowed
<b>Freestanding Signs</b>		
Monument Sign	Allowed	Allowed
Double Post Sign	Not allowed	Allowed
Single Post Sign	Not allowed	Allowed
<b>Other Signs</b>		
Entry Feature Sign	Not allowed	Allowed
Sidewalk Sign	Not allowed	Not allowed

- a. Illumination Permitted by Sign Type
- b. Prohibited Light Sources
  - i. Blinking, flashing, and chasing.
  - ii. Bare bulb illumination.
  - iii. Colored lights used in any manner so as to be confused with or construed as traffic control devices.
  - iv. Direct reflected light that creates a hazard to operators of motor vehicles.
  - v. Lights that outline property lines, sales areas, roof lines, doors, windows, or similar area are not allowed, except for seasonal lighting.
  - vi. Lamps that exceed a color temperature of 3200K.
- c. Externally Illuminated Signs
  - i. An externally illuminated sign is characterized by the use of artificial light reflecting off its surface.
  - ii. Illumination must be by top-mounted fixtures aimed downward, and they cannot exceed 200 lamp lumens per square foot of sign face.
  - iii. Illumination shall be incorporated into the sign bracket when possible
- d. Internally Illuminated Signs
  - i. An internally illuminated sign is characterized by the use of artificial light projecting through its surface.
  - ii. All lamps intended for internal illumination must be fully concealed from view.
  - iii. Internal illumination cannot exceed 300 lamp lumens per square foot of sign area.
  - iv. For internally illuminated signs on a background, no more than 50% of the sign area may be composed of lighter-colored surfaces (white, off-white, gray, cream, or pale shades of other colors), as opposed to opaque, darker-colored, or back-lit surfaces.
  - v. Exposed neon is not allowed, except one window sign stating “open” that is not greater than 5 square feet in area and does not exceed 30% of the window area, limited to one per establishment.
- e. Illumination Curfew

- i. The illumination of signs is prohibited between the hours of 11 p.m. or the time of closing of the related business, whichever is later, and 30 minutes prior to the time of reopening,

## 20. Changeable Copy

### a. Types of Changeable Copy

#### i. Manual Changeable Copy

- 1. A sign or portion of a sign that has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and is changed or re-arranged manually or mechanically with characters, letters, or illustrations that may be changed or rearranged without altering the face or the surface of the sign, such as a marquee sign.

#### ii. Digital Changeable Copy

- 1. A sign or portion of a sign that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the sign.

### b. Signs Allowing Manual Changeable Copy

- i. Manual changeable copy is allowed in conjunction with an allowed wall or monument sign provided the changeable copy portion is no greater than 50% of the sign area.

**IMAGE**

### c. Signs Allowing Digital Changeable Copy

- i. Digital changeable copy is allowed in conjunction with an allowed wall or monument sign.
- ii. Digital changeable copy is not allowed in Scenic Corridor Design Review Overlay.
- iii. Any image or message or portion of the image or message must have a static display for minimum duration of 24 hours, except for the display of time or temperature, which must have a minimum duration of 8 seconds.
- iv. No portion of the image or message may flash, scroll, twirl, change color or in any manner imitate movement.
- v. The sign must not exceed a maximum illumination of 300 lumens during daylight hours and a maximum illumination of 50 lumens between dusk to dawn as measured from the sign's face at maximum brightness.

TETON COUNTY, IDAHO  
**ORDINANCE** 2016-1212

Amendment to Title 5, Chapter 1

AN ORDINANCE OF TETON COUNTY, IDAHO AMENDING TITLE 5, CHAPTER 1 OF THE COUNTY CODE; ESTABLISHING DEFINITIONS AND DOG LICENSING REQUIREMENTS; ADOPTING A PROHIBITION ON AT LARGE DOGS AND RESTRICTIONS ON NOISY DOGS; PROVIDING FOR THE IMPOUNDING OF AT LARGE OR SUSPECTED RABID DOGS AND THE ADOPTION OF UNCLAIMED IMPOUNDED DOGS; ESTABLISHING PENALTIES FOR VIOLATIONS; REPEALING ALL ORDINANCES, RESOLUTIONS OR PARTS THEREOF IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF TETON, STATE OF IDAHO:**

**SECTION 1.** The following text shall replace Title 5, Chapter 1 of the Teton County Code, in its entirety and be enforced as such:

CHAPTER 1

**Animal Care and Control**

SECTION:

- 5-1- 1: Purpose
- 5-1- 2: Definitions
- 5-1- 3: Licenses
- 5-1- 4: Restricted and Prohibited Acts
- 5-1- 5: Impounding
- 5-1- 6: Rabid Dog
- 5-1- 7: Adoption; Fee
- 5-1- 8: Fines, Fees and Penalties

5-1-1:       **PURPOSE:** The County of Teton hereby establishes this ordinance to promote the health, safety, and welfare of the residents, animals, and visitor of the County of Teton; and to protect the properties of such persons by establishing a uniform and humane dog care and control ordinance.

5-1-2:       **DEFINITIONS:** When used in this chapter, unless the context otherwise indicates, the following terms and phrases shall have the meanings as herein ascribed:

**ANIMAL CARE AND CONTROL OFFICER:** The person or persons given authority by the County of Teton, the Teton County Board of Commissioners or the Teton County Sheriff's Office, to enforce this chapter, or any peace officer in this State.

**AT LARGE:** Off the premises of the owner and not under the control or restraint of the owner, keeper, or custodian of the animal.

**CONTROL/VOICE CONTROL:** Within the incorporated cities, a dog shall be deemed to be under control if such dog is physically restrained. Within the unincorporated county, a dog may be deemed to be under control by means of voice control. Voice control means that the dog returns immediately to and remains by the side of the owner or keeper in response to the owner or keeper's verbal command, whistle or hand signal. If an unleashed dog approaches or remains within 10 feet of any other person other than the owner or keeper, that dog is not under voice control and shall be deemed to be "at large", unless such person (or in the case of a minor child, an adult present with the child) has communicated to the owner that such person consents to the presence of the dog.

**COUNTY:** Shall include the unincorporated areas within the boundaries of Teton County, Idaho.

**DOG:** Includes any unaltered or altered male or female canine not in the line of duty for a law enforcement agency.

**HUMANE:** To provide proper food, water, sanitation, ventilation, medical attention and shelter from weather as needed.

**HUMANELY DISPOSE:** To euthanize any animal according to the State of Idaho Board of Veterinary Medicine's current euthanasia rules and/or by a qualified veterinarian clinic/hospital, or certified euthanasia technician.

**IMPOUNDED:** Having been received into the custody of the Teton County Sheriff's Department or shelter master or other designated agent.

**INJURY:** Any physical injury that results in any breaking of the skin, infection, broken bone or disfiguring laceration.

**NUISANCE:** Any noisy dog, any dangerous dog, or any dog engaging in behaviors described in section 5-3-4(B) of this chapter.

**OWNER:** Includes any individual, partnership, corporation, company, society or association keeping or harboring a dog or dogs.

**PREMISES:** The real property owned or occupied by the owner of the dog.

**RESTRAINT:** An animal shall be deemed to be under restraint if it is not At-Large.

**SHELTER MASTER:** The person or persons responsible for an animal shelter that provides humane care for animals impounded by the Animal Care and Control Officer.

