

**Teton County Idaho Commissioners' Meeting Agenda**  
**Monday December 14, 2015 9:00 am**  
150 Courthouse Drive, Driggs, ID – 1<sup>st</sup> Floor Meeting Room

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**9:00 Meeting Called to Order** – Bill Leake, Chair  
*Amendments to Agenda*

- 9:00**     Public Works – Darryl Johnson
1. Solid Waste – Saul Varela, Supervisor
    - a. Transfer Station Holiday Schedule
    - b. Solid Waste Fee
  2. Road & Bridge – Clay Smith, Supervisor
    - a. Equipment Operator Hire Recommendation
    - b. Equipment Purchase – Post Driver
    - c. Utility Permit Application
  3. Engineering
    - a. Grant Application Proposals
    - b. Annual Road and Street Financial Report
    - c. Scenic Parkway Information Packet
  4. Facilities
    - a. County Auction Results
    - b. Facilities Supervisor's Priorities and Opportunities

**9:30 Open Mic**  
*(if no speakers, go to next agenda items)*

**DEPARTMENT BUSINESS**

- 9:45**     Planning & Building – Jason Boal
1. Long-Range Projects
    - a. Land Use Code Revision Process
    - b. Affordable Housing
  2. Staff
    - a. Recreation Planner Position Discussion
  3. Fees
    - a. Boundary Line Adjustment Fee Waiver

4. Code Enforcement
  - a. 12/10/15 Code Enforcement Meeting Review

Information Technology – Greg Adams

1. AHMP Revision Contract

- 11:00**    Ambulance Service District – Keith Gnagey
1. Teton Valley Ambulance Report
    - a. Approval of available minutes
  2. Quality Measure Report
  3. Ambulance Service Contract with Wyoming

**12:00 Elected Officials and Department Heads Meeting**

**ADMINISTRATIVE BUSINESS** *(will be dealt with as time permits)*

1. Hospital Lease Quarterly Report
2. Approve Available Minutes
3. Other Business
  - a. Beer and Wine Licenses
  - b. Priorities Check Up
  - c. Commissioner Districts – Follow Up to November 23<sup>rd</sup> Discussion
  - d. Scheduling Work Session with Assessor and BoCC Re: Assessing Practices
4. Committee Reports
5. Claims
6. Executive Session for indigent per IC74-206(1)(d)

**ADJOURNMENT**

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**Upcoming Meetings**

Dec 28     9:00 am Regular BoCC Meeting  
Jan 11     9:00 am Regular BoCC Meeting

Jan 25 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

December 9, 2015

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 December 14, 2015 BoCC Meeting.

SOLID WASTE

**Transfer Station Holiday Schedule:**

Closed at noon December 24<sup>th</sup>, and all day 25<sup>th</sup>. Open regular hours on December 26<sup>th</sup>.

Open regular business hours on New Year's Eve. Closed New Year's Day. Open regular hours on January 2.

**Solid Waste Fee:**

12/2 Town Hall Meeting discussion

ROAD & BRIDGE

**Justin Armstrong:**

Recently one of the R&B Equipment Operators resigned. In order to maintain snow plow maintenance, R&B needs to replace this position immediately. We would like to offer Justin Armstrong the position at 86% of market point, Pay Grade 6 which is \$16.98/hour. Justin worked as a seasonal employee for Teton County in the spring of 2015. He has experience operating heavy equipment and will require minimal training.

*ACTION ITEM – Motion to approve hiring Justin Armstrong as a Road & Bridge Equipment Operator at an 88% market point, Pay Grade 6 at \$16.98/hour.*

**Post Driver Purchase:**

The R&B sign post driver is worn out and currently not working. R&B would like to replace the worn out post driver. Purchase price for the new piece of equipment is \$4,250. Funds to purchase the new post driver will come from fund 02-00-641 Traffic Control; Construction (\$1,500) and 02-00-642 Traffic Control; Signs (\$2,750).

*ACTION ITEM – Motion to approve the purchase of a Sign Post Driver as specified in the Public Works Director's report for \$4,250. Funds for purchase will be transferred to the 02-00-899 Capital Equipment account as follows: \$1,500 from Traffic Control; Construction Fund 02-00-641 and \$2,750 from Traffic Control; Signs Fund.*

## Utility Permit Application

Attached is the new Utility Permit Application that Road & Bridge will use for all utility work being done within public rights of way. The current permit to work within the county right of way will continue to be used for work other than utilities.

## ENGINEERING

*I will be on vacation December 28 – December 31*

### Grants:

Various Local Highway Technical Assistance Committee (LHTAC) and Idaho Parks and Recreation (IDPR) grants are due in January. The following is a list of grants/programs available and, where applicable, proposed projects that I will be applying for:

LHTAC Federal Aid Bridge Program – In order to qualify for Bridge Funds the project must meet the following criteria: 1. Must be in the National Bridge Inventory Database. 2. Have a sufficiency rating of less than 50 for replacement and 75 for rehabilitation. And 3. Must be classified as structurally deficient and functionally obsolete. The **Trail Creek Bridge** located on E9500S just east of HWY 33 has the County's lowest sufficiency rating of 65.2. It is in dire need of a bridge deck rehabilitation. Trail Creek Bridge deck rehabilitation is the project that Public Works is recommending for this program. There is a 7.34% local match requirement. Application due date is January 11, 2016.

*ACTION ITEM – Motion to approve the LHTAC Bridge Program Application for the reconstruction of the Trail Creek Bridge deck as outlined in the Public Works Report and discussed.*

LHTAC Local Highway Safety Improvement Program (LHSIP) – This program is for jurisdictions having a minimum of three fatal and/or serious injury crashes within the past 5 years. Last year Teton County received funding through this program for widening 3+ miles of shoulders along Cedron Road from Victor to S4500W. This year, Public Works would like to apply for funding to continue the **shoulder widening effort along S4500W from Cedron Road to W5750S** (approximately 2 miles). There is a 7.35% local match requirement. Application due date is January 21, 2016.

There is no limit to applications for this program. Striping of Ski Hill Road was another project considered for this program.

*ACTION ITEM – Motion to approve the LHTAC Local Highway Safety Improvement Program Application for shoulder widening of S4500W from Cedron road to W5750S as outlined in the Public Works Report and discussed.*

IDPR Waterways Improvement Fund (WIF) – The WIF is used for protection and promotion of safety, waterways improvement, creation and improvement of parking areas for boating purposes, making and improving boat ramps and moorings, marking of waterways, search and rescue and all things incident to such purposes including the purchase of real and personal property. Public Works is recommending a **permanent restroom facility at the South Bates boat ramp**. There is no minimum match required for this program. However, Public Works would provide the equipment and labor necessary for installation. Applications are due January 29, 2016.

Another project to consider for this program would be the purchase of real estate for expansion of the Bates Road boat ramp

*ACTION ITEM – Motion to approve the IDPR Waterways Improvement Grant Application for the purchase and installation of a permanent restroom facility at the South Bates boat ramp as outlined in the Public Works Report and discussed.*

IDPR Off Road Motor Vehicle Fund (ORMV) – The ORMV fund may be used to acquire, purchase, improve, repair, maintain, furnish, and equip off-road motor vehicle facilities and sites or areas used by off-road motor vehicle facilities and sites or areas used by off-road vehicles on public or private land, and to assist with the enforcement of laws and regulations governing the use of off-road vehicles in the State of Idaho. Public Works is recommending working with the USFS to install a **permanent restroom facility at the Horseshoe Canyon parking area**. There is no minimum match required for this program. However, Public Works would provide the equipment and labor necessary for installation. Applications are due January 29, 2016.

*ACTION ITEM – Motion to approve the IDPR Off Road Motor Vehicle Fund Application for the purchase and installation of a permanent restroom facility at the Horseshoe Canyon parking area as outlined in the Public Works Report and discussed.*

IDPR Recreational Trails Program (RTP) – The RTP program is for maintenance and restoration of existing recreational trails; development and rehabilitation of trailside and trailhead facilities and trail linkages for recreational trails; purchase and lease of recreational trail construction and maintenance equipment; and construction of new recreational trails.

In December of 2014, the BoCC requested that Public Works construct a new trail within the dedicated trail right of way in the Edgewood Subdivision that would provide a legal access to public lands in the area. Efforts have been slowed because the BLM is not supportive of the new trail since they do not have any designated trails in the area. Unfortunately, if this trail is not constructed to allow legal access to the BLM lands, County residents run the risk of losing access to public lands in this areas.

Public Works is recommending applying for funds to **construct a non-motorized trail within the Edgewood Estates trail right of way** to provide a legal and permanent access to public lands. There is a 20% match for this program. Applications are due January 29, 2016.

*ACTION ITEM – Motion to approve the IDPR Recreational Trails Program Application for the construction of a non-motorized trail within the Edgewood Estates trail right of way as outlined in the Public Works Report and discussed.*

IDPR Road & Bridge Fund – This fund is used to develop, construct, maintain and repair roads, bridges and parking areas within and leading to parks and recreation areas of the state. Public Works is recommending **applying for funds to place magnesium chloride along all primary gravel road sections in the valley used for boat trailer shuttles. This corridor would include South Bates Road from SH 33 to S5000E and also N6000W from Bates Road to Packsaddle Road (W4000N)**. There is no minimum match required for this program. However, Public Works would provide labor for placement of the mag chloride treatment. Applications are due January 29, 2016.

*ACTION ITEM – Motion to approve the IDPR Recreational Trails Program Application for the construction of a non-motorized trail within the Edgewood Estates trail right of way as outlined in the Public Works Report and discussed.*

IDPR Cutthroat Specialty Plate Fund – This fund used for the construction and maintenance of non-motorized boating access facilities for anglers. In 2014 the County applied for an ADA fishing pier at

the Old Rightaway river access. Public Works is proposing to submit for the ADA fishing pier again this year. Although there is not a match, the application would be for \$25,000 and estimated project cost is \$50,000 so the County would be providing an estimated \$25,000 in labor and cash. Applications are due January 29, 2016.

*ACTION ITEM – Motion to approve the IDPR Cutthroat Plate Fund Application for the construction of an ADA fishing pier at the Old Rightaway river access as outlined in the Public Works Report and discussed.*

Other IDPR grants available that do not have a project identified are:  
Recreational Vehicle Fund – Facilities for the RV user  
Motorbike Fund – secure lease or permits or purchase of land for off-highway vehicle activity  
Mountain Bike Plate Fund – Mountain biking permitted trails

**Annual Road & Street Financial Report**

Public Works assisted Clerk Hansen with the completion of the Annual Road and Street Financial Report. Attached is the report along with supporting documentation. This annual report must be signed and submitted by end of the year.

*ACTION ITEM – Motion to approve the 2015 Annual Road & Street Financial Report.*

**Scenic Parkway Information Packet:**

Attached with this report is an information packet for the proposed Scenic Parkway.

FACILITIES

**County Auction Results:**

Bid results for the Teton County silent auction to get rid of unused or outdated equipment are as follows:

Item	High Bid
1999 Chevy Suburban	\$1,700
Cat 951C Dozer	\$1,501
1995 Polaris XLT Indy Snowmobile	\$402
1998 Ford F-150	\$350
1982 Chevy Silverado	\$206
Toro Power Max Snowblower	\$430

*ACTION ITEM – Motion to approve the sale of the December 7, 2015 silent auction items to the highest bidder as presented in the Public Works Report.*

## Clay Smith

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**From:** Bruce Zohner  
**Sent:** Wednesday, December 02, 2015 2:43 PM  
**To:** Clay Smith  
**Subject:** FW: Cobra Pro  
**Attachments:** GAS AC COBRA BROCHURE .pdf

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**From:** Scott Kearl [<mailto:skearl@cateequipment.com>]  
**Sent:** Wednesday, December 02, 2015 2:38 PM  
**To:** Bruce Zohner <[bzohner@co.teton.id.us](mailto:bzohner@co.teton.id.us)>  
**Subject:** Cobra Pro

Sent from my Verizon Wireless 4G LTE smartphone

Bruce,

Here is the pricing you requested on the Atlas Copco model Cobra Pro gasoline breaker:

(1 qty.) New 2015 Atlas Copco model Cobra PROe (1-1/4" X 6" shank) – Item# 8318070103. Discounted Price = **\$4,250.00** (F.O.B. Pocatello, ID).

**Scott Kearl**

[www.cateequipment.com](http://www.cateequipment.com)



Permit No. \_\_\_\_\_

**APPLICATION AND PERMIT for UTILITIES**  
**(WORK IN THE PUBLIC RIGHT-OF-WAY)**  
**TETON COUNTY ROAD AND BRIDGE DEPARTMENT**

UTILITY: \_\_\_\_\_ Overhead  Underground  (Minimum of 48" depth)

Public Road Surface Type: Dirt  Gravel  Pavement

County Road Name: \_\_\_\_\_

Starting Location: \_\_\_\_\_ Ending Location: \_\_\_\_\_ Total Feet: \_\_\_\_\_

Start Date \_\_\_\_\_ Estimated Completion Date \_\_\_\_\_

**A PLAN OF PROPOSED WORK AND APPLICABLE TRAFFIC CONTROL PLANS MUST BE ATTACHED.**

Plans Included: YES  NO

Special Provisions:

**(See reverse side for General Provisions.)**

**NOTICE:** This permit shall not be valid for excavation until, or unless, the provisions of Idaho Code Title 55, Chapter 22 have been complied with. PRIOR TO EXCAVATION, CALL DIGLINE – 1(800)342-1585 or 811

**Applicant / Business** (please include reps name & cell number)

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
(Include; City / State / Zip)

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

**Contractor**

Business Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_  
(Include; City / State / Zip)

Office Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

I CERTIFY THAT I AM THE AUTHORIZED UTILITY COMPANY REPRESENTATIVE AND REQUEST PERMISSION TO CONSTRUCT THE ABOVE FACILITIES WITHIN THE COUNTY RIGHT-OF-WAY IN ACCORDANCE WITH THE GENERAL PROVISIONS PRINTED ON THE REVERSE SIDE OF THIS FORM, THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative

SUBJECT TO ALL TERMS, CONDITIONS AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE NAMED APPLICANT TO PERFORM THE WORK AS DESCRIBED.

BY: \_\_\_\_\_ ENTITY: \_\_\_\_\_

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

## GENERAL PROVISIONS (UTILITIES AND OTHER)

1. A PERMIT AND ASSURANCE OF PERFORMANCE FILING FEE IN AN AMOUNT ESTABLISHED BY TETON COUNTY SHALL ACCOMPANY THIS APPLICATION. IF PROPER REPAIR IS MADE AND ACCEPTED BY TETON COUNTY WITHIN THE PERMIT PERIOD, A PORTION OF THAT FEE MAY BE REFUNDED. IF PROPER REPAIR IS NOT COMPLETED WITHIN THE PERMIT PERIOD. TETON COUNTY WILL MAKE THE REPAIR AND ANY ADDITIONAL COSTS OVER AND ABOVE THE ASSURANCE OF PERFORMANCE FEE WILL BE INVOICED TO THE APPLICANT IN ACCORDANCE WITH TETON COUNTY POLICY.
2. ALL UTILITIES MUST BE INSTALLED UNDER CULVERTS.
3. DURING THE PROGRESS OF THE WORK, SUCH BARRICADES, LIGHTS AND OTHER TRAFFIC CONTROL DEVICES SHALL BE ERECTED AND MAINTAINED AS MAY BE NECESSARY OR AS MAY BE DIRECTED FOR THE PROTECTION OF THE TRAVELING PUBLIC. SAID BARRICADES, LIGHTS AND OTHER TRAFFICE CONTROL DEVICES SHALL CONFORM TO THE CURRENT ISSUE OF THE MANUAL ON UNIFORM TRAFFICE CONTROL DEVICES FOR STREETS AND HIGHWAYS. PARKED EQUIPMENT AND STORED MATERIALS SHALL BE AS FAR FROM THE TRAVEL WAY AS FEASIBLE. ITEMS LEFT OVERNIGHT WITHIN 30 FT. OF TRAVEL WAY SHALL BE MARKED AND/OR PROTECTED.
4. IN ACCEPTING THIS PERMIT, THE PERMITTEE, ITS SUCCESSORS AND ASSIGNS, AGREES TO HOLD TETON COUNTY HARMLESS FROM ANY AND ALL LIABILITY ON ACCOUNT OF THE ERECTION, INSTALLATION, CONSTRUCTION, MAINTENANCE OR OPERATION OF THE FACILITIES LOCATED UNDER THIS PERMIT.
5. ANY DISTURBANCE OF THE TRAVELED SURFACE OF THE ROAD AND/OR TRAFFIC CONTROL DEVICES SHALL BE RESTORED TO THE SATISFACTION OF TETON COUNTY. PERMITTEE SHALL BE RESPONSIBLE FOR PROPER PAVEMENT CUT, EXCAVATION, FACKFILL, COMPACTION AND ASPHALT REPAIR. ASPHALT REPAIR SHALL BE IN ACCORDANCE WITH THE STANDARD PROVISIONS SET FORTH IN THE HIGHWAY STANDARDS AND DEVELOPMENT PROCEDURES FOR TETON COUNTY.
6. IF THE WORK DONE UNDER THIS PERMIT INTERFERES IN ANY WAY WITH THE DRAINAGE OF THE HIGHWAY, THE PERMITTEE SHALL WHOLLY AND AT HIS OWN EXPENSE MAKE SUCHPROVISION AS TETON COUNTY MAY DIRECT TO TAKE CARE OF SAID DRAINAGE.
7. ON COMPLETION OF SAID WORK HEREIN CONTEMPLATED, ALL RUBBISH AND DEBRIS SHALL BE IMMEDIATELY REMOVED AND THE ROADWAY AND ROADSIDE SHALL BE LEFT NEAT AND PRESENTABLE TO THE SATISFACTION OF TETON COUNTY.
8. ALL OF THE WORK HEREIN CONTEMPLATED SHALL BE DONE TO CONFORM WITH CURRENT GOVERNMENT AND INDUSTRY STANDARDS UNDER THE SUPERVISION AND TO THE SATISFACTION OF TETON COUNTY AND THE ENTIRE EXPENSE OF SAID SUPERVISION SHALL BE BORNE BY THE PERMITTEE.
9. TETON COUNTY HEREBY RESERVES THE RIGHT TO ORDER THE CHANGE OF LOCATION OR THE REMOVAL OF ANY STRUCTURE(S) OR FACILITY(IES) AUTHORIZED BY THIS PERMIT, SAID CHANGE OR REMOVAL TO BE MADE AT THE SOLE EXPENSE OF THE PERMITTEE, OR ITS SUCCESSORS AND ASSIGNS.
10. ALL SUCH CHANGES, RECONSTRUCTION OR RELOCATION BY THE PERMITTEE SHALL BE DONE IN SUCH A MANNER AS WILL CAUSE THE LEAST INTERFERENCE WITH ANY OF TETON COUNTIES WORK.
11. THIS PERMIT SHALL NOT BE DEEMED OR HELD TO BE AN EXCLUSIVE ONE AND SHALL NOT PROHIBIT TETON COUNTY FROM GRANTING OTHER PERMITS OR FRANCHISE RIGHTS OF LIKE OR OTHER NATURE TO OTHER PUBLIC OR PRIVATE UTILITES, NOR SHALL IT PREVENT TETON COUNTY FROM USING ANY OF ITS ROADS, STREETS, OR PUBLIC PLACES, OR AFFECT ITS RIGHT TO FULL SUPERVISION AND CONTROL OVER ALL OR ANY PART OF THEM, NONE OF WHICH IS HEREBY SURRENDERED.
12. TETON COUNTY MAY REVOKE, AMEND, AMPLIFY, OR TERMINATE THIS PERMIT OR ANY OF THE CONDITIONS HEREIN ENUMERATED IF PERMITTEE FAILS TO COMPLY WITH ANY OR ALL OF ITS PROVISIONS, REQUIREMENTS OR REGULATIONS AS HEREIN SET FORTH OR THROUGH WILLFUL OR UNREASONABLE NEGLECT, FAILS TO HEED OR COMPLY WITH NOTICES GIVE, OR IF THE UTILITY HEREIN GRANTED IS NOT INSTALLED OR OPERATED AND MAINTAINED IN CONFORMITY.
13. THE PERMITTEE SHALL MAINTAIN AT HIS SOLE EXPENSE THE STRUCTURE OR SUBJECT FOR WHICH THIS PERMIT IS GRANTED.
14. ADEQUATE DRAWINGS OR SKETCHES SHALL BE INCLUDED SHOWING THE EXISTING AND/OR PROPOSED LOCATION OF THE FACILITY WITH RESPECT TO THE EXISTING AND/OR PLANNED LOCATION OF THE HIGHWAY IMPROVEMENT, THE TRAVELED WAY, THE RIGHTS-OF-WAY LINES, AND WHERE APPLICABLE, THE CONTROL OF ACCESS LINES AND APPROVED ACCESS POINTS.
15. IF TRENCH OR PAVEMENT SETTLEMENT SHOULD OCCUR WITHIN ONE YEAR (THREE YEARS FOR PUC REGULATED UTILITIES) FROM THE DATE OF INSTALLATION, REPAIRS SHALL BE MADE BY THE PERMITEE AS DIRECTED BY TETON COUNTY AT NO COST TO TETON COUNTY. IF THE PERMITTEE FAILS TO MAKE THE NECESSARY REPAIRS TETON COUNTY WILL MAKE THE REPAIRS AND INVOICE APPLICANT AND/OR RESPONSIBLE PARTY. NO NEW PERMITS SHALL BE ISSUED TO THE PERMITTEE UNTIL SUCH CLAIM HAS BEEN SETTLED.
16. NO WORK SHALL BE STARTED UNTIL AN AUTHORIZED REPRESENTATIVE OF TETON COUNTY HAS GIVEN NOTICE TO THE PERMITTEE TO PROCEED. PERMITTEE SHALL NOTIFY TETON COUNTY TO SCHEDULE A TIME FOR ROAD CLOSURE AND OPENING. IF THE WORK WILL PREVENT EMERGENCY TRAFFIC FROM TRAVELING THROUGH, THE TETON COUNTY SHERIFF'S OFFICE MUT BE NOTIFIED.
17. A PERMIT AND ASSURANCE OF PERFORMANCE FILING FEE IN THE AMOUNT SET FORTH ON THIS PERMIT IS REQUIRED FOR THE PROTECTION OF TETON COUNTY.
18. THE PERMITTEE SHALL INDEMNIFY AND SAVE AND HOLD HARMLESS TETON COUNTY FROM OR FOR ANY AND ALL LOSSES, CLAIMS, ACTIONS OF JUDGEMENTS FOR DAMAGES OR INJURY TO PERSONS OR PROPERTY AND LOSSES AND EXPENSES CAUSED OR INCURRED BY THE PERMITETEE, ITS OFFICERS, EMPLOYEES AND AGENTS AND AS PROVIDED IN GENERAL PROVISION #4 OF THIS PERMIT.
19. THE PERMITTEE SHALL MAINTAIN, AND BY ITS ACCEPTANCE OF THIS PERMIT SPECIFICALLY AGREES THAT IT WILL MAINTAIN THROUGHOUT THE TERM OF THIS PERMIT, LIABILITY INSURANCE FOR ANY AND ALL LOSSES, CLAIMS, ACTIONS OR JUDGEMENTS FOR DAMAGES OR INJURY TO PERSONS OR PROPERTY AND LOSSES AND EXPENSES CAUSED OR INCURRED BY ITS OFFICERS, EMPLOYEES AND AGENTS. TETON COUNTY SHALL BE A NAMED INSURED IN AN AMOUNT EQUAL TO THE CURRENT LIABILITY COVERAGE CARRIED BY TETON COUNTY IN ACCORDANCE WITH ITS INSURANCE COVERAGE FOR CLAIM MADE UNDER THE IDAHO TORT CLAIMS ACT AND IDAHO'S WORKER'S COMPENSATION LAW, THE LIMITS OF INSURANCE SHALL NO BE DEEMED A LIMITATION OF THE PERMITTEE'S COVENANT TO INDEMNIFY AND SAVE AND HOLD HARMLESS TETON COUNTY FROM SUCH LOSSES, CLAIMS, ACTIONS OR JUDGEMENTS, AND IF TETON COUNTY BECOMES LIABLE FOR AN AMOUNT IN EXCESS OF THE INSURANCE LIMITS HEREIN PROVIDED, THE PERMITTEE COVENANTS AND AGREES TO INDEMNIFY AND SAVE AND HOLD HARMLESS TETON COUNTY FROM ANY AND ALL SUCH LOSSES, CLAIMS, ACTIONS OR JUDGEMENTS OR EXPENSES FOR DAMAGES OR INJURY TO PERSONS OR PROPERTY.
20. THE INSURANCE POLICIES OBTAINED BY THE PERMITTEE IN COMPLIANCE WITH THIS SEC6TION MUST BE APPROVED BY TETON COUNTY, AND SUCH INSURANCE POLICY, ALONG WITH WRITTEN EVIDENCE OF PAYMENTS OF REQUIRED PREMIUMS, SHALL BE FILED AND MAINTAINED WITH TETON COUNTY DURING THE TERM OF THIS PERMITS, OR IN LIEU OF ANY INSURANCE POLICY, THE PERMITTEE MAY SUBMIT AND KEEP ON FILE WITH TETON COUNTY DURING THE TERM OF THIS PERMIT A CURRENT CERTIFICATE OF INSURANCE SHOWING COMPLINACE WITH THIS ECTION, BUT SAID CERTIFICATE OF INSURANCE MUST DISCLOSE THAT TETON COUNTY IS A NAMED INSURED, THE POLICY PERIOD, AND THAT THE PREMIUM HAS BEEN PAID FOR THE POLICY PERIOD.

