



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

**Public Works Department
MEMORANDUM**

150 Courthouse Drive
Driggs, ID 83422

March 4, 2015

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

PUBLIC WORKS

The following items are for your review and discussion at the March 9, 2015 meeting.

Fairgrounds; Pavilion Enclosure Update – Steel siding installation is complete. Doors have been ordered and should arrive within next 2 weeks. Electrical work has begun. Completion date is dependent on arrival of LED lights.

SOLID WASTE

Please see the attached update from the SW Supervisor.

1. Landfill Cap Update – Provided feedback to Forsgren Associates (FA) for the cap rehabilitation plans and specifications. Still trying to identify fill source for 45,000 CY of common fill. We have some existing material in the area that can be used but still need to find approximately 20,000 CY of material. We have inquired with FA about the material that will be excavated as part of the E5000S reconstruction project.
2. Waste Collection Procurement Committee – Committee met on 3/5/2015. Saul Varela will provide meeting update.

ROAD & BRIDGE

1. Road & Bridge –
 - Continue with road maintenance.
 - Completed moving gravel to Victor for road maintenance projects in the south end of the valley.
 - Working on South Bates Road safety grant. Crews have cut vegetation within right of way so sight obstruction on curves is minimized. Advisory curve and speed limit signs have been ordered.
2. Clay Smith, R&B Supervisor will be on medical leave for next 2-4 weeks.
3. E5000S – Additional existing condition information has been received and work has begun preparing bid documents.

4. W6000S – Working with consultant to complete plans and specifications. Met with irrigation users to make sure the new design does not create problems with irrigation water. Finalized culvert locations through wetland areas. Work continues with bid document preparation.
5. Submitting application to Idaho Department of Water Resources (IDWR) to pull water from streams in County for road maintenance.
6. The 2015 Road & Bridge budget includes \$15,000 for the purchase of a pup trailer. R&B has located and will be purchasing a trailer for \$12,000.



WK: 208-354-3442
CELL: 208-534-8710

Teton County
Solid Waste & Recycling

1088 Cemetery Rd
Driggs, ID 83422

March 03, 2015

TO: Board of County Commissioners
FROM: Saul Varela-Solid Waste Supervisor
SUBJECT: Solid Waste & Recycling Update

The following items are for your review and discussion at the March 09, 2015 meeting.

Transfer Station Update

1. Regulator's Approval of Teton County Solid Waste Change of Hours

On February 09th, 2015 I contacted Idaho Department of Environmental Quality and Eastern Idaho Public Health District to inform them of the approval the Board of Commissioners made to expand the public days for the transfer station. They responded by giving immediate approval and asking the County for a revised hours of operation form for their records. The County then received a letter of approval for the change. (See attached letter)

2. Positive Public Feedback to Hours of Operation Change

The transfer station has received nothing but positive feedback from the residents on the expanded public days. The number of visits on Wednesday and Friday has increased slightly; it's too early to tell whether this will alleviate the traffic flow in the busy season.

3. Schedule for Spring Clean Up

Teton County Solid Waste & Recycling will hold the annual Spring Clean Up on May 16th, 2015. In the past the County has offered reduced prices for some materials that are accepted at the transfer station. Last year the City of Driggs and the City of Victor celebrated Community Spring Clean Up and Beautification Day on this day. Teton County will again try to collaborate with the cities this year, if possible. Spring Clean Up will be advertised in the paper as well as provided in informational flyers to businesses around the valley. Board members are invited to be present at the transfer station on this day to assist and interact with the public, if they choose to do so. The fee reductions and format are as follows:

- a. First 250 lbs of household and unsorted garbage are free per visit. They will be the normal rate after 250 lbs. Regular rate of household is \$76/ton and Unsorted rate is \$205/ton.
- b. Sorted/Recycling items will be free. (Normally the first 350 lbs are free and after that it's \$15/per ton).
- c. First Freon containing appliance is \$7.00, second appliance is charged at the normal rate. (Normally 15.00 per appliance).
- d. Tires will be charged at normal rate due to the high cost of disposal.