VICIOUS DOG: A dog which, when not provoked, approaches any person who is not trespassing, in a vicious or terrorizing manner; or any dog which, when not provoked, physically attacks, wounds, bites or otherwise injures a person or domestic animal who is not trespassing.

### 5-1-3: LICENSES

#### A. Required:

1. License Required; Fee: All owners of dogs over six (6) months of age residing within the County of Teton must pay a license fee as set forth by resolution of the Teton County Board of Commissioners. Any violation of this Chapter, in which the license tag is not attached to the dog, may result in an additional violation.
2. Receipt; Tag: Said license shall be paid in accordance with provisions of Idaho Code Section 25-2801, to the agent or officer of the county, as designated by the Board of County Commissioners, who shall thereupon give to the person paying it a dated receipt reciting the owner's name and the number of the license, and also a tag or disc bearing the year of issue, the name of the county, and a license number corresponding with that mentioned in the receipt.
3. Duplicate Tag: In the event of loss of license tag, a duplicate, so stamped, shall be provided to the owner by the county, at a reasonable cost for each duplicate tag.

#### B. When Required; Term; Relicensing:

1. All dogs six (6) months and older shall be licensed within thirty (30) days of being brought into the County of Teton.
2. All licenses shall be issued on the date applied therefor and shall expire one year from that date.

C. Application: The owner shall state at the time application is made for a license and upon a form provided for such purpose, their name and address; the name, breed, color and gender of each dog owned or kept by them, whether such dog has been spayed or neutered; and in the case of spayed or neutered dogs, the owner shall submit a certificate from a licensed veterinary surgeon that their dog or dogs have been spayed or neutered. Any dog for which no certificate is presented, certifying that such dog has been spayed or neutered, or for which a licensed veterinarian cannot certify that such dog has been spayed or neutered, shall be considered a not-spayed dog or not-neutered dog, and the owner shall be charged a license as though such dog were unaltered.

D. Certificate of Rabies Immunity: At time of application for a dog license, a current certification of rabies immunity from a licensed veterinarian must be presented.

- E. Conditions of Issuance: Licenses issued in accordance with this chapter are conditioned upon compliance of the owner with all provisions of this chapter and other applicable state and local laws. Any license may be revoked if the person holding the license refuses or fails to comply with this chapter or any state or local law governing cruelty to animals or keeping of animals.

**5-1-4: RESTRICTED AND PROHIBITED ACTS:**

Nuisances

1. Noisy Dog: It is a violation of this chapter for any owner of a dog to fail to exercise the reasonably necessary proper care of his/her animal in order to prevent it from disturbing the peace and quiet of persons residing in the neighborhood by allowing such dog to continue barking, howling and/or whining, audible beyond the property line of the premises on which the dog is located, for more than thirty (30) minutes. If it is determined that there is a prowler or something taunting the animal, a notice of violation will not be issued.
  2. Dogs at Large: It is a violation of this chapter for any person who owns, harbors or possesses a dog, whether licensed or not, to allow such dog to be at large, as defined by this Chapter, upon the streets or alleys of the County, or in any public place in the County, except for designated off-leash areas, or upon any other premises within the County without the consent of the person in possession of such premises. See Idaho Code § 25-2803 and 25-2804 and any amendments.
  3. Female Dogs in Heat: Each female dog, when in heat, shall be under control or penned or enclosed in such a manner as to preclude at large dogs from contacting such female dog.
  4. Unneutered Dogs at Large: It is a separate violation of this chapter for any owner of any unneutered dog that is found to be at large.
  5. Failure to Remove Waste: It shall be unlawful for any person who owns, possesses or controls a dog to fail to promptly remove and dispose of any feces left by his/her dog on any sidewalk, street or public owned property or private property (other than the property of the owner of the dog or of a person who has consented to the presence of the dog on his/her property). This provision shall not apply to an assistance dog accompanying a handicapped person who, by reason of his/her disability, is unable to remove and properly dispose of the feces.
- B. Rabies Suspects: It shall be unlawful for a person to keep or harbor any dog afflicted with rabies. The owner of a dog showing symptoms of rabies, or of an unvaccinated dog which has bitten any person causing an abrasion or break in the skin, has a duty to surrender the dog for confinement at the animal shelter, or to a licensed veterinarian, for a minimum of ten (10) days, for impoundment in accordance with Section 5-3-6 of this chapter.
- C. Vicious Dogs: It shall be unlawful for the owner of a vicious dog or for the owner of premises on which a vicious dog is present to harbor a vicious dog outside a secure enclosure. A secure

enclosure is one from which the animal cannot escape and for which exit and entry is controlled by the owner of the premises or owner of the animal. Any vicious dog removed from the secure enclosure must be restrained sufficiently to control the vicious dog. Any person who violates the provisions of this section is guilty of a misdemeanor. For a second or subsequent violation of this subsection, the Animal Care and Control Officer may, in the interest of public safety, impound the dog. The Shelter Master shall have the authority to either retrain the dog and place the animal for adoption or to order the vicious dog destroyed if the shelter is unable to release the animal to a responsible owner. See Idaho Code § 25-2805 and any amendments.

- D. **Possession of Impounded Dogs:** Except as authorized by the Shelter Master, no person shall have in his or her possession, care, custody or control any dog that has been impounded by the Animal Care and Control Officer and has not been properly released by the Shelter Master following payment of all impoundment fees and costs.
- E. **Concealing Animals:** It is a violation of this chapter to conceal any animal for the purpose and with the intent to violate this chapter or to prevent or interfere or hinder the Animal Care and Control Officer's enforcement of any part of this chapter.

**5-1-5: IMPOUNDING:**

- A. **Power To Impound:** Any dog at large may be impounded by the Animal Care and Control Officer and delivered to an animal shelter and there confined in a humane manner.
- B. **Redemption:** At any time that a dog is so impounded, the owner or keeper of the dog may redeem the same by paying to the Shelter Master the expenses incurred by the animal shelter for such impoundment. The owner reclaiming an impounded animal may also be cited for a violation of this chapter.
- C. **Alternative to Impoundment:** Notwithstanding the provisions of this section, if a dog is found at large and its owner can be identified and located, such animal need not be impounded but may, instead, be taken to its owner and the owner may be cited for a violation of this chapter.

**5-1-6: RABID DOG:**

- A. **Impoundment of Suspect Animal:** If any dog is believed to have rabies, has been bitten by any animal suspected of having rabies, or has bitten any person causing laceration or abrasion of the skin, such dog shall be impounded in the animal shelter by the Animal Care and Control Officer or other authorized County Representative.
- B. **Registry:** The Shelter Master or some other designated official upon receiving any such dog, shall make a complete registry, entering the breed, color, and gender of such dog, and whether licensed, and shall also make record of the incident which led to the impounding of the dog. If the dog is licensed, the Shelter Master shall enter the name and address of the owner and the number of the license tag.