# Grant Application Proposal

Please complete and return this form to the Commissioner's office.

Department or Board applying for Grant: Engineering and Public Works

Contact Person: Darryl Johnson Intended Project Manager: Darryl Johnson

Grant Title: Federal-aid Incentive Program - Bridge 2016 Application

Granting Agency: Local Highway Technical Assistance Council (LHTAC)

Date of Award Decision: summer 2016

Grant Timeline: Begin Design 2019

Dollar Amount of Grant Request: \$500,000

Teton County obligations if grant is awarded (*match, continuing maintenance, reporting schedule*):

Teton County is required to provide a 7.34% match which would total \$36,700 for the estimated \$500,000 total project cost

Other contingencies of grant: None.

Other agencies involved in the grant and their obligations: None.

Brief written overview of grant: This program would be for the reconstruction of the Trail Creek bridge deck located on E9500S between HW33 and Old Jackson Highway. The 2015 Field Inspection Report states the deck wearing surface is in very poor condition with potholes, cracks, and spalling up to 6" deep

Benefit of grant to citizens Teton County: Improve safety and driving conditions along E9500S for motorized and non motorized users.

Signed: \_\_\_\_\_  
*(Contact Person Listed Above)*

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(Responsible Elected Official or Department Head)*

Date: \_\_\_\_\_

Board of Commissioners Decision:  Approved (Applicant may prepare a grant application on behalf of Teton County. The completed application must be submitted to the Board for review and signature. )  
 Denied

Signed: \_\_\_\_\_  
*(Commissioner)*

Date: \_\_\_\_\_

# Grant Application Proposal

Please complete and return this form to the Commissioner's office.

Department or Board applying for Grant: Engineering and Public Works

Contact Person: Darryl Johnson Intended Project Manager: Darryl Johnson

Grant Title: 2018 Local Highway Safety Improvement Program

Granting Agency: Local Highway Technical Assistance Council (LHTAC)

Date of Award Decision: Unknown

Grant Timeline: Fiscal Year 2018

Dollar Amount of Grant Request: \$390,000

Teton County obligations if grant is awarded (*match, continuing maintenance, reporting schedule*):

Teton County must match 7.34% of the project cost, or \$28,700.

Other contingencies of grant: None.

Other agencies involved in the grant and their obligations: None.

Brief written overview of grant: Grant is for shoulder widening and asphalt improvement along S4500W from W5750S to W7750S. Construction will include a new chip seal coat on the entire road section.

Benefit of grant to citizens Teton County: Improve safety along the Cedron Road corridor for motorized and non motorized users.

Signed: \_\_\_\_\_  
*(Contact Person Listed Above)*

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(Responsible Elected Official or Department Head)*

Date: \_\_\_\_\_

Board of Commissioners Decision:  Approved (Applicant may prepare a grant application on behalf of Teton County. The completed application must be submitted to the Board for review and signature. )  
 Denied

Signed: \_\_\_\_\_  
*(Commissioner)*

Date: \_\_\_\_\_

# Grant Application Proposal

Please complete and return this form to the Commissioner's office.

Department or Board applying for Grant: Engineering and Public Works

Contact Person: Darryl Johnson Intended Project Manager: Darryl Johnson

Grant Title: 2017 Idaho Parks & Rec Recreational Waterway Improvement Grant

Granting Agency: Idaho Parks & Recreation

Date of Award Decision: Spring 2016

Grant Timeline: Fiscal Year 2017

Dollar Amount of Grant Request: \$15,000

Teton County obligations if grant is awarded (*match, continuing maintenance, reporting schedule*):

There is no local match requirement attached to this program

Other contingencies of grant: None.

Other agencies involved in the grant and their obligations: None.

Brief written overview of grant: Grant is to install a permanent vault toilet at the South Bates boat ramp site

Benefit of grant to citizens Teton County: Improve safety and health conditions at the S. Bates boat ramp.

Signed: \_\_\_\_\_  
*(Contact Person Listed Above)*

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(Responsible Elected Official or Department Head)*

Date: \_\_\_\_\_

Board of Commissioners Decision:  Approved (Applicant may prepare a grant application on behalf of Teton County. The completed application must be submitted to the Board for review and signature. )  
 Denied

Signed: \_\_\_\_\_  
*(Commissioner)*

Date: \_\_\_\_\_

## Grant Application Proposal

Please complete and return this form to the Commissioner's office.

Department or Board applying for Grant: Engineering and Public Works

Contact Person: Darryl Johnson Intended Project Manager: Darryl Johnson

Grant Title: 2017 Idaho Parks & Rec Recreational Off Road Motor Veh Fund

Granting Agency: Idaho Parks & Recreation

Date of Award Decision: Spring 2016

Grant Timeline: Fiscal Year 2017

Dollar Amount of Grant Request: \$15,000

Teton County obligations if grant is awarded (*match, continuing maintenance, reporting schedule*):

There is no local match requirement attached to this program

Other contingencies of grant: None.

Other agencies involved in the grant and their obligations: None.

Brief written overview of grant: Grant is to install a permanent vault toilet at the Horseshoe Canyon parking area

Benefit of grant to citizens Teton County: Improve safety and health conditions at the Horseshoe Canyon Parking area.

Signed: \_\_\_\_\_  
*(Contact Person Listed Above)*

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(Responsible Elected Official or Department Head)*

Date: \_\_\_\_\_

Board of Commissioners Decision:  Approved (Applicant may prepare a grant application on behalf of Teton County. The completed application must be submitted to the Board for review and signature. )  
 Denied

Signed: \_\_\_\_\_  
*(Commissioner)*

Date: \_\_\_\_\_

## Grant Application Proposal

Please complete and return this form to the Commissioner's office.

Department or Board applying for Grant: Engineering and Public Works

Contact Person: Darryl Johnson Intended Project Manager: Darryl Johnson

Grant Title: 2017 Idaho Parks & Rec - Recreational Trails Program

Granting Agency: Idaho Department of Parks and Recreation

Date of Award Decision: Summer 2016

Grant Timeline: July 2016-July 2017

Dollar Amount of Grant Request: \$10,000

Teton County obligations if grant is awarded (*match, continuing maintenance, reporting schedule*):

Teton County is required to provide a 20% match which would be approximately \$2,000.

Other contingencies of grant: Teton County could provide a portion of its obligation through in-kind match of equipment and labor.

Other agencies involved in the grant and their obligations: \_\_\_\_\_

Brief written overview of grant: \_\_\_\_\_

This would fund the development of a non-motorized trail within the existing 30' path easement through Edgewood Estates including surveying, clearing of pathway, fencing, and minimal erosion control measures. Trail would provide connectivity to BLM lands

Benefit of grant to citizens Teton County: Development of trail system to provide recreational access to public lands

Signed: \_\_\_\_\_  
*(Contact Person Listed Above)*

Date: \_\_\_\_\_

Signed: \_\_\_\_\_  
*(Responsible Elected Official or Department Head)*

Date: \_\_\_\_\_

Board of Commissioners Decision:  Approved (Applicant may prepare a grant application on behalf of Teton County. The completed application must be submitted to the Board for review and signature. )  
 Denied

Signed: \_\_\_\_\_  
*(Commissioner)*

Date: \_\_\_\_\_

# Grant Application Proposal

Please complete and return this form to the Commissioner's office.

Department or Board applying for Grant: Engineering and Public Works

Contact Person: Darryl Johnson Intended Project Manager: Darryl Johnson

Grant Title: 2017 Idaho Parks & Rec Recreational Road & Bridge Grant

Granting Agency: Idaho Parks & Recreation

Date of Award Decision: Spring 2016

Grant Timeline: Fiscal Year 2017

Dollar Amount of Grant Request: \$45,7500

Teton County obligations if grant is awarded (*match, continuing maintenance, reporting schedule*):

There is no local match requirement attached to this program

Other contingencies of grant: None.

Other agencies involved in the grant and their obligations: None.

Brief written overview of grant: Grant is to apply magnesium chloride treatment to the major trailer shuttle corridors along the Teton River. S. Bates from Hwy 33 to S5000W and N6000S between Bates Road and W4000N (Packasaddle Road)

Benefit of grant to citizens Teton County: Improve safety and driving conditions on S. Bates and N6000W county roads.

Signed: \_\_\_\_\_  
*(Contact Person Listed Above)*

Date: \_\_\_\_\_

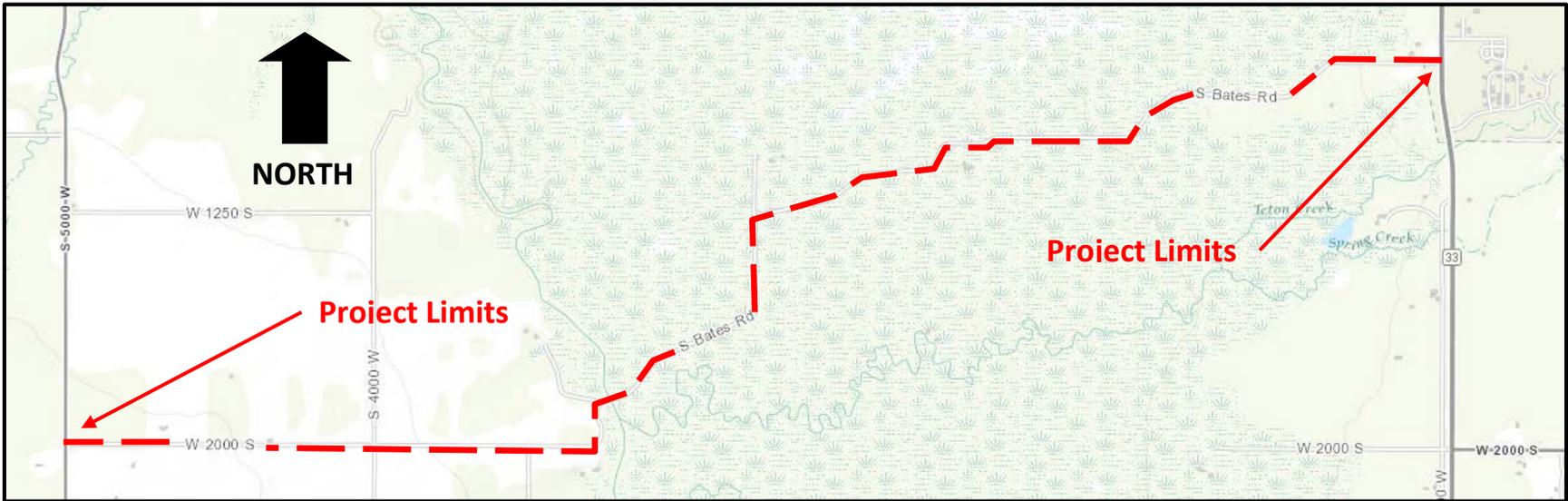
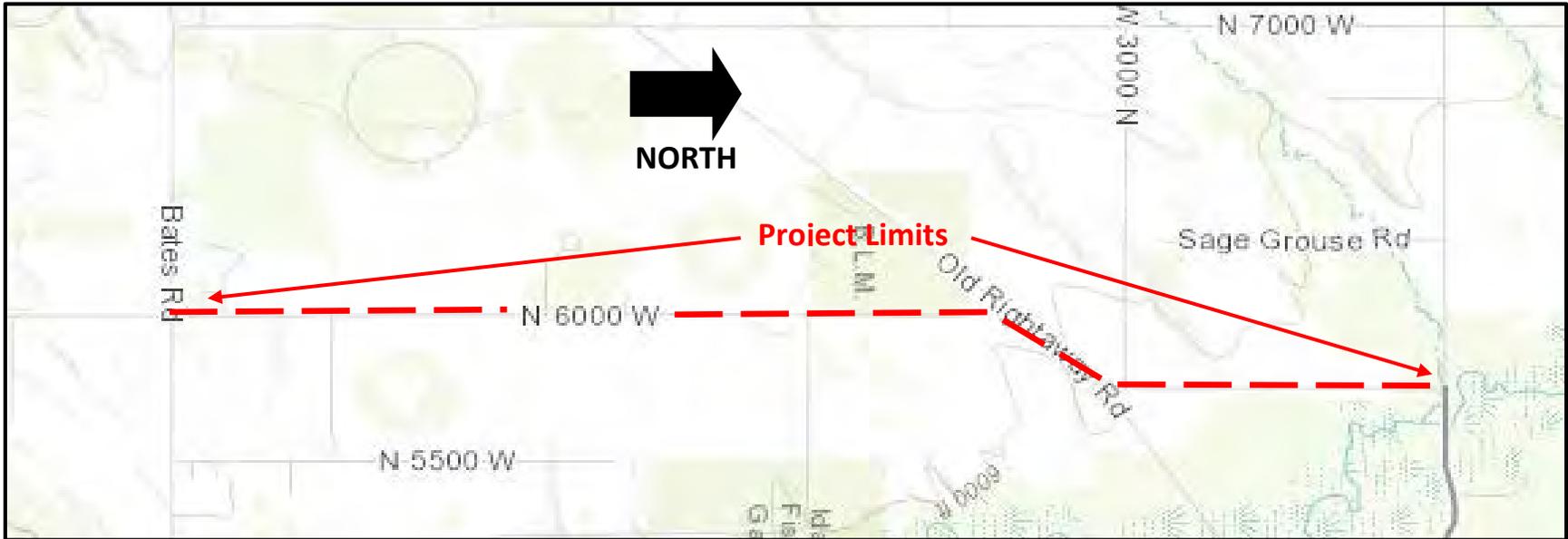
Signed: \_\_\_\_\_  
*(Responsible Elected Official or Department Head)*

Date: \_\_\_\_\_

Board of Commissioners Decision:  Approved (Applicant may prepare a grant application on behalf of Teton County. The completed application must be submitted to the Board for review and signature. )  
 Denied

Signed: \_\_\_\_\_  
*(Commissioner)*

Date: \_\_\_\_\_



<p><b>Teton County</b>          Engineering &amp; Public Works          150 Courthouse Drive          Driggs, ID 83422          208-354-0245</p>	<p><b>2017 IDPR Road &amp; Bridge Grant</b>          Mag Chloride Shuttle Route</p>	<p>Scale: Not to Scale          Prepared by: DWJ          Date: 12/7/2015          File:</p>
--	---	--

## Grant Application Proposal

Please complete and return this form to the Commissioner's office.

Department or Board applying for Grant: Engineering and Public Works

Contact Person: Darryl Johnson Intended Project Manager: Darryl Johnson

Grant Title: Cutthroat Fund

Granting Agency: Idaho Parks & Rec

Date of Award Decision: Summer 2016

Grant Timeline: July 2016-July 2017

Dollar Amount of Grant Request: \$25,000

Teton County obligations if grant is awarded (*match, continuing maintenance, reporting schedule*):

The project cost exceeds the available grant funds therefore

Teton County would need to fund the remaining costs, about \$25,000

Other contingencies of grant: None.

Other agencies involved in the grant and their obligations: \_\_\_\_\_

Idaho F&G has indicated they have some equipment and manpower to donate to the project.

Brief written overview of grant: Construction of an ADA accessible fishing pier

on the Teton River at the Old Railroad ROW (Horseshoe) Crossing.

Benefit of grant to citizens Teton County: Provide ADA fishing access on the Teton

River to County residents.

Signed: \_\_\_\_\_

*(Contact Person Listed Above)*

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

*(Responsible Elected Official or Department Head)*

Date: \_\_\_\_\_

Board of Commissioners Decision:  Approved (Applicant may prepare a grant application on behalf of Teton County.

The completed application must be submitted to the Board for review and signature. )

Denied

Signed: \_\_\_\_\_

*(Commissioner)*

Date: \_\_\_\_\_

**Annual Road and Street Financial Report**

Reporting Entity Name, Mailing Address and Contact Phone Number:		Please return, <b>not later than December 31</b> , to:
Entity TETON COUNTY	<b>BRANDON D. WOOLF</b> <b>IDAHO STATE CONTROLLER</b> <b>ATTN: HIGHWAY USERS</b> <b>STATEHOUSE MAIL</b> <b>BOISE, ID 83720</b>	
Address 150 Courthouse Drive #208		
City State Zip Driggs, ID 83422		
Contact/Phon 208-354-8780	Contact/Email: clerk@co.teton.id.us	

This certified report of dedicated funds is hereby submitted to the State Controller as required by 40-708, *Idaho code*.