- C. Notice to Owner: Not later than three (3) days after the impounding of any such dog, the owner shall be notified by the Shelter Master, if the owner of the dog is known.
- D. Quarantine: The dog is to be quarantined in the animal shelter, segregated from other animals, for a period of ten (10) days. At the owner's request and expense, the dog may be quarantined at a licensed veterinarian.
  - 1. No Symptoms Shown: At the end of the ten (10) day period of impoundment, a licensed veterinarian shall inspect the dog and if the dog shows no symptoms of rabies, the veterinarian may authorize the release of the dog after vaccinating the dog for rabies.
  - 2. Symptoms Shown: If the dog shows symptoms of rabies, or is suspected by the veterinarian of being infected with rabies, the veterinarian may direct whatever disposition of the dog he may deem necessary, including, but not limited to, destroying the dog for confirmatory testing.
- E. Redemption: Following the ten (10) day impoundment, the owner of the impounded dog released by the veterinarian may reclaim such dog on payment of all costs and charges incurred by the animal shelter for impounding and maintenance of the dog.
- F. Unclaimed Dog: If any dog so impounded is not claimed by the owner thereof at the expiration of twenty (20) days following release by the veterinarian, such dog may be placed for adoption.
- G. Notice To Victim: The shelter master shall provide the veterinarian's rabies determination to the Sheriff's office, which shall attempt to notify the victim of the dog bite.

5-1-7: **ADOPTION; FEE:** The Shelter Master is authorized to place for adoption any animal, which has been impounded for a period of not less than seven (7) days, excluding weekends and holidays. Any person wishing to adopt an animal shall pay to the Shelter Master an adoption fee as established by the animal shelter.

5-1-8: **FINES, FEES AND PENALTIES:**

- A. Any person violating any of the provisions of this Chapter for which a fixed punishment has not been designated shall be deemed to have committed an infraction punishable in accordance with Idaho Code.
- B. The license fees are those fees set forth by resolution of the Teton County Board of Commissioners.

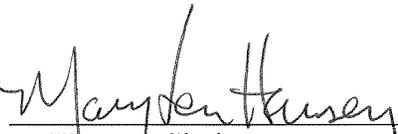
- C. Fines and fees are required to be paid even if the dog owner chooses not to reclaim the impounded animal from the animal shelter.
- D. Unless otherwise provided by ordinance, in addition to infraction penalties, the following fees regarding maintenance and impounding of animals are the responsibility of the dog owner:
  - 1. For keeping any dog: the shelter's daily rate.
  - 2. For veterinary expense: the actual cost thereof.
- E. Fines for maintenance and impounding of animals shall be paid to the Shelter Manager.
- F. In the event that any fine is not paid within ten days it may be assessed with interest against any person so charged, or a complaint for an ordinance violation or failure to pay an ordinance fine may be filed in the magistrate division of the district court, and, upon conviction, the court may assess costs of collection and/or court costs in addition to the prescribed penalties.

**SECTION 2.** All ordinances, resolutions or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

**SECTION 3.** This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

**PASSED BY THE BOARD OF COUNTY COMMISSIONERS, TETON COUNTY, IDAHO, this 12<sup>th</sup> day of Dec., 2016.**

  
\_\_\_\_\_  
Bill Leake, Chair

ATTEST:   
\_\_\_\_\_  
Mary Lou Hansen, Clerk



## TETON COUNTY FEE SCHEDULE: Effective October 1, 2016

Per Idaho State Statute and/or as adopted by the County Commissioners on August 22, 2016

### BUILDING PERMIT FEES

#### AGRICULTURAL BUILDINGS

Agricultural Exempt Building .....\$40

#### COMMERCIAL BUILDINGS

Permit Fee ..... .0061 x valuation

Plan Review Fee..... .0012 x valuation

Mechanical Permit ..... .25 x Permit Cost

Mechanical Review (in house)..... .25 x Plan Review Fee

#### COMMERCIAL VALUES PER SQUARE FOOT *(used to calculate fees)*

See ICC Building Valuation Data on next page

#### GENERAL & MISCELLANEOUS FEES

Appeal of Building Official's Decision .....\$150

Building Department use of outside consultants

for Plan Review, Inspection or both..... Actual Costs, *including admin and overhead*

Fences over 6 feet high .....\$50

Inspections for which no fee is specifically indicated ..... \$50/hour *(1 hr min)*

Mechanical Permit *(wood/pellet stoves, hot water heater, fireplace, furnace, boiler, etc.)* .. \$50 per unit

Residential Wind & Telecommunication Towers .....\$250

Signs (if a permit is required).....\$50

Solar System Installation .....\$50

Temporary residence or use in a permanent structure

*(i.e. dry cabin, recreational cabin, yurt, park model, etc.)* .....\$50

Type 3 Setting (Detached Pre-Manufactured Accessory Structures, *not pre-built*) ....\$40

Work Commencing Without a Permit ..... 25% of Permit

#### MANUFACTURED/MOBILE HOME INSTALLATION

Type 1 Setting (Full Concrete or Block Foundation).....\$250

Type 2 Setting (Pier Foundation with Skirting) .....\$150

Conversion to U Occupancy .....\$50

RE-ROOFING .....\$50

#### RESIDENTIAL FEE RATE

Permit Fee ..... .0061 x valuation

Plan Review Fee..... .0012 x valuation

Permit Extension ..... .363 x original permit fee

#### RESIDENTIAL VALUES PER SQUARE FOOT *(used to calculate fees)*

Single Family Dwelling .....\$108

Additions *with* Plumbing.....\$108

Additions *without* Plumbing .....\$80

Basement – unfinished .....\$23

Basement –finished .....\$80

Finishing Basement .....\$57

Garage/Barn with foundation .....\$40

Carport/Covered Deck .....\$23

Shed/Pole Barn.....\$23

Conversion to residential occupancy.....\$57

# International Building Code Council Building Valuation Data

*As published February 2014 Building Safety Journal*

Group (2012 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	224.49	217.12	211.82	202.96	190.83	185.33	196.14	174.43	167.83
A-1 Assembly, theaters, without stage	205.71	198.34	193.04	184.18	172.15	166.65	177.36	155.75	149.15
A-2 Assembly, nightclubs	177.15	172.12	167.31	160.58	150.83	146.74	154.65	136.68	132.81
A-2 Assembly, restaurants, bars, banquet halls	176.15	171.12	165.31	159.58	148.83	145.74	153.65	134.68	131.81
A-3 Assembly, churches	207.73	200.36	195.06	186.20	174.41	168.91	179.38	158.02	151.41
A-3 Assembly, general, community halls, libraries, museums	173.36	165.99	159.69	151.83	138.90	134.40	145.01	122.50	116.89
A-4 Assembly, arenas	204.71	197.34	191.04	183.18	170.15	165.65	176.36	153.75	148.15
B Business	179.29	172.71	166.96	158.70	144.63	139.20	152.43	126.93	121.32
E Educational	192.11	185.49	180.05	171.90	160.09	151.62	165.97	139.90	135.35
F-1 Factory and industrial, moderate hazard	108.42	103.32	97.18	93.38	83.24	79.62	89.22	68.69	64.39
F-2 Factory and industrial, low hazard	107.42	102.32	97.18	92.38	83.24	78.62	88.22	68.69	63.39
H-1 High Hazard, explosives	101.53	96.44	91.29	86.49	77.57	72.95	82.34	63.02	N.P.
H234 High Hazard	101.53	96.44	91.29	86.49	77.57	72.95	82.34	63.02	57.71
H-5 HPM	179.29	172.71	166.96	158.70	144.63	139.20	152.43	126.93	121.32
I-1 Institutional, supervised environment	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
I-2 Institutional, hospitals	302.44	295.85	290.11	281.84	266.80	N.P.	275.58	249.09	N.P.
I-2 Institutional, nursing homes	209.38	202.79	197.05	188.78	175.72	N.P.	182.52	158.01	N.P.
I-3 Institutional, restrained	204.27	197.68	191.94	183.67	171.10	164.68	177.41	153.40	145.80
I-4 Institutional, day care facilities	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
M Mercantile	132.04	127.01	121.20	115.47	105.47	102.39	109.54	91.33	88.45
R-1 Residential, hotels	179.14	172.89	167.90	160.83	147.95	144.10	160.52	132.93	128.36
R-2 Residential, multiple family	150.25	143.99	139.01	131.94	119.77	115.91	131.62	104.74	100.18
R-3 Residential, one- and two-family	141.80	137.90	134.46	131.00	125.88	122.71	128.29	117.71	110.29
R-4 Residential, care/assisted living facilities	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
S-1 Storage, moderate hazard	100.53	95.44	89.29	85.49	75.57	71.95	81.34	61.02	56.71
S-2 Storage, low hazard	99.53	94.44	89.29	84.49	75.57	70.95	80.34	61.02	55.71
U Utility, miscellaneous	75.59	71.22	66.78	63.37	56.99	53.22	60.41	44.60	42.48

## COPIES, COMPUTER PRINT-OUTS and BANK FEES

*There is no charge for the first 100 pages of a public record, per IC 74-102(10)(a)*

B&W: Letter & Legal .....	\$0.10
B&W: 11 x 17 .....	\$0.25
Color: Letter & Legal .....	\$0.75
Color: 11x17.....	\$1.50
Plats & Cadastral Maps: All sizes .....	\$4
Recorded or Filed Documents ( <i>as set by State Statute and Judicial Order</i> ) .....	\$1 per page
Returned Check Charge .....	\$20
Public Records Requests ( <i>no charge for first 2 hours</i> ).....	\$25 per hour

## COURT FEES (*as set by state statute or listed below*)

Court Technology Fee ( <i>per credit card transaction</i> ) .....	\$3
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## DIGITAL DATA & GIS FEES

Data CDs, DVDs, Emails .....	\$3
Remote Access, <i>set-up fee</i> .....	\$350 per computer terminal (+\$65/hr if more than 2 hrs)
Remote Access, <i>annual fee</i> .....	\$750 per office +\$50 per computer terminal
17 x 22 Map.....	\$8
22 x 34 Map.....	\$12
34 x 44 Map.....	\$15
Custom Mapping .....	( <i>if staff is available</i> ) \$65 per hour

## FAIRGROUND RENTAL RATES

Fair Building, <i>including kitchen</i> .....	\$25/hour, \$250/day
Fair Building, <i>propane heater</i> .....	\$4/hour
Fair Grounds, <i>including moveable bleachers and picnic area</i> .....	\$25/hour, \$250/day
Picnic Area, <i>exclusive private use</i> .....	\$15/hour, \$150/day
Pavilion & Outdoor Arena, <i>exclusive non-commercial use</i> .....	\$25/hour, \$250/day
Pavilion & Outdoor Arena, <i>exclusive commercial use for lessons, clinics</i> .....	\$50/hour, \$500/day
Pavilion & Outdoor Arena, <i>for-profit events, includes cook shack</i> .....	\$400/event* +10% of gate
<i>*If arena floor is altered due to rental, there is a \$300/day charge until arena is returned to its original condition.</i>	
Pavilion & Outdoor Arena, <i>non-ag commercial users, subject to Fair Board approval</i> ....	\$1,500/day

Outdoor Arena Sound System.....	\$50/day or event
Lights, Pavilion .....	\$10/hour
Lights, Outdoor Arena.....	\$20/hour

**JUVENILE JUSTICE**

Diversion Program .....	\$20/month
Formal Probation .....	\$35/month
Drug Testing & Electronic Monitoring .....	actual cost

**LICENSES**

Beer, not for consumption on premises .....	\$25
Beer, for consumption on premises .....	\$75
Beer, draft, bottled, canned, for consumption on or off premises .....	\$100
Beer & Wine, for consumption on premises, one day only .....	\$20
Catering Permit .....	\$20
Dog Breeders License .....	\$100
Dog License (neutered) .....	\$7.50
Dog License (intact).....	\$32.50
Liquor, by the drink, for consumption on premises .....	25% of fee charge by State
Wine, by the drink, for consumption on premises.....	\$100
Wine, bottled, for consumption on or off premises .....	\$100

**PLANNING & ZONING FEES**

Appeals.....	\$475
Area of City Impact (Driggs): Appeals .....	\$605
Area of City Impact (Driggs): Boundary Adjustment .....	\$284
Area of City Impact (Driggs): Conditional Use Permit .....	\$1,000
Area of City Impact (Driggs): Financial Surety Administrative Processing .....	\$50
Area of City Impact (Driggs): Lot Split .....	\$284
Area of City Impact (Driggs): Plat Amendment, Insignificant.....	\$450
Area of City Impact (Driggs): Plat Amendment, Substantial .....	\$2,015
Area of City Impact (Driggs): Subdivision (2 lots).....	\$2,826
Area of City Impact (Driggs): Subdivision (3-9 lots).....	\$3,753
Area of City Impact (Driggs): Subdivision (10-25 lots .....	\$7,323
Area of City Impact (Driggs): Subdivision (26-99 lots).....	\$19,729
Area of City Impact (Driggs): Subdivision (100-399 lots).....	\$37,234
Area of City Impact (Driggs): Subdivision (400+ lots).....	\$50,263 +\$84 per lot
Area of City Impact (Driggs): Variance .....	\$1,131
Area of City Impact (Driggs): Zone Change, <5 acres .....	\$1,936
Area of City Impact (Driggs): Zone Change, 6-20 acres .....	\$2,416
Area of City Impact (Driggs): Zone Change, >20 acres .....	\$2,896
Boundary Adjustment.....	\$206
Boundary Adjustment, Survey Resubmittal .....	\$103
Conditional Use Permit .....	\$1,260
Development Agreement Extension .....	\$326
FEMA Application .....	Actual Cost
Financial Surety Administrative Processing.....	\$50
Floodplain Development Permit.....	\$35
Home Occupation Permit, First two years .....	\$75
Home Occupation Permit, 2-year renewal.....	\$50
Legal Notice Re-advertise .....	Actual Cost
One Time Only Lot Split.....	\$206
One Time Only Lot Split, Survey Resubmittal.....	\$103
Permitted with Conditions .....	\$268
Plat Amendment, Insignificant .....	\$395
Plat Amendment, Substantial (increase or decrease in scale) .....	\$1,700
Property Inquiry .....	\$150
Recording Time Extension .....	\$326
Scenic Corridor Application.....	\$200
Sign Permit.....	\$1 per s/f (\$10 Min. & \$50 Max)
Subdivision (01) All Sizes.....	See Below