Dated this _____ day of _____, _____.	Bill Leake
<b>ATTEST:</b>  Mary Lou Hansen, Teton County Clerk	Kelly Park
	Cindy Riegel

City Clerk/County Clerk/District Secretary **(type or print name & sign)** **AND** Commissioners or Mayor **(type or print name & sign)**

**FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2015.**

Line 1 BEGINNING BALANCE AS OF OCTOBER 1 PREVIOUS YEAR	960,680
--	---------

<b>RECEIPTS</b>		
<b>LOCAL FUNDING SOURCES</b>		
Line 2	Property tax levy (for roads, streets and bridges) . . . . .	1,145,155
Line 3	Sale of assets . . . . .	
Line 4	Interest income . . . . .	
Line 5	Fund transfers from non-highway accounts. . . . .	235,146
Line 6	Proceeds from sale of bonds (include LIDs) . . . . .	
Line 7	Proceeds from issue of notes (include loans) . . . . .	
Line 8	Local impact fees . . . . .	230000
Line 9	Local option registration fee . . . . .	
Line 10	All other LOCAL receipts or transfers in. . . . .	11525
<b>Line 11</b>	<b>Total Local Funding (sum lines 2 through 10).</b> . . . . .	<b>1621826</b>
<b>STATE FUNDING SOURCES</b>		
Line 12	Highway user revenue . . . . .	938,766
Line 13	Sales tax/Inventory replacement tax . . . . .	5,914
Line 14	Sales tax/Revenue sharing . . . . .	
Line 15	State Exchanged funds. . . . .	145,075
Line 16	All other STATE receipts or transfers. . . . .	5,561
<b>Line 17</b>	<b>Total State Funding (sum lines 12 through 16).</b> . . . . .	<b>1,095,316</b>
<b>FEDERAL FUNDING SOURCES</b>		
Line 18	Secure Rural Schools . . . . .	69,994
Line 19	Federal-aid Bridge. . . . .	
Line 20	Federal-aid Rural. . . . .	
Line 21	Federal-aid Urban. . . . .	
Line 22	Federal Lands Access Funds and All other FEDERAL receipts or transfers . . . . .	55,029
<b>Line 23</b>	<b>Total Federal Funding (sum lines 18 through 22)</b> . . . . .	<b>125,023</b>
<b>Line 24</b>	<b>TOTAL RECEIPTS (sum lines 11, 17, 23)</b> . . . . .	<b>2,842,165</b>

DISBURSEMENTS		
NEW CONSTRUCTION (include salary and benefits on each line)		
Line 25	Roads . . . . .	1,717
Line 26	Bridges, culverts and storm drainage . . . . .	13,586
Line 27	RR Crossing . . . . .	
Line 28	Other (signs, signals or traffic control). . . . .	
<b>Line 29</b>	<b>Total New Construction (sum lines 25 through 28).</b> . . . . .	<b>15,303</b>
RECONSTRUCTION/REPLACEMENT/REHABILITATION (include salary and benefits on each line)		
Line 30	Roads (rebuilt, realign, or overlay upgrade). . . . .	1,361,420
Line 31	Bridges, culverts and storm drainage . . . . .	350,593
Line 32	RR Crossing. . . . .	
Line 33	Other (signs, signals or traffic control). . . . .	
<b>Line 34</b>	<b>Total Reconstruction/Replacement (sum lines 30 through 33).</b> . . . . .	<b>1,712,013</b>
ROUTINE MAINTENANCE (include salary and benefits on each line)		
Line 35	Chip sealing or seal coating. . . . .	371,257
Line 36	Patching . . . . .	59,875
Line 37	Winter Maintenance . . . . .	272,352
Line 38	Grading/blading . . . . .	108,688
Line 39	Bridge. . . . .	
Line 40	Other (signs, signals or traffic control). . . . .	42,141
<b>Line 41</b>	<b>Total Routine Maintenance (sum lines 35 through 40)</b> . . . . .	<b>854,313</b>
EQUIPMENT		
Line 42	Equipment purchase - automotive, heavy, other. . . . .	
Line 43	Equipment lease/purchase . . . . .	198,352
Line 44	Equipment maintenance. . . . .	128,637
Line 45	Other (specify). . . . .	
<b>Line 46</b>	<b>Total Equipment (sum lines 42 through 45)</b> . . . . .	<b>326,989</b>
ADMINISTRATION		
<b>Line 47</b>	<b>Administrative salaries and expenses.</b> . . . . .	<b>174,668</b>
OTHER EXPENDITURES		
Line 48	Right-of-way and property purchases . . . . .	
Line 49	Property leases . . . . .	
Line 50	Street lighting . . . . .	
Line 51	Professional services - audit, clerical, and legal. . . . .	
Line 52	Professional services - engineering. . . . .	86,544
Line 53	Interest - bond (include LIDs). . . . .	
Line 54	Interest - notes (include loans). . . . .	
Line 55	Redemption - bond (include LIDs) . . . . .	
Line 56	Redemption - notes (include loans) . . . . .	
Line 57	Payments to other local government. . . . .	
Line 58	Fund transfers to non-highway accounts. . . . .	
Line 59	All other local expenditures . . . . .	
<b>Line 60</b>	<b>Total Other (sum lines 48 through 59)</b> . . . . .	<b>86,544</b>
<b>Line 61</b>	<b>TOTAL DISBURSEMENTS (sum lines 29, 34, 41, 46, 47, 60).</b> . . . . .	<b>3,169,830</b>
<b>Line 62</b>	<b>RECEIPTS OVER DISBURSEMENTS (line 24 - line 61).</b> . . . . .	<b>-327,665</b>
<b>Line 63</b>	<b>OTHER ADJUSTMENTS (Audit adjustment and etc.).</b> . . . . .	
<b>Line 64</b>	<b>CLOSING BALANCE (sum lines 1, 62, 63)</b> . . . . .	<b>633,015</b>
<b>Line 65</b>	<b>Funds on Line 64 obligated for specific future projects &amp; reserves.</b> . . . . .	<b>433,015</b>
<b>Line 66</b>	<b>Funds on Line 64 retained for general funds and operations.</b> . . . . .	<b>200,000</b>
<b>Line 67</b>	<b>ENDING BALANCE (line 64 minus the sum of lines 65, 66)</b> . . . . .	<b>0</b>



**SUMMARY**  
**Annual Road & Street Financial Report**

	FY 2015	FY 2014	FY 2013	FY 2012	FY 2011	FY 2010	FY 2009	FY 2008	FY 2007	FY 2006	FY 2005
Beginning Balance on October 1	\$960,680	\$1,149,474	\$963,447	\$549,133	\$540,495	\$392,174	\$221,349	\$123,532	\$189,141	\$136,410	\$155,348
<b>RECEIPTS</b>											
Property tax*	1,145,155	834,186	1,091,208	997,504	724,179	28,664	157,846	0	0	0	0
Other local receipts	476,671	113,578	28,102	138,671	18,780	226,044	260,414	22,679	5,343	29,119	19,973
Highway Users revenue	938,766	889,519	888,223	885,041	898,736	890,578	906,344	944,235	945,295	887,494	867,442
Other State funds	156,550	0	0	23,274					103,380	0	0
National Forest apportionment	69,994	78,525	93,687	85,173	75,081	74,714	96,786	25,009	25,060	24,812	24,254
Other Federal funds	55,029	156,090	0	0	60,050	12,576	24,232	121,617	0	0	0
<b>Total Receipts</b>	<b>\$2,842,165</b>	<b>\$2,071,898</b>	<b>\$2,101,220</b>	<b>\$2,129,663</b>	<b>\$1,776,826</b>	<b>\$1,232,576</b>	<b>\$1,445,622</b>	<b>\$1,113,540</b>	<b>\$1,079,078</b>	<b>\$941,425</b>	<b>\$911,669</b>
<b>DISBURSEMENTS</b>											
New construction	15,303	203,029	179,422	0	13,976	78,963	273,547	6,013	0	0	0
Reconstruction, replacement, rehabilitator	1,712,013	448,329	320,207	191,716	202,992	136,533	94,147	229,821	204,547	272,387	349,813
Chip seal & dust control	371,257	423,899	469,461	413,498	406,238	0	0	0	0	179,346	134,115
Snow removal	272,352	278,346	248,272	306,953	271,654	244,272	251,059	227,253	108,929	97,905	93,033
Other routine maintenance	210,704	215,092	183,967	180,691	172,576	133,715	138,657	128,902	191,270	37,311	107,867
Equipment	326,989	430,076	317,431	423,678	335,538	344,159	388,507	313,911	337,569	235,175	219,830
Administration	174,668	166,217	152,559	150,600	78,025	66,068	29,826	61,612	41,472	13,070	15,949
Other expenses (includes Line 63 adjust)	86,544	95,704	43,875	48,213	287,192	80,545	99,054	48,211	260,900	53,500	10,000
<b>Total Disbursements</b>	<b>\$3,169,830</b>	<b>\$2,260,692</b>	<b>\$1,915,194</b>	<b>\$1,715,349</b>	<b>\$1,768,191</b>	<b>\$1,084,255</b>	<b>\$1,274,797</b>	<b>\$1,015,723</b>	<b>\$1,144,687</b>	<b>\$888,694</b>	<b>\$930,607</b>
<b>CLOSING BALANCE</b>	<b>\$633,015</b>	<b>\$960,680</b>	<b>\$1,149,473</b>	<b>\$963,447</b>	<b>\$549,130</b>	<b>\$540,495</b>	<b>\$392,174</b>	<b>\$221,349</b>	<b>\$123,532</b>	<b>\$189,141</b>	<b>\$136,410</b>
Amount obligated for specific future projects	433,015	760,680	899,474	713,447	280,000	255,000	197,341	0	0	0	0
Unobligated Balance on September 30	\$200,000	\$200,000	\$250,000	\$250,000	\$269,130	\$285,495	\$194,833	\$221,349	\$123,532	\$189,141	\$136,410

FY 2011 Other expenses includes  
\$255,212 final payment for Felt gravel  
pit

FY 2007 Other expenses includes  
\$189,538 engineering for Packsaddle  
STIP



Teton County  
**Road & Street  
Financial Report**

*Fiscal Year ending September 30, 2015*

**BEGINNING BALANCE**

October 1, 2014..... **\$960,680**

**RECEIPTS**

Property tax ..... \$1,145,155

Other local receipts ..... 476,671

Highway users revenue ..... 938,766

National Forest apportionment..... 69,994

Other State & Federal funds..... 211,579

**Total Receipts..... \$2,842,165**

**DISBURSEMENTS**

New Construction ..... \$15,303

Reconstruction, replacement  
& rehabilitation..... 1,712,013

Chip seal & dust control ..... 371,257

Snow removal ..... 272,352

Other routine maintenance..... 210,704

Equipment ..... 326,989

Administration ..... 174,668

Other expenses..... 86,544

**Total Disbursements ..... \$3,169,830**

**CLOSING BALANCE ..... \$633,015**

Amount obligated for  
specific future projects ..... \$433,015

**UNOBLIGATED BALANCE**

September 30, 2015 ..... **\$200,000**

*Published January 7, 2016*



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

**Public Works Department  
MEMORANDUM**

150 Courthouse Drive  
Driggs, ID 83422

DATE December 9, 2015

TO: Board of County Commissioners

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

SUBJECT: Teton Valley Scenic Parkway Information Package

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This Teton Valley Scenic Parkway information package is being presented to the Board of County Commissioners to provide a timeline summary and current status of this project.

**Background Information**

Conversations between the applicant and Teton County Public Works began in early 2014. What appears to be the original plan set submitted is dated 5/28/2014. Conversations continued with the Board of County Commissioners, Planning Director, Public Works Director and applicant, Ag Rim LLC throughout 2014 and into 2015 mostly discussing County design standards and the proposed Teton Valley Scenic Parkway design. During the summer/fall of 2014, Mr. Jess Horton appeared before the Board of County Commissioners numerous times to discuss construction progress, request that the County consider accepting the new road once constructed and vacate the existing road corridor. In addition, there were discussions about permit applications with the BLM and a request for the County to submit as the applicant. It was the BoCC's stance that the County would assist with BLM permitting only if the county chose to accept the new road corridor.

Records show that the Scenic Parkway project was discussed at BoCC meetings held on 9/8/2014, 9/22/2014, 10/27/2014, 3/23/2015, 6/22/2015, 7/13/2015 and 8/3/2015. Relevant portions of the meeting minutes have been included in this report. In addition to discussion at commissioner's meetings, a town hall meeting was conducted on 8/10/2015. At the town hall meeting, the Public Works Director presented the proposed design, discussed costs for construction and costs for maintenance. Public comment was then taken. Written comments from the town hall meeting have been included in this report.

**Teton Valley Scenic Parkway Design**

The applicant submitted an updated project narrative and amended letter of request in June of 2015. These two documents summarize the project scope, project design parameters and a detailed description of the proposed offering to Teton County.

In addition to the narratives, the applicant also submitted an updated set of design plans stamped by a licensed professional civil engineer.

### **Documents Prepared by County Staff**

Reports that have been prepared to date by County staff and submitted to the BoCC are as follows:

Teton Valley Scenic Byway Timeline Report  
Prepared by Jason Boal, Planning Director  
Date prepared: 3/23/2015

This report provides a detailed timeline of staff efforts dealing with the Scenic Parkway

Scenic Parkway Analysis  
Prepared by Darryl Johnson, Public Works Director  
Date prepared: 7/9/2015

This report is a summary of impacts of the proposed Scenic Parkway road adoption and how it fits with County planning goals.

Teton Valley Scenic Parkway Presentation  
Prepared by Darryl Johnson, Public Works Director  
Date Prepared: 8/10/2015

Power point document presented at the 8/10/2015 Town Hall Meeting

Scenic Parkway Zoning  
Prepared by Jay Millin, Engineering Technician  
Date prepared: 12/8/2015

This report summarizes current land zoning in the area of concern and also proposed land zoning

Scenic Parkway Maintenance Cost Analysis  
Prepared by Jay Millin, Engineering Technician  
Date prepared 12/8/2015

This report considers different levels of maintenance that might be provided on the 10.4 mile corridor and costs associated with each level of service

### **Idaho State Statutes**

The two statutes that apply to road vacation and road designation are:

40-202 – Designation of Highways and Public Rights-of-Way

40-203 – Abandonment and Vacation of County and Highway District System Highways or Public Rights-of-Way.

Summarizing the state statutes, the process of road vacation and road designation requires proper public notice and a public hearing be held.

### **Recent Contact with the BLM**

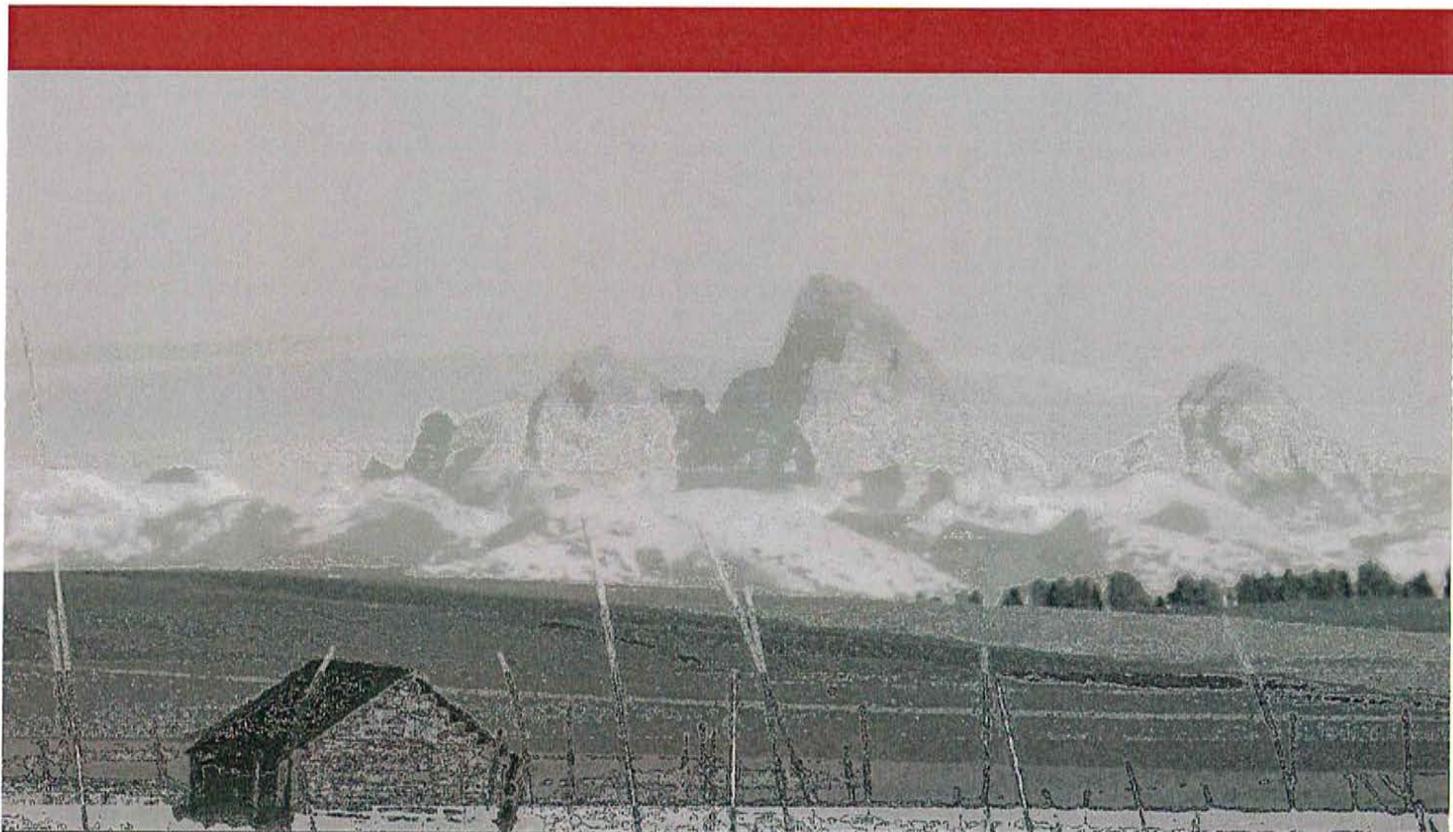
The proposed Scenic Parkway alignment proposes a change in the current alignment crossing BLM land tracts. Recent email conversations between the applicant and the BLM suggests that the applicant is interested in submitting the required permit application to begin the process with the BLM. If the County decides it is interested in the road offering, correspondence suggests that the County could assume the applicant role.

### **Request for Comments**

Letters requesting comments and/or concerns regarding the Scenic Parkway project were distributed to adjacent property owners and agencies on 11/16/2015. A distribution list, copies of the letters sent and responses received to date are included in this information package.

### **ACTION REQUIRED**

During the August 3, 2015 Board of County Commissioners meeting, the BoCC committed to providing the applicant with a decision on whether or not the County is interested in adopting the new road by early spring of 2016. The next step would be to schedule a work session with the applicant, BoCC and staff to discuss the benefits and concerns of the offering. I suspect the decision might require multiple work sessions. It is my recommendation that the BoCC review this information package, request additional information if necessary and then schedule our first work session in early 2016.



# Teton Valley Scenic Parkway

Amended Letter of Request

6.18.2015

AG Rim, LLC & Grandview Ranch LLC





6.18.2015

Teton County Engineer and BOCC,

Previously submitted on 6.17.15 was a Project Narrative along with supporting drawings providing information about the Teton Valley Scenic Parkway (TVSP). We would like to add further clarification concerning the roadway project.

This road relocation plan completed to the specifications as herein defined is hereby presented as an offering to Teton County to be conveyed at the time of completion in fee simple title of ownership for the entire relocated road, public trail, public parking area, and pullovers, on and in the locations defined in the above mentioned drawings.

We request that the BOCC consider this offering and if the BOCC concludes that it is in the public interest that it take appropriate actions to make the changes in the existing used roads (defined on the submitted map that will need accurate road name identification by the Teton County Engineer) to eliminate these presently used road areas defined in red on our mapping and to accept the new location of the road as identified in our drawings as the new improved Teton County (Teton Valley Scenic Parkway) Road and the new location of Packsaddle Road into the NFS access.

In addition, we request that the BOCC consider making a formal request of the BLM consistent with our plans to relocate the road on their 40 acres.

If needed, (we understood that the permits we were issued last year allowed us to improve all portions of the County roads contained on our drawings) we also request that any and all reviews be completed and actions be taken by the BOCC and/or Teton County Engineer that provides us full assurance that we have permits that allow us to improve the existing County Road locations we have identify on our mapping.

The existing road (majority of which is two track) used by the public has many problems that this new design will correct. The existing grade of approximately 19% as you begin the climb will be approximately 7% on the new road. This will make the entire area safely accessible for emergency vehicles, public use, and public access to the three NFS accesses.

The public parking needs (demonstrated by at times more than 20 vehicles parked on private property in the cropland fields at the corrals) for those visiting the Packsaddle Lake area, will be solved by the new donated Packsaddle Public Parking Area.

FOUR Pullover locations will preserve and share the historical significance of the area and THREE additional Pullover locations will offer locations for view appreciation and rest.

The relocation and improvement of the road across the BLM 40 will eliminate an environmental issue by allowing reclamation of two separate eroded two tracks that due to the existing steep grades are



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drewmep@gmail.com

789 N. 450 E. Firth, Idaho, 83236

208.313.4267

marginally usable at best. The BLM has indicated a willingness to approve this relocation and they await a formal request from Teton County to make this change. Realignment and new construction of the road for approximately two miles to the North beyond the BLM 40 will eliminate curve issues and create

a usable road that will be on the deeded Teton County Right of Way instead of the existing two track that is being used by the public for the most part on private property.

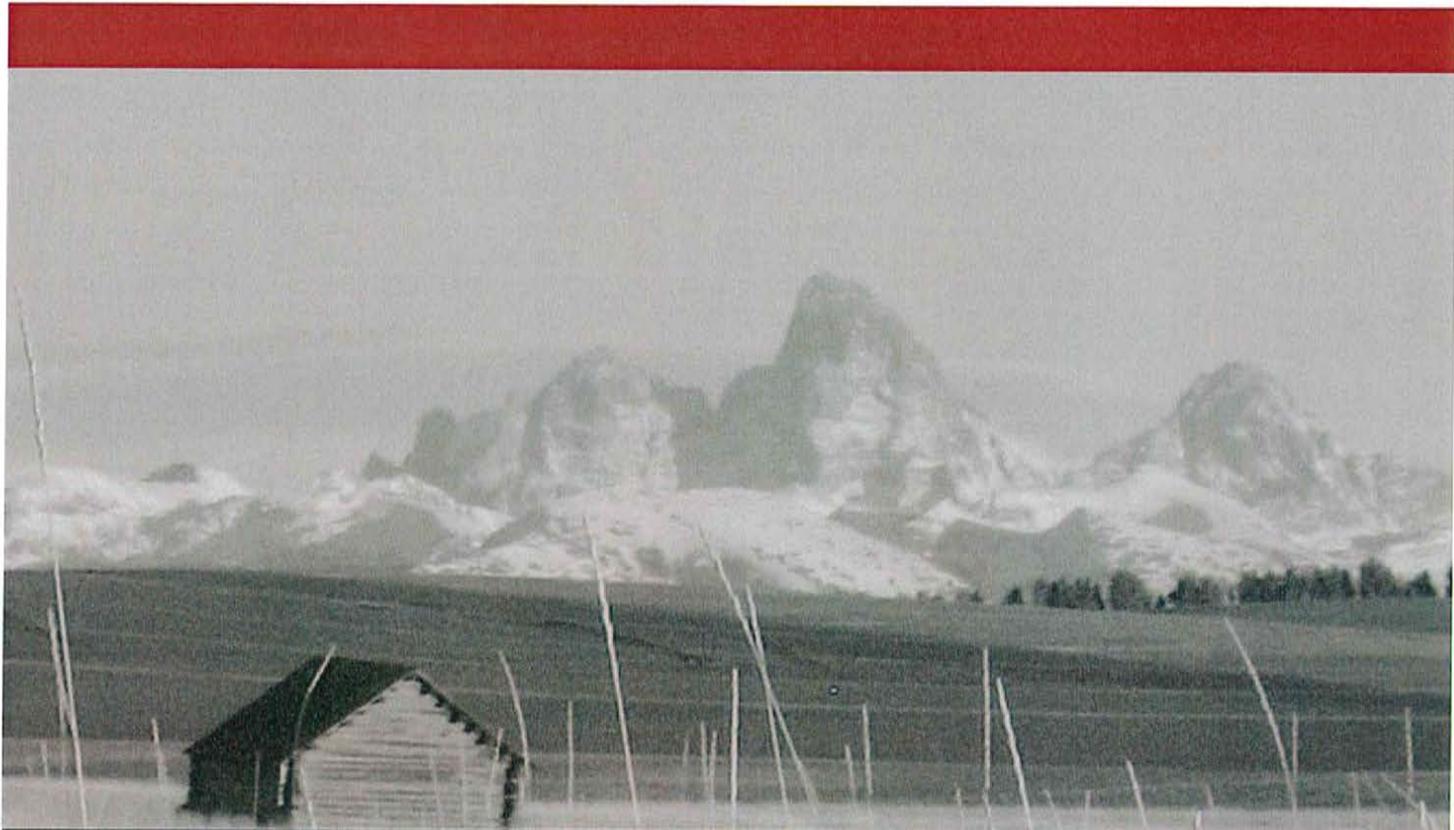
The 2014 Teton County Engineer made a request of us last year that we design and build this road to Teton County Road Specifications as he wanted it offered to Teton County for a public road. We have made this effort and in doing so have tried to consider all of the public needs.

Thank you for your consideration.

*T. Drew Meppen*  
*6/10/15*

T. Drew Meppen, EIT

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# Teton Valley Scenic Parkway

Project Narrative

6.16.2015

AG Rim, LLC & Grandview Ranch LLC





6.16.2015

Teton County Engineer and BOCC,

This letter is to provide information and the intent of the Teton Valley Scenic Parkway (TVSP) project. AG Rim, LLC and Grandview Ranch, LLC are constructing a road that will better provide them access for agricultural activities to their properties for current and future agricultural operations.

The project begins 350' west of the intersection of Packsaddle Rd and N 9000 W (See TVSP Project Overview Map). The Parkways intent is to protect and enhance the existing aesthetic, ecological, environmental, and cultural amenities that form the Teton Valley. It will provide:

- Current and Improved recreational accesses to the US National Forest Service
- Recreational Parking area to the US National Forest Service
- Improved Trail located parallel to the TVSP for multiple uses
- Current or Improved Access to all adjoining property owners
- Historical Site Pullovers
- Scenic View Pullovers.

A major portion of the TVSP Project is on private ground and proposes a request for realignments and improvements be made on portions of the existing county roads (See TVSP Project Overview Map). Consistent with the request of the 2014 Teton County Engineer, the road relocation has been designed and portions are presently being constructed to Teton County Road Specifications.

The areas that the Parkway will provide access to are used for recreational and agricultural purposes.

The Parkway will improve the existing grade, drainage, ballast section, roadway cross-section and horizontal geometry as per the design guidelines below:

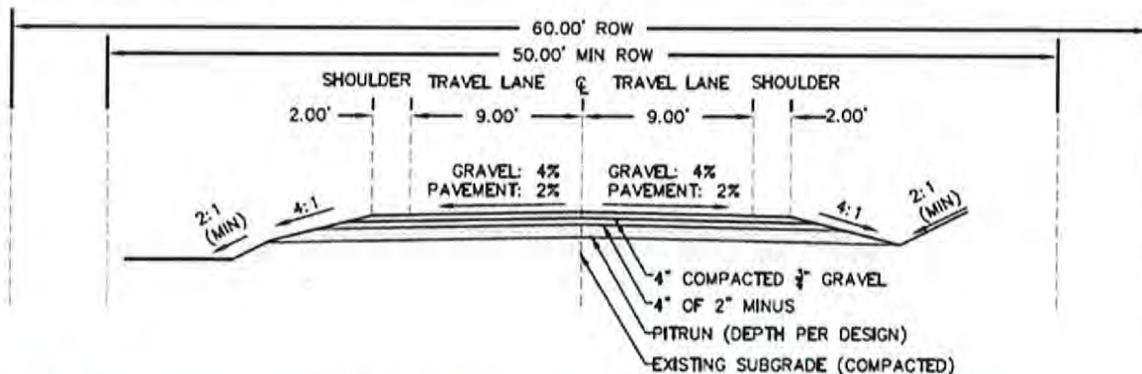


Figure 1. Highway and Street Guidelines for Design and Construction in Teton County, Idaho-4/11/2013 (Page 18 of 46)



drewmep@gmail.com

789 N. 450 E. Firth, Idaho, 83236

208.313.4267

This is being submitted for your consideration as an opportunity to improve public safety and access, private property owner access, and to protect another very special part of Teton Valley.

Provided with this narrative are:

- Project Overview Map
- Access Insets
- Historic & Scenic Pullover Insets
- Culvert Design
- Roadway Alignment Plans

Thank you

*T. Drew Meppen*  
6/16/15

T. Drew Meppen, EIT

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

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

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

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

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

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

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

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

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

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

**HARMONY DESIGN PROJECT REVIEW.** Ms. Zung reviewed her memo summarizing current county projects under way with her firm (Attachment #11). The LOMR for the new Badger Creek Bridge is in progress and the county needs to identify a primary point of contact. Construction of the Darby Creek Bridge at S2000E will require additional engineering services that would have been provided by the county engineer. Since that position is vacant, Ms. Zung proposed providing those services at an estimated cost of \$9,000-\$10,000 through Additional Service Request #1. The Darby Creek Bridge at S1000E is another current Harmony Design project since the firm was recently selected through an RFQ process. Ms. Zung requested approval of the contract that had been negotiated so that surveying and design work could begin. Commissioner Kunz said he would like to review the S1000E bridge project before proceeding. He doesn't necessarily agree with the current project priority list since his main objective is to make the roads safer. The Board postponed a decision until Sept. 22.

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

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

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

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

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

## **PLANNING & BUILDING**

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

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

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

**MEMO**

DATE: September 5, 2014  
FROM: Dawn Felchle, Assistant  
TO: Commissioners, Prosecutor & Planning Administrator  
RE: Relocation of a Portion of Packsaddle Road – W4000N  
Developer is AG Rim, LLC (Jessie Horton) & Grandview Ranch III, LP  
ATTACHMENTS: Permit Packet, 6/12/14 Memo from Engineer, Road Vacation Form

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

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

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



**COMMISSIONERS PRESENT:** Sid Kunz, Kelly Park, Kathy Rinaldi

**OTHER ELECTED OFFICIALS PRESENT:** Prosecutor Kathy Spitzer

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

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

### **EXECUTIVE SESSION**

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

### **OPEN MIC**

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

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

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

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

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

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

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

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

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

**Emergency Management.** (Attachment #5)

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

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

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

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

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

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

**Planning & Building Department.** (Attachment #7)

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

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

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

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

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

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

## **PLANNING & BUILDING**

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

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

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

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

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

## **HEART R RANCH INSIGNIFICANT PLAT AMENDMENT.**

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

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

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

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

## **PLANNING & BUILDING**

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

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

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

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

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

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

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

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

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

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

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

## **OPEN MIC**

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

## **PUBLIC WORKS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **PLANNING & BUILDING**

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

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

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

Regarding the use of bentonite, Mr. Johnson explained that the benefits of higher plasticity makes the road more durable and longer lasting and is more cost effective than mag chloride applications. Commissioner Park questioned why the county maintained some roads that provide access only to private property. Mr. Johnson agreed that some roads should probably be removed and said the county road map should be reviewed and revised in the future. The snowplowing policy also needs review and formal adoption. The Board asked Mr. Johnson to schedule a work session in September or October.

**TETON VALLEY SCENIC PARKWAY (PACKSADDLE ROAD).** Mr. Johnson reviewed his memo regarding how adoption of the Parkway fits within the County's planning goals (Attachment #8). He said the enhancement and preservation of access to public lands is a consistent theme throughout all county planning documents. Adopting a road constructed to county standards would improve such access. In addition, the applicant plans to donate an 8-acre parking lot for Forest users. Mr. Johnson said other issues to be considered include access points and driveways, required permits, BLM application, costs and agency support. Before a decision is made, Mr. Johnson recommended the Board hold a 2-3 hour meeting in order to have time to discuss and understand all aspects and ramifications of the proposal, including allowing for public comment. The Board scheduled an August 3 work session for this purpose, which will include a field tour beginning at 9 am followed by an 11 am meeting at the courthouse. They also scheduled an August 10 town hall meeting with the Scenic Parkway as a listed topic.

## **ADMINISTRATIVE**

● **MOTION.** Commissioner Riegel made a motion to approve the minutes of June 16. Motion seconded by Commissioner Park and carried.

● **MOTION.** Commissioner Riegel made a motion to approve the budget work session minutes of June 17, 19, 22 & 23. Motion seconded by Commissioner Park and carried.

● **MOTION.** Commissioner Riegel made a motion to approve the minutes of June 22. Motion seconded by Commissioner Park and carried.

**QUARTERLY BUDGET REPORTS.** Clerk Hansen reviewed her financial reports for the quarter ending June 30, 2015 (Attachment #9). She said all expense and revenue budgets are within expectations. There is still \$15,000 in the contingency fund. The quarterly employee accrual reports caused her to suggest that the Board consider revising the county's Comp Time policy so that personnel providing 24/7 services (Sheriff deputies, dispatchers and the road and bridge snow plow crew) could be paid overtime wages rather than accruing comp time. This would help reduce the challenge for those departments maintain sufficient staffing while allowing employees to use accumulated Comp Time and/or PTO hours.

● **MOTION.** Commissioner Park made a motion to approve Resolution 2015-0713A quarterly budget transfers for the third quarter of FY 2015. Motion seconded by Commissioner Riegel and carried unanimously. (Attachment #10)

● **MOTION.** Commissioner Riegel made a motion to approve \$2,166 for miscellaneous repairs at the Fair Grounds. Motion seconded by Commissioner Park and carried unanimously.

Facilities Manager Dawn Felchle is seeking the most-cost effective alternative for the crow's nest repairs. Usage will be restricted until appropriate upgrades are made.

● **MOTION.** Commissioner Park made a motion to approve a Non-Profit Beer and Wine Permit for the Driggs Plein Air Festival. Motion seconded by Commissioner Rinaldi and carried unanimously.

● **MOTION.** Commissioner Park made a motion to adopt Resolution 2015-0713B authorizing the destruction of certain records maintained by the Board of County Commissioners. Motion seconded by Commissioner Riegel and carried unanimously. (Attachment #11)

# Board of Teton County Commissioners

## MINUTES: August 3, 2015

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

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9:00 AM Meeting Called to Order - Bill Leake, Chair

**TETON VALLEY SCENIC PARKWAY - Site Visit & Tour**

Participants will gather at courthouse, drive to Packsaddle for tour, then return to courthouse for discussion

**TETON VALLEY SCENIC PARKWAY - Discussion at Courthouse, with Q&A**

**EXECUTIVE SESSION** *personnel per IC 74-206(1)(b)*

*Review applications for County Executive Assistant and Facility Maintenance Supervisor/Engineering Technician*

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**COMMISSIONERS PRESENT:** Bill Leake, Cindy Riegel, Kelly Park

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

Chairman Leake called the meeting to order at 9:00 am. He said the purpose of today's meeting and site visit was to gather information and learn about the proposal, not debate the merits of the proposal. After introductions were completed, folks drove to the foot of Kay's Hill at the end of Packsaddle Road.

Landowner and project proponent Jess Horton said the existing county road up Kay's Hill has a grade of about 17-18% whereas the county's standard calls for a 7% grade. Mr. Horton obtained a 100' wide easement from Terry Kay about 7 years ago in order to eventually build a better road to access his property. When he discussed his road project with the county engineer one year ago, it was suggested that the road be built to county standards for eventual adoption by the county. If the county is willing to adopt the new road, and abandon the existing easement, Mr. Horton has offered to complete building the road to county standards and to also build a separated trail and several scenic overlook turnouts. If the county does not want to adopt the road, it will still be built as a private road, but without the trail, parking lot and scenic overlooks.

The group then proceeded to drive along the partially-built new road, stopping at six different locations before exiting via the River Rim subdivision road:

1. At intersection with Felger/Asanti driveway
2. At intersection with Horseshoe loop road
3. At intersection with road heading into proposed new parking area
4. At 7-acre parking area (about 3 miles from base of Kay's Hill)
5. At BLM land
6. At intersection with Nissen driveway

Various questions arose during the tour, including:

- impact to snowmobile trail grooming program, grooming district needs a looped trail to be feasible
- loss of "best sledding hill" in county, could easement be retained for recreation?
- future utility needs
- impact to the owners of land with TRLT conservation easement

- county cost to maintain new road vs. old road
- how can access onto private land be controlled
- issues to consider are different in the summer and winter
- need for recreationist parking to prevent illegal parking on private land
- implications related to future growth
- Mr. Nissen is losing access to his property due to the county's lack of road maintenance
- 2-track road has moved off dedicated county right-of-way in many areas, especially across BLM land
- need to clarify the right-of-way status of public access to USFS land through Nissen property
- USFS plans for trailheads in area

The group returned to the courthouse about 12:30 pm. Chairman Leake said the proposed Scenic Parkway will be discussed further during the Board's August 10 Town Hall meeting. At that time, Public Works Director Darryl Johnson will provide an overview of the project and then public comments will be allowed. A future public hearing will be required if the Board decides to pursue adoption of the new road and vacation of the existing road. Mr. Horton asked that the county make a decision regarding adoption of the road by early spring 2016. The Board and Mr. Johnson agreed that would be enough time, except for clarification of the right-of-way through the BLM property. Mr. Horton said he would help fund the required Environmental Analysis if the county decides to adopt the road.

The meeting recessed for lunch at 12:43 pm and resumed at 1:30 pm.

### EXECUTIVE SESSION

● **MOTION.** At 1:32 pm Chairman Leake made a motion for Executive Session to discuss personnel issues pursuant to IC 74-206 (1)(b). Motion seconded by Commissioner Park and a roll call vote showed all in favor. The Executive Session ended at 3:50 pm.

### FY 2016 BUDGET

The Board revisited their tentative decision about elected officials and decided the Treasurer, Clerk and Assessor should all earn \$58,000. They agreed it would be helpful to ask the county's HR consultants to create position descriptions and make pay grade recommendations for the elected officials.

● **MOTION.** At 4:05 pm Commissioner Park made a motion to recess the meeting until 7:45 am on Wednesday, August 5, at which time an Executive Session would be held to interview six candidates for the Executive Assistant position. Motion seconded by Chairman Leake and carried.

## MINUTES: August 5, 2015 continuation

Chairman Leake called the meeting to order at 7:45 am.

COMMISSIONERS PRESENT: Bill Leake, Kelly Park, Cindy Reigel

### EXECUTIVE SESSION

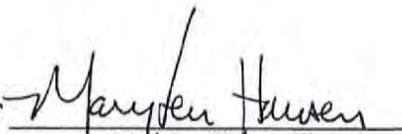
● **MOTION.** At 7:46 am Chairman Leake made a motion for Executive Session to discuss personnel issues pursuant to IC 74-206 (1)(b). Motion seconded by Commissioner Riegel and a roll call vote showed all in favor.

The Executive Session ended at 12:32 pm and the meeting adjourned.



Bill Leake, Chairman

ATTEST



Mary Lou Hansen, Clerk



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

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

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

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

From the minutes of that meeting:

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

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

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

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

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

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

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

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



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

**Public Works Department  
MEMORANDUM**

150 Courthouse Drive  
Driggs, ID 83422

DATE July 9, 2015

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

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

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

#### **Consistency with Teton County Planning Documents**

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

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

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

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

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

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

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

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

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

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

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

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

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

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



**Jay Pence**  
District Ranger  
**Forest Service**  
Caribou-Targhee National Forest, Teton Basin Ranger District

p: 208-354-2312  
[jpence@fs.fed.us](mailto:jpence@fs.fed.us)

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

Caring for the land and serving people

### **Recommendation:**

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

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

**Consistency with Teton County Planning Documents**

**Transportation Plan**

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

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

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

**Chapter 5 – Impacts of Growth and Future Needs:**

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

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- GOAL #2**      *The cost of needed transportation system improvements to support growth and development will be paid for primarily by the developers, rather than the general public.*
- GOAL #3**      *Teton County will strive to maintain existing public road access to surrounding public lands.*

**Chapter 6 – Recommended Improvements and Implementation**

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

### Natural Resources & Outdoor Recreation

#### Guiding Principles

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

## transportation

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

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#### Policies

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

### Natural Resources & Outdoor Recreation

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

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#### Policies

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

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

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#### Policies

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

### **Recreation & Public Access Master Plan**

#### *Executive Summary:*

##### Master Plan Goals

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

#### *PUBLIC ACCESS*

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

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

#### *3.5 Public Access:*

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

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

### **Economic Development Plan**

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

**Strategy B1g: Improve recreation infrastructure**

One of Teton Valley's main assets is its access to high quality outdoor recreation. Building and enhancing this asset is an important component of attracting investment. Recreation improvements may include: basic park facilities, forest access and parking, trails, pathways, motorized routes, groomed winter trails, the Kotler Ice Arena, Teton Valley riding area, and a

future recreation center. By working with the US Forest Service on trails and Idaho Department of Fish and Game on river accesses, and other public lands agencies, the community could add to the overall attractiveness of Teton Valley improve its position as a recreation destination.



# Proposed Teton Valley Scenic Parkway

## Teton Valley Scenic Parkway Summary

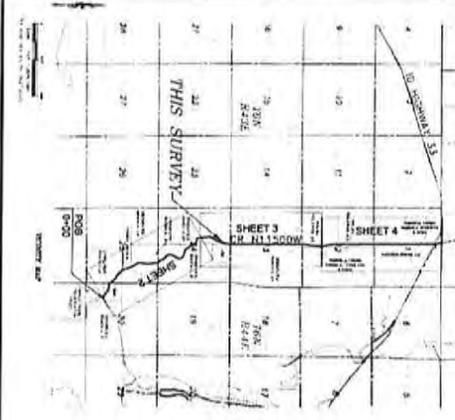
- Approximately 10 Miles in length
- 22' wide gravel road built to Teton County standards
- Maximum profile grade reduced to 8% (Existing Kay's Hill ±17%)
- Includes 7+ Acre designated parking area for USFS access to FS Road 381
- Road section to possibly include 10' separated gravel multi use trail
- Possible construction of 7 "Point-of-Interest" information

# Teton Valley Scenic Parkway Typical Section



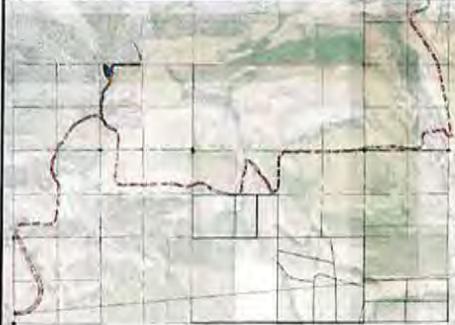
# Teton Valley Scenic Parkway USFS Public Access Parking





**Teton Valley  
Scenic Parkway  
Right-of-Way**

2011 Record of Survey ordered by Teton County created a permanent right-of-way for Milk Creek from Hwy 33 to intersection of Hoopes Road (N 9400 W)



**Teton Valley  
Scenic Parkway  
Right-of-Way**

Remainder of Pack saddle Road right of way is associated with the existing road centerline



**Teton Valley Scenic Parkway  
Right-of-Way**

- If new corridor is adopted, a permanent right-of-way/easement will be dedicated to the County
- Proposal is to vacate the existing alignment for new road dedication
- If original alignment is allowed to remain for recreation, will require dedication by landowner



**Teton Valley Scenic Parkway  
Maintenance Costs**

• Current Level of Maintenance (minimal)	\$18,700
• Seasonal Maintenance (closed during winter months)	\$21,800
• Year Round Maintenance	\$31,200

Note: Maintenance costs do not include lifecycle reconstruction costs



## Teton Valley Scenic Parkway Construction Costs

Comparing bids from the current E50005 project, estimated cost to construct 10.4 miles of Teton Valley Scenic Parkway Construction Cost would be \$1.7 million

Estimated cost for Road & Bridge Department to construct 10.4 miles of new road would be \$600,000



Project ID: 1001

Project Name: Teton Valley Scenic Parkway

Project Location: Teton Valley Scenic Parkway

Project Status: Open for Public Comment

Project Description: Teton Valley Scenic Parkway

Project Start Date: 12/9/2015

Project End Date: 12/9/2015

Project Manager: [Name]

Project Contact: [Name]

Project Phone: [Phone]

Project Email: [Email]

Project Website: [Website]

Project Address: [Address]

Project City: [City]

Project State: [State]

Project Zip: [Zip]

Project Country: [Country]

## Teton Valley Scenic Parkway Public Comment



WK: 208-881-4048  
jmillin@co.teton.id.us

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

150 Courthouse Drive  
Driggs, ID 83422

DATE: 12-8-2015

TO:

FROM: Teton County Engineering Tech – Jay Millin

SUBJECT: Scenic Parkway Zoning

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Currently, the properties surrounding the existing and proposed roadways are zoned A-20.