*Concept, 10%; Preliminary Plat, 60%; Final Plat, 30%*

Subdivision (2) .....	2 Units .....	\$1,000
Subdivision (3) .....	3-7 Units .....	\$2,139
Subdivision (4) .....	8-19 Units .....	\$5,705
Subdivision (5) .....	20-49 Units .....	\$12,360
Subdivision (6) .....	50-79 Units .....	\$16,322
Subdivision (7) .....	80-119 Units .....	\$21,392
Subdivision (8) .....	120-149 Units .....	\$27,255
Subdivision (9) .....	150-199 Units .....	\$34,069
Subdivision (10) .....	200-299 Units .....	\$41,675
Subdivision (11) .....	300-399 Units .....	\$50,232
Subdivision (12) .....	400 Units .....	\$61,800
Subdivision (13) .....	cost per Unit greater than 400 .....	+\$75
Subdivision Extension .....	all other application fees must be current .....	\$326
Surveyor/Engineer/Floodplain/NP, Third Party Review .....	Actual Cost	
Survey Review Fee: OTO, Boundary Line Adjustment & Plat Amendment .....		\$200
Survey Review Fee: New Subdivision .....		\$350
Temporary Use Permit .....		\$75
Vacation .....		\$1,100
Variance .....		\$676
Zone Change, <5 acres .....		\$1,215
Zone Change, 6-20 acres .....		\$1,877
Zone Change, >20 acres .....		\$2,357

**PUBLIC RECORDS REQUESTS** (pursuant to Idaho Code 9-337 through 9-350)

Copies will be charged as listed above (County staff cannot perform records searches)

Labor required to fulfill requests (in excess of 2 hours)..... \$25 per hour

**ROAD & BRIDGE: Permit to Work Within a County Right-of-Way (Approach Permit)**

Single Residence .....

Subdivision or Commercial Building..... \$60 per approach

**RECORDING FEES** (Set by Idaho Statute 31-3205)

For recording every instrument, paper or notice, for the first page.....\$10

For each additional page .....

For copies of any record or paper, for each page .....

Releasing or Assigning more than one document within the same instrument..... \$1 each

*A page shall not exceed 14" in length nor 8.5" in width. Each page shall be typewritten or be in legible writing.*

*The recording fee to be charged for maps, sketches, drawings or other instruments except plats larger than the size permitted above for a page shall be two cents (2¢) per square inch.*

**SHERIFF'S FEES**

Civil Processing, Service.....\$35

Civil Processing, Return.....\$35

Burglar Alarm, new permit .....

Burglar Alarm, annual renewal .....

Burglar Alarm ..... First false alarm, \$25; second false alarm, \$75; third false alarm, \$125

Fourth or more false alarms, \$175; hearing/appeal, \$200

Concealed Weapons Permit (new permits) .....

Concealed Weapons Permit (renewals).....\$37.70

Other Sheriff's Fees ..... as set by State Statute and/or listed on next page

**SOLID WASTE FEES**

SOLID WASTE FEE (collected with property taxes) .....

\$14 per vacant parcel

\$97 per residential/commercial parcel w/structure

\$0 per well lot, open area, park, pathway, wasteland and vacant "exempt" parcel

CREDIT APPLICATION FEE .....

TIPPING FEES BY WASTE TYPE (There is a \$10 minimum charge unless noted below.) If a

fee is calculated by weight, persons weighing more than one waste type will be charged the higher rate. Tipping

Fees will be waived for trash picked up by persons or agencies participating in clean-up activities approved by

the Board of County Commissioners.

Household Waste, 130 lbs or less (or 5 bags) .....

Household Waste, over 130 lbs..... \$76 per ton

Non-Household, Unsorted Waste.....	\$210 per ton
Sorted Waste, up to 350 lbs .....	no charge
Sorted Waste, more than 350 lbs.....	\$15 per ton
Dead Animal Waste .....	\$15 per ton
Small Household Appliances .....	\$76 per ton
Large Household Appliances with Refrigerant .....	\$15 each
Tires: Car & Light Truck .....	\$5 each
Tires: Truck.....	\$10 each
Tires: All others and more than five .....	\$125 per ton
Credit/Debit Card Convenience Fee .....	\$1 per transaction

**VEHICLE ADMINISTRATIVE FEE** (collected by DMV) .....\$4.50

<b>TETON COUNTY SHERIFF'S FEES</b>					
Effective 10-01-2015					
	<b>SERVICE</b>	<b>RETURN</b>		<b>SERVICE</b>	<b>RETURN</b>
Accident Reports	\$.10/Page	n/a	Record Notice of Levy	Cost	Cost
Additional Posting, Each	\$15	n/a	Notice of Pay Rent/Quit	\$35	\$35
Affidavit & Order	\$35	\$35	Notice of Sale, First	\$15	n/a
Arrest, Criminal	n/a	n/a	Notice To Quit/Vacate	\$35	\$35
Assistance, Writ of	\$35	\$35	Notice, Landlord Tenant	\$35	\$35
Attachment, Writ of	\$35	\$35	Order for Appearance	\$35	\$35
Bond, for Taking of	\$15	n/a	Order to Show Cause	\$35	\$35
Cancellation of Service	\$25	n/a	Posting (Sale Notice)	\$15	n/a
Certificate of Redemption	\$20	n/a	Posting Additional Notice	\$15	n/a
Certificate of Sale (Personal Property)	\$25	n/a	Preliminary Injunction	\$15	\$15
Certificate of Sale (Real Property)	\$25	n/a	Real Property – Levy & Sale	\$35	\$35
Certified Mail	Cost + \$7	n/a	Registered Mail	Cost	Cost
Claim & Delivery/Writ Possession	N/A	n/a	Sale Notice	\$15	n/a
Commission without Levy	\$150	n/a	Serve Affidavits &/or Notice	\$35	\$35
Commission with Levy	\$175	n/a	Serve Notice of Levy/Recorder	\$35	n/a
Commissioner of Insurance	\$30	\$30	Serve SIC with Writ	\$35	\$35
Complaint	\$35	\$35	Serve Undertaking	No Charge	No Charge
Court Commit/Jail Stay (per day)	\$25	n/a	Sheriff's Deed	\$35	n/a
Criminal Summons	No Charge	No Charge	Small Claims & Order	\$35	\$35
Cross Complaint	\$35	\$35	Small Claims w/o Order	\$35	\$35
Earnings Withholding order	\$35	\$35	State Auditor Requires	\$15	n/a
Eviction (Writ of Possession)	\$35	\$35	Summons & Complaint	\$35	\$35
Execution, Writ of	\$35	\$35	Summons & Petition	\$35	\$35
Federal Court Process (government)	No Charge	No Charge	Summons/Juror	n/a	n/a
Federal Court Process (individuals)	\$35	\$35	Support Affidavits and/or Notices	No Charge	No Charge
Finger Print Cards (each)	\$20	\$20	Temporary Restraining Order	\$20	No Charge
Garnishment (all types)	\$35	\$35	Tenant 3-day Notice	\$35	\$35
Incident Reports	\$.10/Page	n/a	Three Day Notice Quit/Rent	\$35	\$35
Injunction & Injunction Pendente Lite	\$35	\$35	Three Day Notice to Quit	\$35	\$35
Interim Return	n/a	\$15	Undertaking/Bond	\$35	\$35
Keeper's Receipt	n/a	n/a	VIN Inspection	\$5	n/a
Moving & Storage	\$3,000 min	n/a	Warrant Bench (Civil)	\$25	\$25
Not Found Return	\$35	\$35	Warrant of Distraint	\$35	\$35
Notice of Entry of Sister State	\$35	\$35	Writ & Undertaking	\$35	\$35
Notice of Levy	\$35	\$35	Writ (All Types)	\$35	\$35

Teton County

**COUNTY REVALUATION PROGRAM**

**CONTRACT FOR APPRAISAL SERVICES**

**THIS AGREEMENT** made and entered into as of January 2017 by and between Idaho Appraisal Services, INC., hereinafter referred to as "Appraiser," and the COUNTY ASSESSOR OF TETON COUNTY, hereinafter referred to as the "Assessor," and the BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY, hereinafter referred to as "Commissioners."

**Witness:**

WHEREAS, in order to promote uniform assessment of property in the State of Idaho, 20% of the taxable property will be appraised or indexed annually, as established by regulations of amended Section 63-314 Idaho Code, resulting in a complete appraisal of all taxable property with the county every five (5) years;

WHEREAS, the Commissioners are obligated to furnish the Assessor with such additional funds and personnel as may be required to carry out the program described in Section 63-314 Idaho Code;

WHEREAS, the Assessor is in need of additional qualified personnel to evaluate the following categories of real properties under his/her jurisdiction to assist in his/her compliance with Idaho Code Section 63-314 and Idaho Code Section 63-208;

ALL CATEGORIES OF INVESTMENT AGRICULTURAL, COMMERCIAL, LANDS AND BUILDINGS, RURAL RESIDENTIAL LOTS AND BUILDINGS AND RESIDENTIAL LOTS AND BUILDINGS, which may include the following:

- 1.1 Category 1 through 9 - Investment Land
- 1.2 Category 10 - Home sithe on Rural INvestment Land Categories 1-9
- 1.3 Category 31 - Improvements on Category 10
- 1.4 Category 32 - Improvements of Category 1 through 9
- 1.5 Category 15 - Rural Subdivisions
- 1.6 Category 37 - Improvements of Category 15
- 1.7 Category 12 - Rural Residential Tracts
- 1.8 Category 34 - Improvements of Category 12
- 1.9 Category 18 - Other Rural Land
- 1.10 Category 40 - Improvements of Category 18
- 1.11 Category 46 or 48 - Manufactured Housing on Land

WHEREAS, Appraiser is a Certified Property Tax Appraiser qualified to conduct appraisals on the above categories, and is willing to make his personal, professional services available to the Assessor and the Commissioners in order to help them in carrying out the valuation program.

WHEREAS, the Commissioners and Assessor wish to contract for professional appraisals of the above categories of the taxable real property parcels located in the following townships of TETON COUNTY:

- 1.1 07N,R43-45
- 1.2 06N,R43-46
- 1.3 05N,R43-46
- 1.4 04N,R43-46
- 1.5 03N,R45-46

NOW THEREFORE, in consideration of the benefits occurring to each party, it is hereby agreed between the Assessor, the Commissioners, and the Appraiser as follows:

On behalf of the County of TETON and as authorized by law, the Commissioners and the Assessor hereby employ the Appraiser to conduct appraisals of the specified real property in accordance with hereinafter provided covenants and conditions.

**COVENANTS AND OBLIGATIONS OF THE APPRAISER:**

The appraiser agrees to make professionally competent and impartial appraisals of all properties identified in this contract in the County of TETON according to the rules and regulations of the Idaho State Tax Commission and the standards and ethics of the Appraisal profession, and to use generally accepted professional appraisal processes and procedures.

The appraiser agrees to do and give the Assessor the following:

A complete appraisal report of each parcel of property appraised, including land and improvements on the prescribed Idaho State Tax Commission Appraisal form. The appraisal will be based on the cash market value. The appraisal process will include cost analysis, and market analysis, where applicable.

Research sales of each category of property included in the contract within the county of utilization in the appraisal process.

Research construction costs to establish a local modifier index for the proper use of the cost manual prescribed by the State Tax Commission.

Research income and expense data of agriculture property in the county. This will be based primarily on economic cash rents and standard landlord expenses.

Classify all rural land according to, and using, the following criteria as appropriate:

- Productive capacity
- Topography
- Land use
- Soils
- Size, shape, and utility of fields (operating costs)

Count and extend acres from aerial photographs to field sheets.

Notify the assessor of parcels having commercial or industrial use with the project area. Notify the assessor of parcels having improvements under construction. Notify the Assessor of parcels having value reportable on the new construction roll. Notify the Assessor of any property that appears to be assessed under an inappropriate category.

Furnish the county a summary report of sales data, income and expense analysis data, local cost modifier data, and summary of values concluded for each category of property being appraised.

Take representative colored digital photographs of each property appraised attach a copy of the photo to the appraisal card.

Each property appraised will show the date of inspection, who inspected the property and whether or not they obtained entry.

It will be the policy of the Appraisers to cooperate with the Assessor, the Commissioners and the Idaho State Tax Commission personnel. Appraisers will perform ath above mentioned parties of the values suggested for the properties. The values used will be a result of joint decision of the above-mentioned parties, with final approval by the Assessor.

The Appraiser agrees to set aside sufficient days between the first Monday of June and the First Monday of July, or at other times designated by the Assessor, to review appraisals and or hold informal hearings with the Assessor, Commissioners, and any interested Taxpayers or property owners. The appraiser agrees to be present at the Teton County Board of Equalization meetings, as required by Section 63-501 of the Idaho Code, as amended, to support the appraisals made by appraisers, which are questioned or challenged by the owners before the board.

Upon the request of the Assessor, the Appraisers shall cooperate and accept the assistance of Teton County Staff appraisers to assist in the reappraisal requirement of Section 63-314 of the Idaho Code.

**THE ASSESSOR AND COMMISSIONERS COVENANT AND AGREE AS FOLLOWS:**

To consult with the State Tax Commission and to cooperate with and help Appraisers in complying with the requirements of Idaho Code Section 63-314.

Subject to qualification and approval by the Assessor, to deputize Appraiser or his agents or assistants as Deputy Assessors of Teton County.

To pay Appraiser, based on each completed appraisal turned over to the Assessor by the Appraiser as follows:

<b>Parcel Type</b>	<b>Fee</b>
Improved residential	\$60.00
Improved Commercial	\$155.00
Unimproved Land	\$15.00
Unimproved Commercial	\$30.00
Ag Land (investment)	\$30.00
New Residential Construction	\$65.00

Other Fees may be established as agreed to between the Assessor and Appraiser.

To pay the Appraiser for his services no later than thirty, (30) days after Appraiser's appraisals are turned into the Assessor together with a statement.

To make all maps, records, data, and plats available to the Appraiser that is available to the Assessor, with office space for the Appraiser's use in research of said data.



To supply current Idaho State Tax Commission's prescribed appraisal forms headed with the following information.

Owner's Name

Tax Lot or other identifying numbers

Legal description of property

Provide a copy of the current appraisal

The Assessor staff will do all data entry for appraisals completed and returned by Appraisers.

**THE PARTIES HERETO FURTHER COVENANT AND AGREE AS FOLLOWS:**

The Appraiser may, at his cost and expense, employ additional qualified appraisers to fulfill this contract, subject to approval by the Assessor. The Appraiser and his assistants will be deputized to accomplish the work to be assigned hereunder.

That anything stated herein to the contrary notwithstanding, the Appraiser understands and agrees that he is an independent contractor engaged herein as such, to manage, supervise and control his work hereunder and that of any of his assistants.