Attached is an exhibit showing the proposed County zoning. The majority of the affected area would be zoned Foothills (dark green). At this time in the zoning development process, the proposed maximum density for Foothills zoning is 1 lot per 10 acres (with 75% open space), or 1 lot per 20 acres for a one time only.

The new ordinance would require:

- A traffic impact study (if more than 10 lots)
- Access management plan and Public Services study (if more than 10 lots) were proposed.

These tools will allow the County to better understand the specific impacts of any proposed development.



WK: 208-881-4048  
jmillin@co.teton.id.us

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

150 Courthouse Drive  
Driggs, ID 83422

DATE: 12-8-2015

TO: Public Works Director  
FROM: Teton County Engineering Tech – Jay Millin  
SUBJECT: Scenic Parkway Maintenance Cost Analysis

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Currently, the County does minimal annual maintenance on the existing road corridor and does not plow snow during winter months. In spring, the roadway is opened which takes roughly 4 days using 2 graders. Average summer maintenance for this road corridor is estimated at 16 hours. Seasonal maintenance for a county road with normal to high use would require grading 3 to 4 times per year. That would be in addition to opening the road every spring. If year round maintenance were desired, the spring opening efforts would be replaced with winter plowing. For the purpose of estimating maintenance costs 20 plowings per winter was assumed to be an average season. The total length of the proposed corridor from west of the intersection of W4000N and N9000W to the intersection of Highway 33 is approximately 10.4 miles. A crude calculation of maintenance for the entire 10.4 miles of road section is as follows.

- Current maintenance: \$10,000 / year
- Average seasonal maintenance - closed during winter months: \$23,600 / year
- Year round maintenance: \$28,700 / year

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

According to a Colorado State University study, when a road is treated with magnesium chloride, gravel loss is reduced by more than 50%. This results in a road that lasts more than twice as long between resurfacing while only requiring one yearly application for seasonal maintenance. The Public Works Department has established the optimal application rate for magnesium chloride is 0.5 gallons per square yard the first year, 0.4 the second, and 0.3 every year after until the road is resurfaced. Taking into account the current material and labor costs over the life of the road, applying Magnesium Chloride on the entire 10.4 miles would cost an additional \$8,000 per year, or \$800/mile of road. The chart below compares the cost of both options over 14 years. The untreated road would require to be resurfaced twice as opposed to once with magnesium chloride treatment.

Year	No MgCl <sub>2</sub>		MgCl <sub>2</sub>	
	Cost	Work Description	Cost	Work Description
1	\$ 15,600	Maintenance	\$ 52,832	MgCl <sub>2</sub> Application 0.5 gal/yd <sup>2</sup>
2	\$ 15,600	Maintenance	\$ 44,106	MgCl <sub>2</sub> Application 0.4 gal/yd <sup>2</sup>
3	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
4	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
5	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
6	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
7	\$ 218,618	Resurface + Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
8	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
9	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
10	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
11	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
12	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
13	\$ 15,600	Maintenance	\$ 35,380	MgCl <sub>2</sub> Application 0.3 gal/yd <sup>2</sup>
14	\$ 218,618	Resurface + Maintenance	\$ 255,850	Resurface + MgCl <sub>2</sub> 0.5 gal/yd <sup>2</sup>
	\$ 624,437		\$ 741,968	

\$ 117,532 total difference  
\$ 807 /year/mile

Maintenance includes grading 4 times  
Resurface includes a 4" gravel overlay  
MgCl<sub>2</sub> Application includes magnesium chloride applied at specified rate



# Idaho Statutes

## TITLE 40 HIGHWAYS AND BRIDGES

### CHAPTER 2 GENERAL PROVISIONS

40-202. DESIGNATION OF HIGHWAYS AND PUBLIC RIGHTS-OF-WAY. (1) The initial selection of the county highway system and highway district system may be accomplished in the following manner:

(a) The board of county or highway district commissioners shall cause a map to be prepared showing the general location of each highway and public right-of-way in its jurisdiction, and the commissioners shall cause notice to be given of intention to adopt the map as the official map of that system, and shall specify the time and place at which all interested persons may be heard.

(b) After the hearing, the commissioners shall adopt the map, with any changes or revisions considered by them to be advisable in the public interest, as the official map of the respective highway system.

(2) If a county or highway district acquires an interest in real property for highway or public right-of-way purposes, the respective commissioners shall:

(a) Cause any order or resolution enacted, and deed or other document establishing an interest in the property for their highway system purposes to be recorded in the county records; or

(b) Cause the official map of the county or highway district system to be amended as affected by the acceptance of the highway or public right-of-way.

Provided, however, a county with highway jurisdiction or highway district may hold title to an interest in real property for public right-of-way purposes without incurring an obligation to construct or maintain a highway within the right-of-way until the county or highway district determines that the necessities of public travel justify opening a highway within the right-of-way. The lack of an opening shall not constitute an abandonment, and mere use by the public shall not constitute an opening of the public right-of-way.

(3) Highways laid out, recorded and opened as described in subsection (2) of this section, by order of a board of commissioners, and all highways used for a period of five (5) years, provided they shall have been worked and kept up at the expense of the public, or located and recorded by order of a board of commissioners, are highways. If a highway created in accordance with the provisions of this subsection is not opened as described in subsection (2) of this section, there shall be no duty to maintain that highway, nor shall there be any liability for any injury or damage for failure to maintain it or any highway signs, until the highway is designated as a part of the county or highway district system and opened to public travel as a highway.

(4) When a public right-of-way is created in accordance with the provisions of subsection (2) of this section, or section 40-203 or 40-203A, Idaho Code, there shall be no duty to maintain that public right-of-way, nor shall there be any liability for any injury or damage for failure to maintain it or any highway signs.

(5) Nothing in this section shall limit the power of any board of commissioners to subsequently include or exclude any highway or public right-of-way from the county or highway district system.

(6) By July 1, 2005, and at least every five (5) years thereafter, the board of county or highway district commissioners shall publish in map form and make readily available a map showing the general location of all highways and public rights-of-way under its jurisdiction. Any board of county or highway district commissioners may be granted an extension of time with approval of the legislature by adoption of a concurrent resolution.

(7) Prior to designating a new highway or public right-of-way on the official map, the board of county or highway district commissioners shall confirm that no legal abandonment has occurred on the new highway or right-of-way to be added to the official map. In addition, the board of county or highway district commissioners shall have some basis indicating dedication, purchase, prescriptive use or other means for the creation of a highway and public right-of-way with evidentiary support.

(8) The board of county or highway district commissioners shall give advance notice of hearing, by U.S. mail, to any landowner upon or within whose land the highway or public right-of-way is located whenever a highway or public right-of-way is proposed for inclusion on such map and the public status of such highway or public right-of-way is not already a matter of public record. The purpose of this official map is to put the public on notice of those highways and public rights-of-way that the board of county or highway district commissioners considers to be public. The inclusion or exclusion of a highway or public right-of-way from such a map does not, in itself, constitute a legal determination of the public status of such highway or public right-of-way. Any person may challenge, at any time, the inclusion or exclusion of a highway or public right-of-way from such map by initiating proceedings as described in section 40-208(7), Idaho Code.

(9) Nothing in this section or in any designation of the general location of a highway or public right-of-way shall authorize the public highway agency to assert or claim rights superior to or in conflict with any rights-of-way that resulted from the creation of a facility for the transmission of water which existed before the designation of the location of a highway or public right-of-way.

#### History:

[40-202, added 1985, ch. 253, sec. 2, p. 606; am. 1986, ch. 206, sec. 2, p. 512; am. 1988, ch. 184, sec. 2, p. 323; am. 1992, ch. 55, sec. 1, p. 161; am. 1993, ch. 412, sec. 3, p. 1506; am. 1995, ch. 121, sec. 1, p. 522; am. 1998, ch. 184, sec. 1, p. 673; am. 2000, ch. 251, sec. 1, p. 710; am. 2013, ch. 239, sec. 3, p. 560.]



# Idaho Statutes

## TITLE 40 HIGHWAYS AND BRIDGES

### CHAPTER 2 GENERAL PROVISIONS

40-203. ABANDONMENT AND VACATION OF COUNTY AND HIGHWAY DISTRICT SYSTEM HIGHWAYS OR PUBLIC RIGHTS-OF-WAY. (1) A board of county or highway district commissioners, whichever shall have jurisdiction of the highway system, shall use the following procedure to abandon and vacate any highway or public right-of-way in the county or highway district system including those which furnish public access to state and federal public lands and waters:

(a) The commissioners may by resolution declare their intention to abandon and vacate any highway or public right-of-way, or to reclassify a public highway as a public right-of-way, where doing so is in the public interest.

(b) Any resident, or property holder, within a county or highway district system including the state of Idaho, any of its subdivisions, or any agency of the federal government may petition the respective commissioners for abandonment and vacation of any highway or public right-of-way within their highway system. The petitioner shall pay a reasonable fee as determined by the commissioners to cover the cost of the proceedings.

(c) The commissioners shall establish a hearing date or dates on the proposed abandonment and vacation.

(d) The commissioners shall prepare a public notice stating their intention to hold a public hearing to consider the proposed abandonment and vacation of a highway or public right-of-way which shall be made available to the public not later than thirty (30) days prior to any hearing and mailed to any person requesting a copy not more than three (3) working days after any such request.

(e) At least thirty (30) days prior to any hearing scheduled by the commissioners to consider abandonment and vacation of any highway or public right-of-way, the commissioners shall mail notice by United States mail to known owners and operators of an underground facility, as defined in section 55-2202, Idaho Code, that lies within the highway or public right-of-way.

(f) At least thirty (30) days prior to any hearing scheduled by the commissioners to consider abandonment and vacation of any highway or public right-of-way, the commissioners shall mail notice to owners of record of land abutting the portion of the highway or public right-of-way proposed to be abandoned and vacated at their addresses as shown on the county assessor's tax rolls and shall publish notice of the hearing at least two (2) times if in a weekly newspaper or three (3) times if in a daily newspaper, the last notice to be published at

least five (5) days and not more than twenty-one (21) days before the hearing.

(g) At the hearing, the commissioners shall accept all information relating to the proceedings. Any person, including the state of Idaho or any of its subdivisions, or any agency of the federal government, may appear and give testimony for or against abandonment.

(h) After completion of the proceedings and consideration of all related information, the commissioners shall decide whether the abandonment and vacation of the highway or public right-of-way is in the public interest of the highway jurisdiction affected by the abandonment or vacation. The decision whether or not to abandon and vacate the highway or public right-of-way shall be written and shall be supported by findings of fact and conclusions of law.

(i) If the commissioners determine that a highway or public right-of-way parcel to be abandoned and vacated in accordance with the provisions of this section has a fair market value of two thousand five hundred dollars (\$2,500) or more, a charge may be imposed upon the acquiring entity, not in excess of the fair market value of the parcel, as a condition of the abandonment and vacation; provided, however, no such charge shall be imposed on the landowner who originally dedicated such parcel to the public for use as a highway or public right-of-way; and provided further, that if the highway or public right-of-way was originally a federal land right-of-way, said highway or public right-of-way shall revert to a federal land right-of-way.

(j) The commissioners shall cause any order or resolution to be recorded in the county records and the official map of the highway system to be amended as affected by the abandonment and vacation.

(k) From any such decision, a resident or property holder within the county or highway district system, including the state of Idaho or any of its subdivisions or any agency of the federal government, may appeal to the district court of the county in which the highway or public right-of-way is located pursuant to section 40-208, Idaho Code.

(2) No highway or public right-of-way or parts thereof shall be abandoned and vacated so as to leave any real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. The burden of proof shall be on the impacted property owner to establish this fact.

(3) In the event of abandonment and vacation, rights-of-way or easements shall be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.

(4) (a) When a county or highway district is to consider the abandonment or vacation of any highway, public street or public right-of-way that was accepted as part of a recorded platted subdivision, such abandonment shall be accomplished pursuant to the provisions of this section.

(b) When a county is to consider the abandonment or vacation of any private right-of-way that was accepted as part of a recorded platted subdivision said abandonment or vacation shall be accomplished pursuant to the provisions of chapter 13, title 50, Idaho Code.

(5) In any proceeding under this section or section 40-203A, Idaho Code, or in any judicial proceeding determining the public status or width of a highway or public right-of-way, a highway or public right-of-way shall be deemed abandoned if the evidence shows:

- (a) That said highway or public right-of-way was created solely by a particular type of common law dedication, to wit, a dedication based upon a plat or other document that was not recorded in the official records of an Idaho county;
- (b) That said highway or public right-of-way is not located on land owned by the United States or the state of Idaho nor on land entirely surrounded by land owned by the United States or the state of Idaho nor does it provide the only means of access to such public lands; and
- (c) (i) That said highway or public right-of-way has not been used by the public and has not been maintained at the expense of the public in at least three (3) years during the previous fifteen (15) years; or
- (ii) Said highway or right-of-way was never constructed and at least twenty (20) years have elapsed since the common law dedication.

All other highways or public rights-of-way may be abandoned and vacated only upon a formal determination by the commissioners pursuant to this section that retaining the highway or public right-of-way for use by the public is not in the public interest, and such other highways or public rights-of-way may be validated or judicially determined at any time notwithstanding any other provision of law. Provided that any abandonment under this subsection shall be subject to and limited by the provisions of subsections (2) and (3) of this section.

History:

[40-203, added 1985, ch. 253, sec. 2, p. 594; am. 1986, ch. 206, sec. 3, p. 513; am. 1986, ch. 328, sec. 4, p. 804; am. 1992, ch. 323, sec. 1, p. 959; am. 1993, ch. 412, sec. 4, p. 1507; am. 1995, ch. 121, sec. 2, p. 523; am. 2000, ch. 251, sec. 2, p. 711; am. 2013, ch. 239, sec. 4, p. 562; am. 2014, ch. 137, sec. 1, p. 372.]

**From:** [Jess Horton](#)  
**To:** "[Lazdauskas, Rebecca](#)"  
**Cc:** "[Jeremy Casterson](#)"; [Darryl Johnson](#); "[Monica Zimmerman](#)"  
**Subject:** RE: FW: FW: BLM Teton County Milk Creek Road  
**Date:** Monday, November 23, 2015 9:08:02 AM

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Rebecca -

Thank you for the update and the application form. If Teton County is not yet at a point that they are willing to begin this process, we, as the property owners that join the BLM, will submit the application and seek to obtain a place in line for review of this need.

One other question. Would it be possible to transfer our application with you to the County, should they later decide to assume this responsibility?

Thank you for your help.

Jess

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**From:** Lazdauskas, Rebecca [mailto:[rlazdauskas@blm.gov](mailto:rlazdauskas@blm.gov)]  
**Sent:** Friday, November 20, 2015 12:59 PM  
**To:** Jess Horton  
**Cc:** Jeremy Casterson; Darryl Johnson; Monica Zimmerman  
**Subject:** Re: FW: FW: BLM Teton County Milk Creek Road

Hello-

We have not made it out to look at the road, unfortunately we have a full load with existing work. However, as I have mentioned to you and the County, the best option is for either you or the County to apply for a right-of-way for the road under our current authority, Title V of the Federal Land Policy and Management Act of 1976 as amended (43 U.S.C. 1761).

Without an application we cannot start the process of issuing a right-of-way which puts the process further behind your time frame. At this point it does not matter who submits the application, if the County did that is great, if the County is unsure about the status of the road and they won't determine whether or not they will be claiming a right to it in the future, you could submit an application and start the process and if needed the County could request an assignment of that right-of-way in the future. Applying for the right-of-way would take time as there are many applications all ready pending but it is definitely the option that would take the least amount of time, possibly by next Fall.

It is not likely that the BLM could dispose of these parcels any time soon, this office is tied up in with non-discretionary work and trying to sort out the implementation of the recently approved Greater Sage Grouse Plan Amendment direction. I am attaching the application for a right-of-way if you decide to move forward with that approach. Please give me a call if you have questions. Thank you, Becky

On Wed, Nov 18, 2015 at 6:15 AM, Jess Horton <[jwh@clmna.com](mailto:jwh@clmna.com)> wrote:  
Becky -

Has the BLM had an opportunity to make a site visit and take a look at this situation? If so, any input on your assessment would be very much appreciated. If not, do you expect a visit to be completed this year? The weather is becoming marginal at this elevation and this area will soon become snowmobile country.

Also, has there been a status change in the ability of the BLM to offer these two 40's for sale? If not, what do you estimate to be the timeline on having a final determination?

We are working with the Teton County Engineer and BOCC on this entire project and the BLM road location resolution is quickly becoming the missing link in getting everything completed. Having a definitive current status from BLM in the next 30 days is extremely important to this effort.

If it would be helpful for us to speak by phone, my number is (828) 964-8000. I appreciate your many past and continuing efforts to help us with this.

Thanks again.

Jess

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**From:** Jess Horton [mailto:[jwh@clmna.com](mailto:jwh@clmna.com)]  
**Sent:** Thursday, October 08, 2015 10:46 AM  
**To:** 'Lazdauskas, Rebecca'  
**Cc:** 'Terry R. Meppen'; 'Drew Meppen'  
**Subject:** RE: FW: BLM Teton County Milk Creek Road

Becky -

Thank you for your effort to address this issue.

The Surveyor did NOT record anything yet. We are in the process of

creating maps on the entire area of holdings that involve a total acreage of approximately 6,000 acres. When those maps are completed we will be ready to record. As I mentioned in my e-mail to you, we will be glad to share the work of our Surveyor with you. His e-mail contact information is provided to you by copy in this e-mail to Terry (the Land Surveyor) and his son Drew (Drew is our Engineer on this job). Both of them have been authorized to assist you and your people in any way you may need them. All of our work is available for you to review.

The County Road (Hoopes Rd) is now improved or being improved from Highway 33 to your BLM 40 and the Teton Valley Scenic Parkway and NFS multiple (3) access road from Packsaddle Road pavement at Teton Valley County Road 900 to your BLM 40. This improvement involves many miles (my estimate is 8 to 9 miles if you add the mileage on both roads together) of new road. When you turn off Hwy 33 on to the old entrance of Hoopes Road stay RIGHT to travel to the BLM 40. After establishing your boundary we stopped our road work at your line and began it to the West of your boundary where it is continuing for several additional miles. If it would be helpful for you to see how we are improving the entire road system to the NFS access roads, Drew can provide your people a full set of our engineered drawings.

I returned to the East last evening after a week in the West. While there I noticed that even at this time of the year when it is dry the existing road was apparently not usable for farm equipment, the grain tractor/trailer outfits removing grain, and the rock trucks. They have been using the old grade that as you know we have been asking for soon to be two years for the permission to improve. We have not touched the BLM land with our equipment.

Thank you very much for your continued effort to have your people look at this issue and together we hopefully will reach a good results for everyone.

Jess

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**From:** Lazdauskas, Rebecca [mailto:[rlazdauskas@blm.gov](mailto:rlazdauskas@blm.gov)]

**Sent:** Wednesday, October 07, 2015 3:30 PM  
**To:** Jess Horton  
**Subject:** Re: FW: BLM Teton County Milk Creek Road

Thank you Jess, we appreciate the information. I briefly discussed this with our field manager, Jeremy Casterson, and our outdoor recreation planner, Monica Zimmerman, and we are going to try to get out to take a look at the parcels and road. In regards to the survey, do you know if your surveyor recorded the survey with the county? Is it possible that we could get a copy of the survey and our surveyor can take a look to ensure that we are in agreement with the boundary?

Thanks again,  
Becky

On Fri, Sep 25, 2015 at 10:38 PM, Jess Horton <[jwh@clmna.com](mailto:jwh@clmna.com)> wrote:  
Becky -

Thank you for your response. If these two parcels do remain available after the Land Use Plan Amendments have been completed we would appreciate the opportunity to consider purchasing them, even if the process takes 2 plus years to complete. In our opinion these two parcels in comparison to the other surrounding properties have very little value and our planned use for them is to include them as a part of our Conservation Easement dedication on the ranch that surrounds them. We are willing to commit to such an easement as a condition of our purchase for each of them, if this could be helpful in your process.

We recently had the corners located on both of your BLM 40 acre parcels and, as you would expect, there were some surprises. The one to the South which is the location of the existing road(s) has a combination of the old original road location, the new R/W you gave to the County, two additional roads that have been put in place by public use to avoid the erosion damage on the R/W road, another location the public has chosen to use, and several acres of cultivated field that was probably planted because the farmer(s) were not aware of your boundary location. Yes, parts of the South 40 are and have been used in many ways over the years. The North BLM 40 acre parcel is in the head of a brush filled steep draw and has rock boulders on the sides. It is not accessible and is not useable for anything but wildlife habitat. We simply want to reclaim the areas of erosion on the South BLM 40 that have been caused by public use of unimproved roads located on a steep grade in an inappropriate location and be allowed to improve, for

the most part, the old original road location which is located on a good grade and stabilize it with rock base, surface gravel, and appropriate drainage to connect what is now a County Specification built road to the East and West boundaries of this South BLM 40. Anything that can be done to allow us to do this now or the early part of next year would be greatly appreciated as we would expect with the road improved on both sides of your BLM 40 that there will be even more traffic flow on the unimproved road(s) resulting in even greater erosion problems. It may be appropriate to mention to you that this road is a through road from HWY 33 on the North to Packsaddle Road on the South that loops back into HWY 33 five miles North of Driggs and that this road has three (3) much used access points into the National Forest with most all of the traffic into the Northern most NFS access passing through this BLM 40 location. I am passing this information along to you for any help it may be in providing you a reason for asking for action to be allowed on this need.