That as an independent contractor, the Appraiser shall provide for himself and any of his assistants, appropriate liability insurance and workers compensation insurance and shall report and pay any and all employer taxes, F.I.C.A, unemployment and other deductions and withholding required by law and shall indemnify and hold the ASSESSOR, OF TETON COUNTY, and its BOARD OF COUNTY COMMISSIONERS harmless against any and all responsibility for the same.

That the work and assignment for which this contract is made is the responsibility of the Assessor to accomplish and the expense of which is the ordinary and necessary expenses of said county office as authorized by the general laws of the State of Idaho. Is agreed by and between the parties, that if for any reason and beyond the control of any such party, precluded from performing or completing the contract as herein contemplated, and equitable adjustment shall be made by the parties to extent permitted under law, to protect and save each of the parties from loss or disadvantage by any unforeseen cause or effect that may occur.

It is mutually agreed between the parties that the Appraiser shall not be responsible for appraising any personal property within the County of TETON.

It is mutually understood between the parties that time is an important factor in this agreement. The Appraiser agrees to furnish the personnel necessary to complete the contract in time for the Assessor to review all appraisals to be put on the rolls by April of the Current assessment year.

In the event of illness, injury, death, or if the Appraiser is otherwise incapacitated and such occurrence prevents performance of his/her personal services, this contract shall be voidable at the election of the Assessor, and upon his notifying the Appraiser and Commissioners this contract shall terminate and the Appraiser shall only be entitled to remuneration for completed appraisals. All materials, supplies, assets, and or belongings to Teton County Assessor's office, but in the possession control or charge, directly or indirectly of the Appraiser or the additional Appraisers shall be immediately returned to the Assessor, at the Appraiser's sole cost and expense upon termination of this contract.

It is mutually understood and agreed between the parties that this contract in on manner obligates the Appraiser to testify before the State Tax Commission Board of Tax Appeals, any court of the State of Idaho, and that in the event the Commissioners or Assessor desire or request the Appraiser to appear and testify, or present or assist in the presentation to any court, board, or agency or the County or State of Idaho, Appraiser shall be entitled to an additional fee as agreed to between Assessor and Appraiser staying within current budget.

It is further agreed between the parties hereto that in the event the Idaho legislature or the electorate of the state alter the tax laws, or if by decision of proper court, this contract is nullified, canceled or terminated, a new contract within the perimeters of the law recognizing any such changes will be negotiated with the Appraiser for a term equal in scope to this contract but in recognition of any such new legislation or applicable law.

So long as said reports are accurate and free of defect, Assessor agrees that after Appraiser has delivered his reports to her and they are accepted by her, she shall assume responsibility therefore, as the Assessor of Teton County, If said reports are inaccurate or defective, Appraiser, at his sole cost and expense, shall correct and remedy all such inaccuracies or defects without cost obligation to Commissioners or Assessor.

It is anticipated that the Assessor's budget request and certification thereof by the Board of County Commissioners shall be adequate to fund the Assessor's cost and expenses, including the anticipated requirement of this agreement but subject to the limitations imposed by law relating to county budgets funded from Ad Valorem taxes.

It is mutually agreed between the parties that the life of contract is (5) years from the date above written, PROVIDED HOWEVER, that either party may terminate this contract, for any reason whatsoever, by providing at least (30) days written notice of the other party.

Appraiser will deliver monthly reports listing completed appraisals to the Assessor..

This contract shall not be assignable without prior approval of the ASSESSOR OF TETON COUNTY and its BOARD OF COMMISSIONERS, but shall remain divisible in that invalidity of one part shall not invalidate the remaining parts thereof.

ASSESSOR OF TETON COUNTY

\_\_\_\_\_  
Bonnie Beard

BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY

\_\_\_\_\_  
County Commissioner, Chairman/ Mark Ricks

\_\_\_\_\_  
County Commissioner/ Harley Wilcox

\_\_\_\_\_  
County Commissioner /Cindy Riegel

IDAHO APPRAISAL SERVICE INC.  
2225 W Broadway Suite J  
Idaho Falls, Idaho 83402

\_\_\_\_\_  
Garrett Marshall



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**FROM:** County Executive Assistant, Holly Wolgamott  
**TO:** Board of County Commissioners  
**RE:** Executive Assistant Update  
**MEETING:** January 23, 2017

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1. Business Cards/Google Training

- a. New business cards for the Board have been ordered. As soon as they are available, I will let you know.

I would like to schedule a Google Calendar/Google Docs/Google Email training through the IT Department in early February for the Board. I will contact you with possible dates and times as soon as possible.

2. E-News Bulletin

- a. Due to many other priorities over the last two weeks, I have not had time to work on the e-news bulletin. I will begin working on it this week and will email the Board a draft version for approval via e-mail. I plan on covering the following topics in this edition:
- Welcome to the Newly Elected Officials
    - 1. including pictures and short bios
  - Teton Water Users Association Article
  - BoCC Calendar and Emphasis on Town Hall Meeting Dates
  - Upcoming Meetings and Important Dates

3. ACCELA Software

- a. Our ACCELA project (electronic agendas, meeting streaming, and minutes) has begun and is off to a great start. Submitters and approvers of agenda items will attend training on February 22<sup>nd</sup> from 1:00 – 3:00. The Board is welcome to attend any training sessions. Just let me know if you are interested.

4. Less than 5 Acre Agriculture Exemption

- a. Last year there were three applicants approved for this exemption. The Assessor informed me that she visited those properties last week to make sure that they were still using their land for agriculture. She questioned if we need to have them complete the application each year. The ag exemption for greater than five acres does not have to be approved every year so could this be the same for less than five acres? The Assessor has not heard of any other potential applicants for this year. I have attached IC 63-604 for your review as well as the exemption application. Please let me know how to proceed. The Assessor is available for questions if needed.

5. Non-profit Tax Exemptions

- a. Every year non-profit tax exemption applications are processed through the BoCC office. I will be sending out applications to all non-profits next week. The filing deadline is April 15, 2017.

**TITLE 63 - REVENUE AND TAXATION**  
**CHAPTER 6 - EXEMPTIONS FROM TAXATION**

**63-604. LAND ACTIVELY DEVOTED TO AGRICULTURE DEFINED.** (1) For property tax purposes, land which is actively devoted to agriculture shall be eligible for appraisal, assessment and taxation as agricultural property each year it meets one (1) or more of the following qualifications:

(a) The total area of such land, including the homesite, is more than five (5) contiguous acres, and is actively devoted to agriculture which means:

(i) It is used to produce field crops including, but not limited to, grains, feed crops, fruits and vegetables; or

(ii) It is used to produce nursery stock as defined in section [22-2302](#)(11), Idaho Code; or

(iii) It is used by the owner for the grazing of livestock to be sold as part of a for-profit enterprise, or is leased by the owner to a bona fide lessee for grazing purposes; or

(iv) It is in a cropland retirement or rotation program.

(b) The area of such land is five (5) contiguous acres or less and such land has been actively devoted to agriculture within the meaning of subsection (1)(a) of this section during the last three (3) growing seasons; and

(i) It agriculturally produces for sale or home consumption the equivalent of fifteen percent (15%) or more of the owner's or lessee's annual gross income; or

(ii) It agriculturally produced gross revenues in the immediately preceding year of one thousand dollars (\$1,000) or more. When the area of land is five (5) contiguous acres or less, such land shall be presumed to be nonagricultural land until it is established that the requirements of this subsection have been met.