We intend to install new fencing along portions of the new surveyed boundary on the South BLM 40 and we wanted to be certain that we were doing so in the proper location. If you have a need for it, we can have our Surveyor provide you a current accurate survey of both of your parcels.

It would be great to talk to you about this situation and if we can define a path that could be taken by the County that would be helpful to you we can then include them in our conversations at that time. The new County Engineer is very competent and seems to be willing to help with this process. His BOCC doesn't seem to consider this as a item of priority on their agenda and he, as you will understand, responds to their wishes. We remain willing to make the formal request of the BLM for this work to be done. A local entity has contacted us about doing the Impact Review that they indicate you require. According to them they have done many such reviews. You can advise me on how to proceed if this becomes a viable option.

I look forward to speaking with you when you have the time and consider it appropriate. You can reach me at (828-964-8000) and I will be in Idaho next week and part of the following week.

Thank you again for your many efforts.

Jess

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**From:** Lazdauskas, Rebecca [mailto:[rlazdauskas@blm.gov](mailto:rlazdauskas@blm.gov)]  
**Sent:** Wednesday, September 23, 2015 3:52 PM  
**To:** Jess Horton  
**Cc:** Monica Zimmerman; Jeremy Casterson  
**Subject:** Re: FW: BLM Teton County Milk Creek Road

Jess-

Thank you for your patience. Unfortunately, with our current workload we do not have staff or resources to process a sale, which at minimum usually takes 2 plus years to complete. In addition, the 2 40-acre parcels were identified for disposal in the current Land Use Plan for that area, however, with the completion of the Greater Sage Grouse Environmental Impact Assessment and upcoming Land Use Plan Amendments, we are not sure if those parcels will remain available for disposal.

I would be happy to visit with you and the County to see if there are other options regarding the right-of-way process. You can reach me at 208-524-7521. Thanks, Becky

On Tue, Sep 22, 2015 at 12:55 PM, Jess Horton <[jwh@clmna.com](mailto:jwh@clmna.com)> wrote:  
Rebecca -

The forwarded e-mail below was sent to you nearly a month ago. Considering the trouble we had earlier with my e-mails reaching you, it seemed a good idea to make certain that you received this August 25th e-mail.

Please acknowledge receipt of this and/or the earlier e-mail and make me aware, when appropriate, of the BLM intent on this and the other parcel. Thank you again for your help.

Jess

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**From:** Jess Horton [mailto:[jwh@clmna.com](mailto:jwh@clmna.com)]  
**Sent:** Tuesday, August 25, 2015 6:29 PM

**To:** 'Lazdauskas, Rebecca'  
**Subject:** RE: BLM Teton County Milk Creek Road

Rebecca -

May I begin by thanking you for your many efforts on behalf of the BLM land and our request to make the needed changes to the present use and location of the road. We have had numerous meetings with the NEW BOCC and the NEW Engineer for Teton County, Idaho. Several (FIVE) of these have been public meetings and we have yet to find anyone that can find a legitimate objection to our request for road relocation or our overall offering to the County. The NEW Board is moving VERY VERY SLOWLY but they have not yet been discouraging to us about the outcome. All of this said, their timetable is now to have a FINAL position on this and our entire road proposal by the Spring of 2016.

As you can see, assuming we get BOCC approval to move forward in the Spring of 2016, then adding your timeline for review, we would probably be, at best, sometime in late Summer of 2017 before being able to do road work. This makes it, more than ever, reasonable to consider purchase of the property if it is made available by the BLM. Therefore, if you could please make every reasonable effort to include this BLM 40 and one other BLM 40 approximately 2 miles to the North in your Land Use Planning review we would be most appreciative. Below you will find two addresses to use for formal notification of BLM intent on these parcels:

AG RIM LLC  
HOLDINGS LLC  
c/o Chuck Homer, Atty.  
Holden, Kidwell, Hahn, and Crapo  
Idaho Falls, ID

GRAND TETON  
P O Box 308  
Tetonia, ID

If you have any insights into this process or its timing that you feel could be helpful to us, we would appreciate your input.

Thanks.

Jess

Note: If you have a need to speak to me by telephone, my number is (828) 964-8000.

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**From:** Lazdauskas, Rebecca [mailto:[rlazdauskas@blm.gov](mailto:rlazdauskas@blm.gov)]  
**Sent:** Tuesday, October 21, 2014 12:44 PM  
**To:** Jess Horton  
**Subject:** Re: BLM Teton County Milk Creek Road

Thanks Jess, I am going to add this email into our comments for the revision (update) to our Land Use Planning process we are currently undertaking. In this plan revision we are proposing direction for future land tenure adjustments. Would you like me to place your name on the list for public scoping, we plan to go out with a draft next calendar year? If so, please give me your address and I will get you on the list of interested parties.  
Thanks, Becky

On Mon, Oct 20, 2014 at 2:09 PM, Jess Horton <[jwh@clmna.com](mailto:jwh@clmna.com)> wrote:  
Rebecca -

Thank you for your response. We are hopeful that the County will move promptly to get the Application to you on the Road relocation. As they are working without an Engineer in their employ, their response time has been much longer than what we would normally expect.

If the process of identifying for disposal certain BLM tracts includes the need for a party to demonstrate a desire to purchase it, we are willing to assist this process by making any type of application or providing any notice the BLM may find helpful.

Sean Moulton, Atty. is leading the charge to get the Road Application to you as quickly as possible. He will be in touch soon.

Jess

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**From:** Lazdauskas, Rebecca [mailto:[rlazdauskas@blm.gov](mailto:rlazdauskas@blm.gov)]  
**Sent:** Monday, October 20, 2014 3:41 PM  
**To:** Jess Horton  
**Subject:** Re: BLM Teton County Milk Creek Road

Hi-

Sorry for some reason, I did not see this email. Currently, the parcels are not identified for disposal so the BLM would not be allowed to sale the land. If you got an application to us we would do our best to meet your spring 2015 deadline. Thanks, Becky

On Fri, Oct 10, 2014 at 10:26 AM, Jess Horton <[jwh@clmna.com](mailto:jwh@clmna.com)> wrote:

Rebecca -

I appreciate your efforts in helping us with this matter and as I understand it, Teton County is moving through its review and approval process to be able to submit to you a request for the relocation of this roadway across the BLM property.

In reviewing this 40 acre BLM matter and the other 40 acre parcel of BLM property that is within our ownership the thought came to mind that it may be a good time to consider offering to purchase one or both of these 40 acre parcels from the BLM. The administrative process would likely be different but may be less time consuming and it is possible that not having these two parcels in BLM ownership could eliminate some administrative issues for your agency.

If this is a feasible alternative for us and the BLM to consider, please let me know how we can proceed and the timeline that would be involved with this approach. Our greatest concern is that we have this matter fully resolved by early Spring 2015 regardless of which approach is taken.

Thank you for your help.

Jess

The attached letter was sent to the following property owners:

- ASSANTE, MICHAEL JOSEPH
- BAINBRIDGE, EARL FMLY TRST
- BV MILK CREEK ROAD LLC
- COLUMBINE TELEPHONE CO INC
- COPELAND, JEFF
- FELGER, JOSEPH W
- GRAND TETON HOLDINGS LLC
- GRANDVIEW RANCH IV LP
- KAY, TERRELL FRED
- LOFHOLM, MARCIA JEAN
- NORTON, BOYD E
- RAMMELL, ROBERTA & SONS FARMS
- RAMMELL, SHARIN LIMITED PARTN
- RAMMELL, SUSAN D LIMITED PARTN
- SCOTT, CORWYN J
- SPRING CREEK PROPERTIES LLC
- UNITED STATES OF AMERICA
- WARD, RUELAND LANE
- WASDEN, BRONWYNN

Teton County, Public Works Department  
150 Courthouse Drive, Room 107; Driggs, ID 83422  
208-354-0245 ph. 208-354-8410 fax  
[www.tetoncountyidaho.gov](http://www.tetoncountyidaho.gov) [djohnson@co.teton.id.us](mailto:djohnson@co.teton.id.us)



November 16, 2015

**Re:** Solicitation for comments from property owners adjacent to the current location and the proposed realignment of Packsaddle Road and Hoopes Road.

Dear Property Owner:

This letter is to notify you that a proposal has been made to realign both Packsaddle Road and Hoopes Road. The Public Works Department is soliciting comments from landowners affected by the proposed changes so that we can be aware of issues and incorporate comments into the staff report to the Board of County Commissioners. If you have any comments or questions regarding this proposal, please contact us at the telephone number, email, or address listed above. The details below provide more information on the proposal.

**Applicant:** Ag Rim LLC & Grandview Ranch LLC

**Description of the request:** Teton County has recently received a proposal to realign both Packsaddle Road and Hoopes Road on the west side of Teton Valley. Included with this letter is a map that shows an overview of the realignment. The property owner/applicant has worked over the last two years constructing portions of the new road (proposed alignment) across private property. The proposal that has been presented to Teton County would be for the applicant to deed the new road, built to county standards, to the County in exchange for vacating the existing county road corridor. Prior to the County taking any official action to adopt the proposed realignment and vacating the existing easement, we are seeking feedback from property owners as well as other private and public agencies.

If the County decides to accept the proposal and vacate the current easement, the applicant would be required to deed the new road right-of-way to the public. If the County decides not to adopt the new alignment, the applicant will keep the newly constructed road private.

Documents and information on the above proposal are available for public viewing at [www.tetoncountyidaho.gov](http://www.tetoncountyidaho.gov). To view these items, go to Departments & Services and select Board of County Commissioners. Then select the W4000N item in the Additional Information Side Bar. More documents will be added as they become available.

Written comments will be included in the packet of information provided to the Board at the December 14<sup>th</sup> County Commissioners Meeting if they are received by the Public Works Department no later than **5:00pm December 7<sup>th</sup>**. Written comments may be e-mailed to [djohnson@co.teton.id.us](mailto:djohnson@co.teton.id.us), mailed to the address above, or faxed. You may also present your comments in person at the meeting during open mic.

Commissioners may be contacted individually regarding this matter. However, by law all Board of County Commissioner decisions must be confined to the record produced at a public hearing.

If you have any further questions, please do not hesitate to call the Teton County Public Works Department at 208-354-0245.

Sincerely,

Darryl Johnson, PE/PLS  
Teton County Public Works Director

The attached letter was sent to the following agencies:

- Bureau of Land Management
- Bureau of Reclamation
- Caribou-Targhee National Forest
- EIPHD
- EPA – Idaho
- Fall River Electric
- Idaho Department of Lands
- Idaho DEQ
- Idaho Fish & Game
- Idaho Soil & Water Conservation
- IDWR
- ITD
- Skyliners Motor Club
- TC Soil & Water Conservation District
- Teton County Fire Marshall
- Teton Land Trust
- Teton Valley Advocates
- Teton Valley Realty
- TVTAP
- US Army Corps of Engineers
- US Fish & Wildlife



November 17, 2015

Dear Interested/Affected Agency,

Teton County has recently received a proposal to realign both Packsaddle Road and Hoopes Road on the west side of Teton Valley. Included with this letter is a map that shows an overview of the realignment. The applicant has worked over the last two years constructing portions of the new road (proposed alignment) across private property. The proposal that has been presented to Teton County would be for the applicant to deed the new road, built to county standards, to the County in exchange for vacating the existing county road corridor. Prior to the County taking any official action to adopt the proposed realignment and vacating the existing easement, we are seeking feedback from property owners as well as other interested agencies.

If the County decides to accept the proposal and vacate the current easement, the applicant would be required to deed the new road right-of-way to the public. If the County decides not to adopt the new alignment, the applicant will keep the newly constructed road private.

We are requesting that you review this proposal in accordance with your agency's rules and regulations. Comments from your agency can be submitted via e-mail, fax, or by regular mail as listed below. Your comments may be posted on the Teton County website in association with this proposal.

If possible, we ask that your review comments be sent to us as soon as possible. An information packet will be presented to Commissioners at the December 14<sup>th</sup> BoCC meeting. If your agency intends on making written comments on this project but cannot produce those comments before December 7<sup>th</sup>, we would appreciate you letting us know that you will provide written comments at a later date.

Documents and additional information on the proposal are available for viewing at [www.tetoncountyidaho.gov](http://www.tetoncountyidaho.gov). To view these items, go to Departments & Services and select Board of County Commissioners. Then select the W4000N item in the Additional Information Side Bar. More documents will be added as they become available.

If you have any questions, please do not hesitate to contact our office. Our office hours are 9:00 am to 5:00 pm, Monday through Friday.

Sincerely,

Darryl Johnson, PE/PLS  
Public Works Director

TETON COUNTY, IDAHO PUBLIC WORKS DEPARTMENT  
150 COURTHOUSE DRIVE  
DRIGGS, IDAHO 83422  
(208) 354-0245 • (208) 354-8410 Fax  
[djohnson@tcwr.teton.id.us](mailto:djohnson@tcwr.teton.id.us)

November 30, 2015

District 33 Grooming Board of Directors  
654 N 4212 East  
Rigby, Idaho 83442

Mr. Darryl Johnson, PE/PLS  
Public Works Director, Teton County  
Idaho Public Works Department  
150 Courthouse Drive  
Driggs, ID 83422

RESPONSE TO LETTER FROM D. JOHNSON, TETON COUNTY, DATED NOVEMBER 18, 2015

Dear Mr. Johnson:

This letter is being sent from the Snowmobile Trail Grooming Board of Directors in response to your letter dated November 18, 2015, to address the Packsaddle Road and Hoopes Road proposal. The Snowmobile Trail Board desires to maintain the descriptive easement that the county has maintained for many years, because the proposed new route crosses the traffic road numerous times making it unsafe for the public during snowmobile season. The existing trail holds snow a lot better than the proposed new route, if we maintain this easement for snowmobilers it could be closed in the summer, if needed.

We do not agree with vacating the existing county road easement, as this access is also part of our snowmobiling trail system. If we give up this easement, we will have trouble connecting some of our snowmobile trails that are currently established. It is not cost effective to dead-end snowmobile trails. We also have concerns with the parking lot above Jeff Coplan's house because the county is not going to plow the road in the winter. Further consideration on parking lots and trailheads is needed.

If you would like to discuss further or have any questions, please feel free to call Randy Horman at (208) 521-0254.

Sincerely,



Randy Horman, Operations Supervisor, Grooming District 33  
Clint Hansen, Madison County BOD Representative  
Doyle Barney, Madison County BOD Representative  
Tom Barry, Jefferson County BOD Representative  
Craig Byington, Jefferson County BOD Representative  
Bob Hansen, Teton County BOD Representative  
Travis Molten, Teton County BOD Representative



December 8, 2015

Board of County Commissioners, Teton County  
150 Courthouse Drive  
Driggs, ID 83422

Dear County Commissioners,

The Teton Regional Land Trust (TRLT) would like to express our concerns regarding the proposed realignment of Packsaddle Road and the associated parking area as proposed by Jess Horton. TRLT holds four perpetual conservation easements on private property in the vicinity of the proposed realignment and parking area (Teton County Instrument Nos. 145911, 146247, 194089, and 194401). Of most concern are the impacts to two of these conservation easements, 253 acres and 125 acres in size, as one borders what Mr. Horton has labeled the US Forest Service Road and Parking Access on the map submitted to Teton County September 22, 2014.

The 253-acre property, along with the 125-acre conservation easement property immediately to its north, were placed under conservation easements by the landowners and TRLT to protect their conservation values, which include significant natural, wildlife, and scenic values. Wildlife habitat specifically protected by these conservation easements include forested uplands for goshawks and great gray owls and forested and mountain shrub habitat for migratory, wintering, and calving elk, moose, and mule deer. These conservation easements limit residential development and other activities on the properties that would negatively impact the conservation values. These easement property landowners have restricted development on their properties and made significant investments to protect these lands forever.

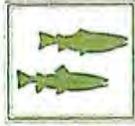
Our concerns are regarding the potential negative impacts of increased public use via the new road and the parking area adjacent the 253-acre conservation easement property. Currently, the US Forest Service access road bisects the two conservation easement properties (See attached map). These easement properties already receive a high degree of trespass by the public traveling this road. Although a sign was installed (by the US Forest Service or Teton County) to inform passersby that the road crosses private property, fire rings, signs of wood gathering, and litter have been observed along this road. Additionally, this sign is riddled with bullets and lies flat on the ground. We feel enabling a higher degree of public use in this area has the potential to increase these trespass issues.

Furthermore, siting a public parking area intended for accessing US Forest Service lands adjacent to private property approximately 0.5 mile from these publicly-owned lands (almost 0.7 miles via the US Forest Service access road), will give the impression the adjacent private property is actually publicly-owned and therefore accessible to the public. Trespass across, and littering on, these properties will increase. Negative impacts to wildlife that use these conservation easement properties, caused by disturbance of habitat and human activity, will increase.

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TETON REGIONAL LAND TRUST  
P.O. BOX 247 DRIGGS, ID 83422 (208) 354-8959 www.tetonlandtrust.org

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As an organization that greatly values private property rights and works with a broad spectrum of willing landowners, we feel that if Teton County adopts the realignment of Packsaddle Road and the parking area, it is critical for Mr. Horton (and Teton County, as necessary) to provide fencing, signage (including maps of private vs public property), restrooms, and trash receptacles so that these important private conservation properties are respected and guarded against trespass and future impacts.

We encourage Mr. Horton and the County to:

1. Survey the parking area and the road leading from the parking area to the existing US Forest Service access road to ensure they are not intruding on the adjoining private conservation easement property.
2. Properly sign and fence the realigned road, parking area, and any road developments adjoining conservation properties to guard against trespass, trash, and potential damage caused by increased traffic.
3. Address all private landowners' concerns regarding the new road and parking areas and incorporate them into the county's decisions regarding the new road alignment and associated development.

As the holder of the conservation easements, TRLT is committed to ensuring the integrity of our conservation easements in perpetuity. This includes stewarding and legally defending conservation easements. We feel it is important for Teton County to consider the potential negative impacts to the conservation values on our conservation easement properties and to recommend measures to mitigate these impacts.

Thank you for your consideration and attention in protecting these vital conservation lands for future generations.

Sincerely,

Tamara Sperber

Conservation Director  
Teton Regional Land Trust

encl



File Code: 1560/5460

Date: December 1, 2015

Teton County Commissioners  
150 Courthouse Drive  
Driggs, ID. 83422

Dear Commissioners:

Public works Director Darryl Johnson recently provided me information related to a proposal to realign both Packsaddle Road and Hoopes Road on the west side of Teton Valley. This was not a surprise, as this project has been discussed for multiple years. I conducted a quick field review of the routes and associated maps and materials last week. In summary this proposal improves access to the National Forest in the summer and appears to be beneficial to the Forest and Forest visitors. I do have some questions related to winter access to the National Forest and some other observations you may want to consider.

**Access:**

Some summer visitors and all winter visitors in the Packsaddle area tend to park at the end of the pavement (Kay's Dairy) and begin their OHV or snowmobile ride. With the change in the grades, improved road and parking lot, I could see the summer use moving to the new parking lot as planned. This lot as constructed should be able to park the current use levels. It is difficult to predict future use levels and capacity needs as population or recreational interests increase. I am concerned and confused as to how the winter use will be handled.

**Winter Use:**

The proposed road could be plowed at some time in the future as development expands in that area. With this potential expansion would the snowmobiles ride on the plowed road, will the easement be widened to allow a parallel groomed snowmobile path (this was implemented in the Canyon Creek Subdivision original authorization) or would the snowmobiles be expected to go to the new parking lot? If the snowmobile truck and trailers are expected to go the new parking lot, is it properly sized for snow removal and parking capacity?

If the new county roads are plowed, and the snowmobile users are expected to park in the new parking lot then several groomed loops are no longer able to link. The groomed trail from Rammell Hollow (FS Rd 381) would remain available, but riders could no longer loop from Horseshoe/Packsaddle (FS road 235) and Grandview (trail 060) (see enclosed maps). I do not envy your struggle to determine how to address this potential issue.



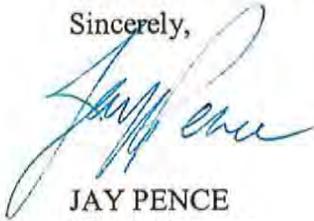
**General observations that do not affect Forest Access:**

There are numerous older fences that are bisected by the proposed road. Would the county be expected to install cattle-guards?

The new route is on top of a steep bench. The slope below the road contains elk and deer that are grazing on the native vegetation from the exposed slope. The new route may affect their historic security but it could also improve the security next to the forest.

These decisions contain many different variables and issues. I wish I could make your deliberations and ultimate decision easier. If you need any additional information, clarification or have questions please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Pence", written in a cursive style.