(2) Land shall not be classified or valued as agricultural land which is part of a platted subdivision with stated restrictions prohibiting its use for agricultural purposes, whether within or without a city.

(3) Land utilized for the grazing of a horse or other animals kept primarily for personal use or pleasure rather than as part of a bona fide for-profit enterprise shall not be considered to be land actively devoted to agriculture.

(4) Land actively devoted to agriculture, having previously qualified for exemption under this section in the preceding year, or which would have qualified under this section during the current year, shall not lose such qualification due to the owner's or lessee's absence in the current year by reason of active military service in a designated combat zone, as defined in section 112 of the Internal Revenue Code. If an owner fails to timely apply for exemption as required in this section solely by reason of active duty in a designated combat zone, as defined in section 112 of the Internal Revenue Code, and the land would otherwise qualify for exemption under this section, then the board of county commissioners of the county in which the land actively devoted to agriculture is located shall refund property taxes, if previously paid, in an amount equal to the exemption which would otherwise have applied.

(5) If the land qualified for exemption pursuant to section [63-602FF](#), Idaho Code, in 2005, then the land will qualify in 2006 for the exemption pursuant to section [63-602K](#), Idaho Code, upon the filing of a statement by the owner with the board of county commissioners that the land will be actively devoted to agriculture pursuant to this section in 2006.

(6) For purposes of this section, the act of platting land actively devoted to agriculture does not, in and of itself, cause the land to lose its status as land being actively devoted to agriculture if the land otherwise qualifies for the exemption under this section.

(7) As used in this section:

(a) "Contiguous" means being in actual contact or touching along a boundary or at a point, except no area of land shall be considered not contiguous solely by reason of a roadway or other right-of-way.

(b) "For-profit" means the enterprise will, over some period of time, make or attempt to make a return of income exceeding expenses.

(c) "Platting" means the filing of the drawing, map or plan of a subdivision or a replatting of such, including certification, descriptions and approvals with the proper county or city official.

**63-605. LAND USED TO PROTECT WILDLIFE AND WILDLIFE HABITAT.** (1) For the tax year commencing January 1, 2007, an application for appraisal, assessment and taxation under this section as land actively devoted to agriculture pursuant to section [63-604](#), Idaho Code, shall be filed in the office of the county assessor on or before the fourth Monday in June 2007. For the tax year commencing January 1, 2008, and for each and every year thereafter, an application for appraisal, assessment and taxation under this section as land actively devoted to agriculture pursuant to section [63-604](#), Idaho Code, shall be filed in the office of the county assessor between January 1 and April 15 of each year for which the requested tax status is to apply. Land eligible for this tax status is land which is either:

(a) Owned and used for wildlife habitat by a private, nonprofit corporation which corporation has a recognized tax exempt status under section 501(c)(3) of the Internal Revenue Code, and which corporation qualifies for exemption status under section [63-602C](#), Idaho Code, and which corporation is dedicated to the conservation of wildlife or wildlife habitat; or

(b) Being managed pursuant to a conservation easement or a conservation agreement, as defined in this section and which easement or agreement has been entered into with a private, nonprofit corporation which has a tax exempt status under section 501(c)(3) of the Internal Revenue Code, which corporation qualifies for exemption status under section [63-602C](#), Idaho Code, and which land qualified, for three (3) consecutive years immediately preceding management of the land pursuant to a conservation easement or a conservation agreement, as land actively devoted to agriculture pursuant to section [63-604](#), Idaho Code.

(2) As used in this section, "conservation agreement" means a written document between a private, nonprofit corporation enumerated in subsection (1) of this section and the landowner which defines wildlife, flora or fauna or freshwater biota to be protected and outlines a minimum of a ten (10) year management plan to protect target species and to control noxious weeds in accordance with Idaho noxious weed law in [chapter 24, title 22](#), Idaho Code. Progress in managing the target species and controlling noxious weeds shall be monitored and an annual progress report shall be submitted each year along with the application filed as required in this section.

(3) The conservation agreement or a copy of the document creating the conservation easement shall be filed with the county assessor by April 15 of the year for which application for the tax status is made. Following initial approval of an application in any tax year, for each subsequent, consecutive year in which application is made and the tax status is claimed, it shall not be necessary to resubmit the conservation agreement or a copy of the document creating the conservation easement unless the agreement or easement document has been amended. In the event the document is amended, the amended version shall be submitted with that year's application.

(4) Failure to file an application for each year that tax status under this section is claimed, or failure to annually document progress in managing the target species and controlling noxious weeds as required in subsection (2) of this section, shall result in loss of the tax status provided in this section.



**APPLICATION FOR  
AGRICULTURAL EXEMPTION  
Land Ownership 5 Acres or Less (IC 63§604)**

*If this form is not received in this office as soon as possible and no later than **March 15**, it must be assumed that the land does not meet the qualifications for the agricultural exemption and current market value will be used to value the property.*

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**PART I - Ownership Verification**

Name of Legal Property Owner: \_\_\_\_\_

Physical Address of Property Being Claimed: \_\_\_\_\_

Legal Description: \_\_\_\_\_ Parcel Number: \_\_\_\_\_

Land Size (Acreage) \_\_\_\_\_ Date Property Was Acquired by Owner \_\_\_\_\_

If Applicant Is **NOT The Legal Owner**, Explain Relationship/Affiliation to Owner:  
\_\_\_\_\_

**PART II - Proof of Income**

You **MUST** answer all 3 questions and **provide evidentiary documentation**.

1. Has all the acreage exclusive of the building site (if a developed home site exists) been devoted to agriculture use for the last three growing seasons? YES  NO

*Agriculture use is the growing of agricultural field crops, timber, grazing on the land or if the land is in a cropland rotation program. Land utilized for the grazing of animals kept primarily for personal use or pleasure rather than as a part of a bona fide profit making enterprise shall not be considered land which is actively devoted to agriculture.*

2. Has the land agriculturally produced for sale or home consumption 15% of the owner or lessee's annual gross income? YES  NO

*Provide proof of total gross income and proof of gross income from the production of crops, nursery stock, grazing, or from sale of livestock*

3. Has the land agriculturally produced gross revenue in the immediate preceding year of \$1,000.00 or more? YES  NO

*Proof of \$1,000.00 gross revenue from the production of crops, nursery stock, grazing, or from sale of livestock. A lease alone does not meet this requirement. Gross revenue from agriculture produced on the land must be demonstrated.*

Under penalty of perjury, I certify that, to the best of my knowledge, the information that I have provided is true, correct, and complete.

**PART IV - Applicant Attestation**

Applicant Name (*please print*): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Applicant Signature \_\_\_\_\_ Date: \_\_\_\_\_

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Property Value Exemption: ACCEPT \_\_\_\_\_ DENY \_\_\_\_\_

Reason for Denial: \_\_\_\_\_

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\_\_\_\_\_  
Signature Chairman of BOCC

DATE: \_\_\_\_\_

For clarification contact the Teton County Executive Assistant at  
208-354-8775.

**RETURN FORM & DOCUMENTS TO:** Teton County Commissioners  
150 Courthouse Drive, Room #109  
Driggs, ID 83422

**Email Documents to:** [commissioners@co.teton.id.us](mailto:commissioners@co.teton.id.us)

**Fax Documents to:** 1-208-354-8410