JAY PENCE  
District Ranger

Encl.(2 maps)

(map Snowmobile routes of concern)  
(map handout of Bighole snowmobile trails)



December 7, 2015

VIA electronic mail: [djohnson@co.teton.id.us](mailto:djohnson@co.teton.id.us)

Darryl Johnson, Director  
Teton County Public Works Department  
150 Courthouse Drive, Room 107  
Driggs, ID 83422

Re: Proposed realignment of Packsaddle Road and Hoopes Road

Dear Darryl:

Responding to the Solicitation for Comments Notice regarding the action referenced above, please be advised that while Silver Star Communications neither supports nor opposes the realignment of Packsaddle Road and Hoopes Road, Silver Star does have communications facilities located in the presently existing right of way. In the event the right of way is vacated as proposed, Silver Star will require an easement for the existing facilities then situated on private property.

Further inquiry to Silver Star's position and easement requirement may be directed to my attention at 307.883.6690.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michelle Motzkus".

Michelle Motzkus  
Legal & Regulatory Administrator

CONNECTING COMMUNITIES - CONNECTING LIVES

PO Box 226  
Freedom, WY 83120

[www.silverstar.com](http://www.silverstar.com)



Darryl,

In an attempt to help Teton County make a more informed decision I have attached a map of a couple of locations with existing power.

One being existing underground from Hwy 33 going south on N 11500 W for approx. 2 miles and the other is overhead on a piece of Hoopes Road which only has a few poles that are installed by the existing road and then go onto private property.

**Wendi Celino**

Engineering Service Rep.

**Fall River Rural Electric Cooperative**

1605 N. Hwy 33

PO Box 511

Driggs, Idaho 83422

(208)652-7431

(208)652-7110

*"Where Service Matters"*



November 25, 2015

Mr. Darryl Johnson PE/PLS  
Teton County Public Works Director  
Teton County  
Public Works Department  
150 Courthouse Drive, Room 107  
Driggs, Idaho 83422  
( 208 ) 354 - 0245 ( voice )  
( 208 ) 354 - 8410 ( fax )  
[djohnson@co.teton.id.us](mailto:djohnson@co.teton.id.us)

Dear Director Johnson:

We are responding to your letter dated November 16, 2015 informing us of the proposed realignment of Packsaddle and Hoppes Roads. We own the 40 acre parcel, with the small cabin, which is located at the junction of Horseshoe-Packsaddle and Packsaddle roads. Our official address is 4238 Packsaddle Road, Teton.

The existing location of Packsaddle road presently crosses the Northeast corner of our property. Based upon the map you included with the above referenced letter, this portion of Packsaddle road would not be altered. Hence, the proposed realignment of these roads has no effect on the legal access to our property.

That being said, for the following reasons we believe it is best interest of all concerned for Teton County to accept the proposal, adopt the new alignment and assume control of these new roads:

The area in question draws increasing numbers of both tourists and locals every year. Unfortunately, a small minority of these persons have no regard for preserving the beauty of our wonderful valley. They litter with abandon, operate their vehicles at unsafe speeds and present a hazard to both human and wildlife.

When we inspected our property this past spring, we discovered that one of the cabin's windows had been broken in; the interior of the cabin was littered with beer bottles and reeked of human urine. A full-sized steel cooking range/stove had been dumped just over our East fence line. Numerous cardboard beer cartons littered both Packsaddle and Horseshoe-Packsaddle roads. The steel fish which previously hung from above our gate was riddled with bullet holes ( we took it down ). We have also previously discovered evidence of poaching. It is hoped that these types of illegal activities would greatly diminish if there were persons living in the immediate vicinity.

We believe that the development of the property in question will attract persons who highly value the natural environment and thus will serve as good stewards of the land; having more eyes and ears in the area will likely serve as a deterrent to illegal, dangerous behavior. Because it is not financially feasible for law enforcement personnel to station themselves in the area; we need to encourage the settlement of civilian "rangers" in the area to help protect our natural resources from the predatory abuse of those with no regard for the beauty which surrounds us.

Some idealists will say that zero development is what's best for the wildlife in the area. In some respects this is probably correct. However, that genie is long out of that bottle. People will

continue to be drawn to the Packsaddle lake area in increasing numbers; whether or not the county adopts these new roads. We feel it is far better to channel this traffic to a designated and controlled area than allow the continued haphazard parking which creates dangerous bottlenecks along these exceedingly narrow roads.

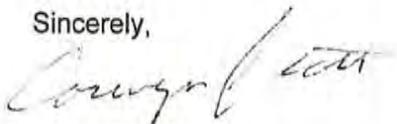
Our plan for our property is to create as friendly a wildlife refuge as our water supply and growing season will allow. We believe that other potential homeowners who are drawn to this area would proceed in a similar manner – in effect providing more resources for local wildlife than presently exists in the natural environment.

Additionally, we believe that the two categories of most likely residents for this new development will skew toward either an older demographic and/or vacation home owners. Neither of the groups is very likely to stress the existing schools with the addition of new pupils. If proper zoning is put in place ( i.e. 40 acre minimum tracts per residence ), these new residents will probably construct high-value homes that will generate significant property tax dollars to the county without adding much in the way of additional county operating expense. Other than maintaining the new road ( a road which appears to have been built with better quality construction techniques and materials ); this new development would not appear likely to generate any appreciable increase in county operating expenses for the foreseeable future.

Last, the existing extremely steep hill located just west of the dairy on W 4000 N is an exceedingly dangerous stretch of road. We believe the grade is in excess of 12% ( which we believe is outside the acceptable range of county road grade specifications ). We have personally witnessed persons traveling on this very steep hill at highly dangerous speeds; both up and down. The existence of this road alone is probably the most convincing argument one could make for all persons who care about their fellow citizens to support adopting the proposed realignment and vacating this "deathtrap" road before someone is seriously injured or killed.

Thank you for your consideration in this important matter.

Sincerely,



Corwyn Scott  
20 W 1<sup>st</sup> S, #21  
Rexburg, Idaho 83440  
( 208 ) 932 - 0208

Classification: UNCLASSIFIED

Caveats: NONE

Sir:

Thank you for soliciting our comments on the proposed road construction project.

Back in August 2014, Mr. Jess Horton applied for a permit for a road crossing of Milk Creek. By email we communicated with Mr. Horton and the agent Drew Meppen of Benchmark Land Surveying with questions and concerns. Do due a lack of response we withdrew the application with no action taken.

Should the proposed road require the discharge of dredged or fill material into streams, creek, or wetlands a Section 404 Clean Water Act permit will likely be required from this office. Based on October 7, 2014 imagery on Google Earth and information on your website it appears road construction has started.

Other than the need for our approval for certain activities in streams, creeks and wetlands (waters of the U.S.) we have no comment on the overall project. During our permit review process we might require the applicant to demonstrate alternatives to discharging dredged or fill material into streams and creeks.

Robert Brochu, Biologist  
Regulatory Project Manager  
U.S. Army Corps of Engineers  
Walla Walla District  
208-522-1645

Lee Ann McGlinsky  
12713 Memory Lane  
Nampa, ID 83686

Dear Mr. Johnson,

Please enter this letter into the record at the Public Hearing on Dec. 14, 2015. Thank you.

In the mid 1960s my husband and I bought 400 acres of land in Teton County bordering the Targhee National Forrest. We couldn't afford the price by ourselves so we joined another couple, Boyd and Barbara Norton, to buy the land and place it into a Conservation Easement with the Teton Regional Land Trust. We felt it was vital to preserve this beautiful place for wildlife and prevent it from being developed. When we did this we knew we were making a huge financial sacrifice but it was more important to honor our values about the environment than to make money on this land in the future. Our Conservation Easement protects this land in "perpetuity, forever honored by all heirs and present owners" You won't get this iron-clad promise from a developer.

Now a North Carolina developer, Jesse Horton, threatens this easement and what it represents by buying as much as 7,000 acres of Teton Valley and planning a road enabling massive development bordering our easement. Contrary to Mr. Horton's statements to you, he not only didn't get our agreement to this development but he never even notified us or our co-owners, the Nortons, of this planned road and development. There is even a questionable boundary where Mr. Horton bulldozed a grove of aspen trees and erected an electric fence on what we think is our property, also without notifying us. His proposed 8 acre parking lot will encourage littering and trespassing across our property to get to the Targhee National Forest and Pack Saddle Lake. Presently people park at the beginning of the Pack Saddle Road and travel up the road, not across our conservation easement.

You only have Mr. Horton's word on what he plans for development in his 7,000 acres along the new road he is making and expects Teton County tax payers to maintain. The current road has been used by all of us for at least 50 years and doesn't need replacing. Everything Mr. Horton proposes will make a huge profit for him. View lot homes (maybe large ranches or summer homes) on a county maintained road will sell for high prices,

Mr. Horton's proposal doesn't conform to the Teton County Comprehensive Plan adopted Dec.13, 2004, which states that "conservation and protection of important plant, fish and wildlife habitats should be encouraged as a matter of public policy". Teton Valley was designated in 2004 as an Important Bird Area by Idaho Fish and Game and the Audubon Society for the essential habitat it provides migratory birds. Encouraging more fencing, residences and destruction of sage brush habitat negatively affects all this. Mr. Horton will certainly benefit, but how does this benefit Teton County tax payers ?

I urge you to reject Mr. Horton's road proposal until you have more time to consider the long term effects on the valley and find out more about Mr. Horton's past business dealings in North Carolina.

Sincerely,

Lee Ann McGlinsky

Julie McGlinsky  
1150 Melvina Way  
Eugene, Oregon 97404

December 4, 2015

**Re: December 14th Public Hearing testimony of Julie A. McGlinsky, in opposition**  
to Jesse Horton's development proposal to realign portions of Packsaddle Road and Hoopes  
Road and vacate the existing easement

Dear Commissioners Leake, Park and Riegel,

Thank you all for your service overseeing the world-class lands and waterways of the Teton Valley. Because my parents and family share your love of this area, fifty years ago they pooled finances with the Nortons to buy 400 acres, bordered by national forest and agricultural land. Rather than developing this investment for personal gain, they converted it to a conservation easement. My family's vision is to reserve this land for migrating wildlife, groves of spectacular aspen, unpolluted springs, and fields of wildflowers. We are committed to caring for the unique assets of the Teton Valley that enhance the lives of its residents. Jess Horton's proposal would have the opposite impact.

Commissioner Riegel couldn't have been more correct in noting that landowners neighboring Jess Horton's proposal "may not want to attract more people to the area". Currently on our property I find horse and foot tracks, and an occasional fire circle near the perimeters. Reducing the steep nature of the road, providing kiosks and the development of an 8 acre parking area will mean more traffic, trespassing, littering, possible fires, degradation of our property and intrusion on the wildlife corridor. When last there, rock trucks and road construction rigs, able to navigate the new road, passed multiple times an hour. They drove the ATV riding public off the road and dominated the environment. Contrary to what Mr. Horton stated, the current road has been adequate for decades. It is much better for the county's interests and neighboring owners than activity the proposed road would facilitate.

I am unconvinced that taxpayers of Teton County should maintain a road serving the needs of a North Carolina developer. Further, the proposed road seems likely to cost more. Clearly Jess Horton needs and will continue with heavy construction traffic. Additionally there is likely to be more traffic. This use will degrade the road more rapidly than current residential and recreational use. Does anyone think an 8-acre parking lot, capable of holding 16 cars and 6 trucks with trailers is a good idea without bathrooms, garbage collection, and fences? If the intention the new parking area is access to public land, why not locate it at the base of the road to national forest instead of the proposed site (and construction) between Jeff Copeland's and our properties? The proposal seems designed to both serve the needs of Jess Horton and increase financial demands on the county.

Finally, I think it's important to set the record straight that Jess Horton did not contact this adjacent property owner or get our approval for his proposal, as recorded in the Board's July 13<sup>th</sup> minutes. Our family has not yet seen the entire proposal. Instead, it is rumored that Mr. Horton conducted a land survey, which we have not seen. Based on this data, he proceeded to clear a

roadway on property previously behind our fence line without even contacting us. I find this disregard for his neighbors troubling.

Clearly there are multiple sound reasons to oppose Mr. Horton's proposal. Let me thank you again for your diligent service to our treasured Teton Valley. How refreshing to travel from Jackson Hole, with its traffic and millionaires, into this beautiful valley managed to support local people, the scenery, and the wildlife that make it so precious.

Sincerely,  
Julie McGlinsky  
541-232-0421

We, David and Jolene Nissen living at 11544W 6500N. Tetonia Idaho are residence of Teton County. We are in favor of the realignment of the Teton scenic parkway. The building of this road is an extreme improvement to the current county dirt road. This new alignment considerably improves the access to our property. Please forward this to the county commisioners so they have it for the meeting about the realignment

Thanks Jolene and David Nissen

Teton County, Public Works Department  
150 Courthouse Drive, Room 107  
Driggs, Idaho 83422

December 4, 2015

Re: Copeland comments concerning Horton Scenic Parkway

To Board of Teton County Commissioners:

We appreciate the opportunity to submit comments on the proposed Packsaddle/Hoopes Road realignment.

As property owners living adjacent to the realignment, we are in full support of the proposal to realign both Packsaddle Road and Hoopes Road and encourage Teton County to adopt the proposal. The realignment will replace a road that is dangerous in many places with a new road built to county standards at no cost to the county.

In the event that Teton County decides to accept the proposal, we would like to offer some specific comments concerning the proposed public parking area adjacent to our property.

1. A primary problem with the existing road has been the public's seeming inability to distinguish private from public land. We feel this may present opportunities for conflicts in and around the parking area. We would ask that signs be installed advising parking area users that they are surrounded by private land and should act accordingly.
2. Along with the above, signs should clearly state that this is a designated parking area for Packsaddle Lake Road access and is not a campground. Camping, campfires, littering and the discharge of firearms must be prohibited in this parking area.

Improved road access to the Packsaddle forest access site and across the Packsaddle/Milk Creek Bench can only benefit those that currently reside on the bench, or will reside there in the future, as well as the many that use this area as a National Forest Access point. This is particularly so given that 100% of the road development costs will be assumed by private landowners. We therefore encourage the Teton County Board of Commissioners to seriously consider adopting the Horton Scenic Parkway/Packsaddle realignment.

Sincerely,

Jeff and Cheryl Copeland  
4444 Packsaddle Road  
Tetonia, Idaho 83452  
(208) 994-8994

Dear Darryl Johnson,

The new road by Ag Rim & Grandview Ranch, has been built 50ft from my property line and runs along side of my parcel, the whole length of the north and south side. For that reason, and also because I don't have access on that side, I am requesting for a access to the exiting road. My legal description is 6396 SEC 29, T6NR 44E.

This parcel is mostly used for farming and seasonal personal use. We have had this parcel in our family for a hundred years as of last year. My father is 86 now and I have to take care of the farming for him. Having a access on this side would be beneficial for our farming and would be greatly appreciated.

Please contact me if you have any questions or concerns.  
360.9195 or 356.6619

Thank You  
Sincerely,  
Bronwynn Wasden

Dear Mr. Johnson,

I can not attend the hearing on December 14th, so I ask that this statement be read into the record of that hearing.

Thank-you for your assistance,

Wendy McGlinsky  
439 Liberty St.  
Beacon, NY 12508  
203/243-7327

You have heard already, or you will hear soon, the thoughts of Boyd and Barbara Norton and of Al and Lee McGlinsky. Fifty years ago, these two couples bought four hundred acres (give or take) of unirrigated rangeland facing the Teton mountains across Teton Valley. The young idealists consigned their land to conservation easement and so promised not to develop their property, ever, because they wanted their personal piece of wild Idaho saved for wildlife and for future generations. I am one of that future generation. I am Wendy McGlinsky, eldest daughter of Lee and Al. I have two sons to follow after me.

I have lived for the past thirty years in Connecticut and New York where development has claimed many/most "wild" places for exclusive, private owners. On my way to work, I drive smooth, asphalt roads through fenced forests which guard pristine vacation homes. As I pass those engineered landscapes, I miss the desolate rangelands of my childhood; I remember bouncing over the dirt road to the McGlinsky/Norton property in Teton Valley. So many years later, I can still close my eyes and smell the dust of that road. I hear the wind in the aspens; I see the valley and the pines and wild flowers, and below me, I see dry pastures and scrappy ranches. I close my eyes to remember, and I see a piece of our country as it has been for a hundred years or more.

I believe Jesse Horton threatens this vision. He is a developer. He makes money buying land, "improving" it, and re-selling it. At the moment, he is "improving" a property next to that bit of old Idaho owned by my family and the Nortons.

Jesse Horton has the right to do what he wants on his property, but he's asking the county to take over maintenance of the road he's building, and I am suspicious of his motives. I suspect he's dreaming of profit as he buys and improves dry rangeland. I suspect he's banking on building and selling a less expensive version of Sun Valley. In fact, I believe he envisions lovely, vacation homes with breath-taking views of the mountains as he's scraping out a "scenic by-way" to service those future lots. "Scenic by-way" sounds great in a real estate blurb. I see him selling his road to the public by arguing it will provide better access to public land. To back up this argument, he's carving out a parking lot which he insists will serve Forest Service land despite its distance from that land. Pleading long-term benefit to the county, he petitions the county to maintain his improvements.

Clearly, Jesse Horton is served by his road and his parking lot. Of course he'd love to have the county maintain them. But does the county really benefit as well? Tax revenue from the lots which Jesse Horton might develop along his new, county-maintained road might pad county coffers, but I worry that, in pursuit of tax revenue, Teton County will sell that which makes Teton County wonderful.

Here, on the East Coast, I am surrounded by the aftermath of such bargains. Here, farmland and forests have been subdivided and "improved" into secluded, fenced and landscaped, forest hide-aways. Many owners visit on weekends and pay high property taxes for the privilege, but they are not invested in the community nor in the history of the place. Driving past those carefully constructed private compounds, I am homesick for a place which remembers what it was, and I am glad that fifty years ago, two idealistic

young couples bought a bit of land in Teton County, cast aside potential profit and pledged to keep that bit of Idaho as pure Idaho.

I hope you will think carefully on what might be lost as you consider the parking lot at the top of Jesse Horton's "scenic by-way" and especially as you consider taking over maintenance of his "new and improved" road.

Sincerely,

Wendy McGlinsky  
439 Liberty St.  
Beacon, NY 12508  
203/243-7327

Re: Realignment of Packsaddle and Hoopes Roads

The Facts as we see them are:

1. Jesse Horton will complete a realigned road built to County standards.
2. Horton will also build short connecting roads to allow access to the all land owners served by the existing road.
3. Since the new alignment will meet the state requirements for improved roads, the county will receive around \$4000 per mile from the state gas tax funds
4. The cost to maintain the new road for maintenance, assuming the road is graded every other month during the spring, summer and fall, will be much less than \$4000/mile.

If these facts are correct, this is a big plus for the county and all the adjacent land holders.

Additionally, the issues that still need to be considered are:

1. Snow mobile access and routes
2. Retaining the current sledding hill and/or finding and getting permission for a new sled hill
3. Making a decision as to whether the county will clear the road in the winter.

If you have an questions or want to talk to me/us, our contact number is 208-251-2979. Thanks.

Pete and Mary Lou Oslund  
7449 W 4000 N  
Tetonia, ID

December 2, 20015

Re: December 14 Public Hearing testimony of Alfred M. McGlinsky, In Opposition to Jesse Horton's "Scenic Parkway" Development Proposal

Dear Mr. Johnson,

We are sorry not to be able to attend this important public hearing because we no longer live in eastern Idaho and now live several hundred miles away in Nampa and travel is no longer as easy for us as it was when we were young. For that reason, I wish to make this letter a part of the hearing record. I would also like this to be read this aloud to the public and the Teton County employees in attendance, again, because I would surely have had the privilege of doing just that if I could have been at this public hearing.

For about 50 years we have co-owned with the Norton family 400 beautiful acres tight to the Targhee national forest. It is our land that is cut by the Packsaddle Lake Road giving the public access to the national forest. We bought the land from Adrian Cook of Tetonia, whose family, we believe, had homesteaded it. For the most part, the privately owned land around us for miles has always been agricultural—no homes, few fences--those mainly for cows. As a result, an abundance of wildlife such as deer and moose breed and call this place home. To name a few who also depend on such habitat, (designated in 2005 as "species of greatest conservation need" by the Idaho Department of Fish and Game and/or as "Sensitive Species" by the USFS) : Brewer's sparrows, Swainson's hawks, northern goshawks, great grey owls, three toed woodpeckers, flagellated owls, are among the species present.

It has always been our family's hope that future generations will have such incredible places to enjoy—they are indeed, increasingly rare. Toward that, at the turn of the century we put Conservation Easements on our 400 acres through the TRLT in Driggs. To us, the significant financial sacrifice required by doing that was less important than the opportunity to preserve all this far into the future for our children and all folks to enjoy. We agree with the many who have travelled the world and still claim the beauty, peace and quiet of this Teton Valley is among the finest. Well worth preserving!

*It is a fact* that the existing Packsaddle and Hoopé's Roads have been in use for more than a century, providing access to the privately owned lands, farm fields and the national forests to the west. So clearly, this proposal by Mr. Horton to replace those roads was not one initiated to alleviate a serious problem that Teton County had identified as suddenly needing to be fixed.

The minutes from the Teton County BOCC meeting on 7/13/2015 state that Mr. Horton claimed the "existing road does not serve the public and isn't good for the property owners". (Historically many would disagree.) Further, the minutes say that Horton "developed a plan which was reviewed by the county's previous engineer, who encouraged them to consider replacing the entire road." (That seems so unlikely: Had he the legal authority to so recommend? Exactly what portion(s) of the existing road(s) is referred to? Has this conversation/ "directive" with the county's previous engineer and Horton been verified? Are we to believe that Horton's motive was to build 10.6 miles of roads *across his property* just to benefit the county?? Or is it to make even more money selling off a variety of pieces of his property on roads he has newly contrived to be designated a "Scenic Pathway"?) It ought to be mentioned that the existing Packsaddle and Hoopé's Roads give county

users a considerably shorter access to state highway 33 than the route Horton has built and is now hoping to transfer maintenance to the county.

Those minutes also report that Mr. Horton stated that he had the approval of all adjoining property owners. Blatantly not true! I can name six adjoining property owners who, to this day, have never been consulted, let alone have approved. He's never approached me and others. If he had, we would certainly have opposed the construction of the parking lot adjacent to our property and that of Jeff Copeland. I have little hope that fencing and posting signs would keep people using that parking lot from coming onto our land. Perhaps you have not seen what has happened to the large and very sturdy sign (put in place, I believe, by Teton County) at the beginning of where Packsaddle Lake Road crosses our property. It is riddled with bullet holes and lies flat on the ground, it's double 4X4 posts having been broken off. Our land shows such trespassings as fire rings and sawn remnants from wood gathering...precisely what the downed sign asks the road users not to do, given that it is a stretch of private land that the road now crosses to provide USFS access beyond.

The minutes also report flatly that Mr. Horton wants *all* his road to become a county responsibility...not just a portion as Commissioner Riegel had suggested. I see no reason why it should be an all or nothing matter. Why? Who benefits, one must properly ask?

Moving to another document regarding this Scenic Pathway idea, it seems to me that Mr. Johnson's July 9, 2015 memo to the BOCC may have "cherry picked" from the four mentioned Teton County documents and focussed just on providing *access to public lands*. However, those same documents express equal concerns for protecting natural and other resources, for preserving the valley's beauty and for maintaining the quality of life for the enjoyment of current and future citizens. *All* these purposes must be weighed, balanced...not just access to public lands.

I will close this by saying that so beautiful and rare a place as the Teton Valley needs protections or it will become like too many other once lovely, but now overpopulated places. It is not in the best interest of all Teton County citizens to build or maintain a "scenic pathway"; their views from almost anywhere they reside in the valley are already magnificent! I doubt that many, if any, would drive further west for a better view of the Tetons. There is no county wide clamoring for that...just those of Mr. Horton's relatively recent involvement in creating AgRim.LLC and Grandview Ranch LLC.

So, please do not ask all the county taxpayers to pay for Mr. Horton's rather obvious gamble at becoming even more wealthy while compromising wildlife and other important values we and future Teton valley folks hold so dear.

Thank you for the service you commissioners and dedicated professionals do on our behalf.

Sincerely,

Alfred M. McGlinsky  
12713 Memory Lane  
Nampa, ID 83686  
208 465 0404

Dear Mr. Johnson

I apologize for not being able to attend the December 14 hearing on this important matter. But I do ask that this statement be entered into the hearing record. And, if it's not too long, to be read at the hearing.

It was in the summer of 1960 that Barbara and I were headed west across Wyoming, with an eye toward California, land of sunshine and aerospace industries. I had just received my degree in physics from Michigan Tech when we stumbled upon the Teton Range and Jackson Hole. It was instant love and we secretly claimed this mountain range as *ours*. Immediately I scratched the aerospace industry and California from my list and instead took a job as a nuclear physicist at the National Reactor Testing Station in Idaho. We settled in Idaho Falls.

Within months of settling in Idaho Falls we discovered Teton Valley. This was, and is, a very special place. Jackson Hole may have spectacular views of the range, but Teton Valley became to us the "quiet side" of the Tetons and the views, in my opinion, were equally magnificent. We, and friends of ours, explored the Western Slopes of the Tetons in hikes and backpacking trips out of Teton Valley – up to Alaska Basin from Teton Canyon, to Wind Cave in Darby Canyon, and up through several other canyons where there were almost no trails into magnificent alpine basins. I've made numerous trips to the top of Table Mountain where, as you know, the pioneer photographer William Henry Jackson made the first photos of the Tetons in 1871. He did so by accessing it from Teton Valley. And by the way, some of this is covered in my second book, *The Grand Tetons* published by Viking Press in New York in 1974. Also, I was one of the handful of people who drew up the boundaries and lobbied and testified in Congress to have the Western Slopes protected as the J. Edgar Hoover Wilderness Area.

In the mid-1960s an opportunity came up to purchase a piece of land in Teton Valley. Together with the McGlinsky family we purchased the 400 acres in Rammel Hollow area owned by Adrian Cook of Teton. It was never our intention to sell or subdivide this land. It was simply a joy to visit once in a while and to camp and let our children roam around our hillsides of Douglas fir and pines and aspen and enjoy the beauty of the place with views of the Tetons as Wilson Price Hunt may have seen them when he possibly crossed our land in his expedition in 1811.

All but a few acres of this land are now in a Conservation Easement through the Teton Valley Land Trust. It is our desire to keep this land as pristine as possible for protecting wildlife and aesthetic values of the area.

Fast forward a half a century from our purchase of the land to today. An out of state developer now wishes to change the character of Teton Valley. At least on the western side of Teton Valley. I'm not sure of the intentions of this developer, but they cannot be good. He obviously does not have any knowledge of the history and heritage and the *feeling* of this place and his only intent is to make as much money as possible. I wonder if the rest of the residents of Teton Valley agree with his intentions. I think not. At least I hope not because I think most folks here like where they live and do not want it changed by an out-of-state developer with no roots here and no apparent feeling for the beauty.

Now to the question of the road that this developer proposes be taken over by the county. On the one hand, the existing Packsaddle road from the Kay place is very steep at the start. It makes for difficult, though not impossible access. The developer has made a somewhat easier access road. However, for the county to take over and maintain this road, as the developer proposes, only provides more profit for the developer to sell his lands adjacent to the road and make a huge profit while burdening the taxpayers of Teton County with additional expenses to maintain access. My question is: since the developer has paid for this alternative road, does he expect the county to pay for those expenses or is it to maintain the road? Either way it will be up to Teton County taxpayers to subsidize it.

Another major concern has to do with a parking lot being bulldozed adjacent to our property line on the east side of our land. He has planned an 8 acre parking lot! This is far larger than the parking lots of many supermarkets and shopping centers! Why? This would only increase traffic in the area, creating litter and greatly increase fire hazards from visitors who do not understand the serious fire danger in a dry climate. I fear that there may be other purposes planned for this mega-parking lot. Is this for some type of commercial development? We are strongly opposed. And by the way, we, the Norton and McGlinsky families, were never consulted by this developer about his plans which will have severe impact on our land and the lands of others in the area.

In short, we ask you, the Teton County Commissioners, to weigh very heavily the benefits and costs of taking on and maintaining this road. Such costs not only include tax burden to Teton Valley taxpayers, but aesthetic costs as well. I fear that with such massive development more road building will follow and the quality of life here will suffer badly.

Thank you for your time.

Boyd Norton

PO Box 2605

Evergreen, CO 80437

Dear Mr. Johnson,

I am unable to attend the hearing about this on December 14, so I would like to send the following letter, to be read out aloud at the hearing and entered into the minutes.

I have serious concerns about the plans for a new road to replace the existing Packsaddle road.

In July I had the opportunity to visit the land owned by my parents (Boyd and Barbara Norton) and the McGlinsky family, which borders Targhee National Forest and contains the upper Rammel Hollow. I have not seen the land for many years, and I was eager to revisit it, to once again see the beauty and peace of it, and to reminisce over the many happy memories both our families share from the many camping trips we all had there.

To my dismay, the land that I remembered so well had been breached; the very place where we used to camp had been cleared, all the trees removed, leaving only a muddy track, and as we surveyed the damage, the quiet was shattered by a bulldozer that appeared on the neighboring property, already at work clearing more land for this road.

There were survey stakes well inside the fence line that we believed, for nearly 50 years, was the boundary of our property. We had no knowledge of this survey, no opportunity to question it, or commission our own survey prior to the destruction of the place we had known and loved so well.

Indeed, had we not come to the area when we did, we would not have known about the plans for the road at all. If we had, we would have voiced our opposition from the very beginning.

When my parents and the McGlinskys bought the land, back in the 1960's, they did so because they wanted to preserve it, to keep it as untouched as possible, a sanctuary for wildlife and a place that we, and others, could enjoy in its natural state.

Toward that end, both families made many financial sacrifices. My family is not a wealthy one, and I know that my parents often had difficulty paying the mortgage and putting food on the

table for my brother and I while we were growing up. Even now, as with many people, money is tight, and both of my parents have had to continue to work even though they are more than a decade past retirement age. Had they been willing to compromise their principles, they could have sold or developed the property, and lived very comfortably on the proceeds. They did not. They chose instead to put the land in a conservation trust, so that it would be safe for future generations to see and enjoy. They recognised that conservation and protection of our natural resources is about making difficult decisions, and standing by one's principles, even if it means having to make personal sacrifices.

It is also worth noting that at no point did either my family or the McGlinskys ask for public funding to realise their vision for the land they own. Although they have made sacrifices to leave a legacy for future generations, they have done this out of their own initiative and have funded it themselves. Jess Horton's vision for his land is for his own personal gain, yet he is asking for public help in achieving it, which is ironic to say the least.

The decision you will have to make about this new road is not an easy one, and it will have an impact on the future of the whole area. I realise that it is not up to the county to determine whether the road is to be built or not, as it is being done on private land, owned by Mr. Horton (though whether he owns *all* of that land is up for debate!). Although Mr. Horton has said that he will build this road regardless of whether it will be maintained by the county or not, I feel that if he must maintain this road on his own, he will be much less inclined to build it to begin with. I also have concerns that at some point, if there is a contractual relationship between the county and Mr. Horton, the county may be asked, or even compelled to contribute to the costs of actually building the road. By refusing to enter into an agreement with him to take over the road after completion, I feel the county will also avoid any scenarios where it will end up being pressured into assisting with funding its construction.

Every road is a scar on the environment. With each new one that is created, there is a resulting destruction in the quality of the land, a disruption to the deer, elk, badgers, and bears that inhabit it, and a loss of scenery and beauty for the human residents. Once the landscape is destroyed, once the wildlife have been driven out, there is no going back, no way to undo the damage, and the generations that come after us will never be able to see it as it was. Please don't let this happen.

Thank you very much for your time and consideration.

Kind regards,

Jean Norton

December 7, 2015

**Teton County, Public Works Department**  
150 Courthouse Drive, Room 107  
Driggs, Idaho 83422

To Whom It May Concern:

As a property owner, I appreciate the opportunity to provide comments as requested on the proposed realignment of Packsaddle Road and Hoopes Road. I would like the staff and Board of County Commissioners to understand that the uncertainty to date has delayed our plans to build on our property. My family supports the proposal to realign Packsaddle road to the new road and abandon the current easement and dangerous section referred to as 'Kay's Wall'. Two roads now surround our small piece of property and it has become clear to us that the new road developed by Ag Rim LLC & Grandview Ranch LLC is far safer and superior in its structural integrity. We support the current proposal, which requires vacating the existing county road, but we need to have a workable solution to access our property.

Realigning the road and vacating the existing easement best serve the long-term benefit to the county and residents/property owners. The safety concerns with the existing road are significant and have been realized by us as we travel to and from our property and spending time there. We would like to see this benefit realized, but also need to find a reasonable way to access our property and have access for the Felgers from the new road with out needing to remove more trees or divide smaller pieces of property. The affected property owners are working with the applicants to develop a workable solution.

I would ask the County to continue with the process with the goal of an expedient decision as our plans are on hold until this issue is resolved.

Thank you and please contact me if any questions. I can be contacted at:

Michael Assante  
270 Targhee Towne Rd  
Alta, Wyoming 83414  
208-270-0347  
[mjassante@gmail.com](mailto:mjassante@gmail.com)

Michael J. Assante

Date:



August 10, 2015

Teton County Town Hall Meeting

SCENIC PARKWAY COMMENT SHEET

Please provide written comment regarding the proposed Scenic Parkway Project.

Name: Mike + Christina Assante  
e-mail: cassante5@gmail.com, mjassante@gmail.com  
Phone: 208.270.0347

COMMENT: WE ARE PROPNENTS FOR THE ROAD IF ACCESS IS PROVIDED TO OUR PROPERTY. THE ROAD APPEARS WELL-BUILT AND WOULD BE A SIGNIFICANT IMPROVEMENT FOR THE COUNTY. WE DO WANT TO SEE THE EXISTING COUNTY ROAD BE VACATED FOR SAFETY, AND TO LIMIT ROAD TRAFFIC TO ONE DESIGNATED ARTERY.



August 10, 2015

Teton County Town Hall Meeting

SCENIC PARKWAY COMMENT SHEET

Please provide written comment regarding the proposed Scenic Parkway Project.

Name: Pete + Marylou Gehund  
e-mail: ml05lund@aol.com  
Phone: 208.251.2979

COMMENT: see photos ...  
need more culverts on road  
need better improvements beside road so it doesn't wash out  
keep the recreation easement for sledding + snowmobiling + skiing  
need to have grooming work with more mow traffic on back roads - speed  
+ number of volume of traffic because



August 10, 2015

Teton County Town Hall Meeting

SCENIC PARKWAY COMMENT SHEET

Please provide written comment regarding the proposed Scenic Parkway Project.

Name: Cornyn Scott  
e-mail: \_\_\_\_\_  
Phone: (208) 932-0208

COMMENT: If the county accepts the  
decided parking lot from Mr. Harton,  
the county must take the proper  
measures to protect Jeff Capeland's  
right of quiet enjoyment (i.e. trees,  
fence, signage, patrol by LEO's  
etc.). If this can be accomplished, the  
new road will be of great benefit to  
The Teton Valley.



August 10, 2015

Teton County Town Hall Meeting

SCENIC PARKWAY COMMENT SHEET

Please provide written comment regarding the proposed Scenic Parkway Project.

Name: \*Kellie Hansen (Bainbridge)  
e-mail: \*Glade Hansen 317-7582  
Phone: 458-4140

COMMENT: We are all for  
having the Road, Rebuilt.  
(We Support this) Earl  
Bainbridge Trust grounds, has  
had, Damage from SnowMach  
Ridings on it & would love to  
See a New Parking lot  
built & New Road.

709-0345



August 10, 2015

Teton County Town Hall Meeting

SCENIC PARKWAY COMMENT SHEET

Please provide written comment regarding the proposed Scenic Parkway Project.

Name: DOUGLAS PAUL RADACH

e-mail: \_\_\_\_\_

Phone: 208-716-7152

COMMENT: WE ARE WORKING VERY HARD ON THIS PROJECT. WE ARE GOING ON WITH THIS ROAD ETC. I WORK FOR MR. HORTON AND KNOW HIM VERY WELL. HE IS HONEST AND TRUSTWORTHY. I AM PROUD TO BE PART OF THIS PROJECT. I AM A VALLEY RESIDENT FOR 44 YEARS NOW.

THANK YOU,



August 10, 2015

Teton County Town Hall Meeting

SCENIC PARKWAY COMMENT SHEET

Please provide written comment regarding the proposed Scenic Parkway Project.

Name: Shawn Hill

e-mail: Shawn@tetonvalleyadvocates.org

Phone: 307-413-4514

COMMENT: Thank you for holding this meeting. If the county finds that the road does not burden it financially, the vacation should be considered. However, the county needs to ensure that future zoning is APPROPRIATE for this remote location. There seems to be much concern about what could happen w/20-acre zoning. That concern could be eliminated with lower density

Hi,

Info presented at the Town hall has changed my perspective a bit. Good info was presented by Johnson.

General:

- 1) Not in favor of Teton county accepting the Parkway and vacating the present road. We did not ask for the Parkway. Keep it private. It will cost more money to maintain because of the length. We have other roads that need attention. We already have a supplemental levy. Many of us don't want it to be permanent or increase. My assessment is that the main users of the present road, starting at Kay's Wall, (by quantity) are recreationists (it's a gut feeling by observation...I can't prove it.). They are very tolerant of, and often times expect, a less than perfect road.
- 2) The present road works and is more direct. People living on the bench land knew what the roads were like when they purchased the land. If they want access to the Parkway as a private road and have the convenience of a subdivision without the "inconvenience" of being in subdivision, they can talk to Horton. Complaining that keeping the present road will cause a second road to border their property is invalid. We did not ask for the Horton road to be built. He just did it. The fault is Horton's. It is not the responsibility of Teton county citizens to bail them out. There are plenty of parcels that have two or more roads along the border.
- 3) Sue Berkenfield made a good point about "...build it and they will come." The Parkway would make a loop on a nicely graded road, hence, more through travelers. Packsaddle Rd. is already in need of repair with just the mainly local traffic. Kay's Wall can be intimidating to some. That's good. It encourages an out and back trip, not an easy loop. People have to WANT to go there. The tendency is for people to back away. The object of that road is to move local people around, not encourage casual cruisers to ride through. It is not a tourist attraction. The Parkway could become just that.
- 4) Kay's Wall can be challenging to some. Again, that's good because it lowers casual use. Though I sympathize with the horse trailer guys, nothing says they HAVE to take that route. There are, literally, go-around solutions. I liken it to the lack of wisdom in taking an overloaded 18-wheeler over Teton Pass. In both cases, the smart move is to go around, lower the weight or choose a more appropriate vehicle.
- 5) Kay's Wall is steep by modern road standards, but not impossible. Erosional problems on the hill have simple engineering solutions. Sure, it may require more attention than a flat road after snow melt, BUT, it is less expensive than taking on Parkway maintenance.
- 6) I have been suspicious of the reasoning behind spending 2.5 million on a private road to "give away" to Teton county. I find the sentiment is echoed by others. We have no assurances committed in writing and enforceable, that the lands affected will remain agricultural. If Horton wants us to believe him, he can place it all in a land trust to be forever agricultural. Also, as far

as I know, Idaho law would still allow him to place a few McMansions up there, receive an AG exemption and pay less in property taxes than most of us.

## Snow Season

1) Packsaddle Rd. from Kay's Wall west and north has gone through evolutionary phases from a path that zigzagged up the hill in the 1970s to the straight shot is now. In that time, friends, family and I have XC skied it, hiked and now Rodeled it (long distance gravity sledding). At first it was break-your-on-trail with and occasional snowmobile track, then the road was straightened in the 1980s (I think) and more snowmobiles used the road, making skiing easier. Later came the snowmobile trail grooming crew. Wow, it was a pleasure to ski efficiently for the first time. We are in solidarity with groomers Harmon and Hansen on wanting to keep the present snowmobile route as it is. Though we don't snowmobile, we have committed to buying registration tags to support these guys IF the route remains the same.

If snowmobile grooming followed the Parkway, the special terrain features that make it attractive would be lost. A Parkway route would be bland by comparison because the curves are more tame and the pitches are less interesting. As I have mentioned in earlier emails, the present road holds snow better (I have compared) gathers snow better and has the better solar aspect to help the snow last.

2) For those of us who depend on gravity sports, the present road is ideal because of the quality and frequency of the appropriate gradients. Starting a slide from the top of Rammel Hollow (Packsaddle L. Rd.), out of the possible 3-1/4 miles to the base of Kay's Wall, only 0.4 mile total walking is needed between drops. Not bad... and it only costs a liter of water and half a power bar (or brownie).

3) The esthetics of the route must be mentioned, because it is a motivator and a reward. After winding and diving the mile down Packsaddle L. Rd. through the forest, the shadowy trees are quickly left behind and the rider bursts into the sunshine on an open field of snow, the Tetons spread brilliantly before you. The effect can make you say, Whoa! The game is to see how far you can glide before having to hike again (or re-run that mile). The Parkway would have us turn sharply south at the corral...lose all of that speed... and put us into a gulley, no view, not good. The snowmobile path, right now, lets us dive to the south after a short walk east. I'll skip the in between sections through the trees. The very best part is the last sweeping turn to the east that ends west of Kay's Wall summit and Kay's Wall itself. As you ski or walk to the summit, the Tetons emerge dramatically once more as the Kay's Wall pitch drops away to the leading line of Packsaddle Rd. It's a wonderful way to end the day in the snow, whether by ski, sled or snowmobile. The Parkway does not have the excitement or the drama of the present road. A winter recreationist needs and will seek these "carrots" as a reward. It's an incentive that motivates you to stay healthy, so that you can do it again and again. Since many of us are gravity-powered, we are dependent upon the snow grooming and the character of the route. Once again, the Parkway doesn't have it.

4) Kay's Wall is often THE destination for families with children of all sizes and sometimes the grand parents. From summit to intersection, Kay's Wall can give a 1/4 mile slide, but most do not have the skill or equipment to that. Most slides are short runs not from the summit. But when you are a little kid, who cares. Most people go out of their way to be courteous and there can be a sense of community there, especially during the holiday season. I have met people from all over the U.S. at that spot as well as foreign visitors. I have also met people from out of state who have remembered the place and have come back year after year. It's fun, it's inexpensive and easy to access...a rarity that should not be lost.

5) Clay Smith has said that sliding Kay's Wall is dangerous, so is operating heavy equipment, (I have done it) but will that stop him? It's relative. Yes, people may be hurt. What's new? It's part of life and recreation to take some risk. The key is to take responsibility for your actions and not blame someone else if you suffer misfortune.

6) Finally, here's a thought. Bainbridge land forms the south border of Kay's Wall. They have tried unsuccessfully, at least since the 1970s, to sell it. They complained of not having access to the top of the land, yet they have a paved road to the bottom...what's the problem? Well, I asked the land trust if that land is of interest to them. I also asked if the lower, flatter eastern portion could be designated as a parking area for recreationists as part of the land trust deal. Provisionally, the woman with whom I spoke, thought it was a great idea. She seemed especially interested in the enhancement-of-recreational-opportunity angle. Could solve some of the problems: sell an unsalable parcel (thus helping the Bainbridge family) and provide parking away from the road etc. You get the drift I'm sure. The west end of the parcel has a small section that connects directly to the Targhee Forest...that's good too.

Hope this helps,

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