4. Recycling markets may improve as the West Coast Ports return to normal

There is some good news to report on the west coast port situation. Both sides have agreed to a tentative deal after 9 months of negotiations. They have agreed to resume full operations immediately. Experts have said it could take 60-90 days to clear the backlog of goods staged at the docks. For recyclers it may take much longer as inventories of recycling materials have been stored in warehouses, empty lots and domestic mills.

5. Solid Waste Procurement Meeting on March 05th,2015

I will be updating the Board of Commissioners on the findings of the meeting.



FROM: Planning Staff, Jason Boal
TO: Board of County Commissioners
RE: Planning & Building Department Update
DATE: March 2, 2015
MEETING: March 9, 2015

Long-Range Projects:

- Land Use Code Revisions
 - The “reports” for Article 14, Article 1 and Article 2 have been posted on the website.

Public Hearing Procedure Update: For your adoption I have included an updated version of the Teton County Public Hearings Procedure. The changes were made to help us come into compliance with Idaho State Code 67-6535 regarding “Reconsiderations”, as well as clarifying general procedure and noticing requirements. Your comments regarding site visits were addressed in Section 8.

Minor Plat Amendment (River Rim): SEE ATTACHED MEMO

MOU with Victor for Building Official services- The City of Victor would like to enter a MOU with the County that would allow them to utilize our Building Official (Tom Davis) to conduct a plan review for a mixed use project in the city of Victor. We have entered similar agreements in the past. For example Tom did the plan review and inspection for the City of Driggs when they constructed the Geotourism center.

RPSD Presentation (Slideshow)

**Public Hearing Procedures**

The following procedures shall be followed with regard to all public hearings conducted by and before the Board of County Commissioners (BOCC) and the Planning and Zoning Commission (PZC):

Section 1. Public Notice

- a. If a public hearing is required by law or ordinance, the planning commission and, when applicable, the Board of County Commissioners shall hold at least one public hearing in which interested persons shall have an opportunity to be heard. At least fifteen (15) days prior to the hearing, notice of the time and place and a summary of the proposal shall be published in the county's official newspaper. Notice of public hearing should only be published when an application is complete in a manner sufficient to address the requirements established by ordinance and application forms.
- b. In the case of annexations, conditional use permits, site-specific rezones, subdivisions, and variances, notice shall also be provided to property owners within the land being considered; those record owners of lands within three hundred feet (300') of the external boundaries of the land being considered; and, optionally, within any additional areas that may be substantially impacted by the proposal as determined by the Planning and Zoning Administrator. Contents of the mailed notice must contain the information required by law and when practical should include information guided by this policy such as requirements of testimony, default time limits (or issue-specific time limits, if known), timing for allowing written submissions, and other significant conditions or restrictions on testifying.
- c. When mailed notices would be required to be sent to two hundred (200) or more property owners, a notice of public hearing, at least 2" x 4" in size, may be published in the county's official newspaper at least 15 days prior to the hearing, and shall be considered adequate in lieu of otherwise required mailed notices.
- d. For site-specific matters, the subject property should be posted with signs describing the type of action to be considered, contact information for the Planning and Zoning Department, and the time, date and location of the hearing. Such signage shall be posted on the site as required by law.

Section 2. General Rules for Testimony in a Quasi-judicial or Annexation-related Public Hearing:

- a. At the commencement of the public hearing, the BOCC and PZC members shall disclose whether they have viewed the property which is the subject of the public hearing. If so, they must disclose the approximate date of the site visit and the names and affiliation of everyone present during the visit.

- b. The BOCC and PZC members shall disclose whether they have had any ex parte communications, defined as communication outside of a properly noticed public meeting, about the application being considered with: (a) the applicant; (b) a member of the public; (c) a representative of the applicant; and/or (d) a member of the public. All ex parte communication must be disclosed by identifying the person and the person's employment or affiliation, and by providing a description of the communication.
- c. The Commission/Board, or the Chairman may establish a time limit to be observed by all speakers. This resolution provides the default time limits as follows: Applicant (to describe application and reasons that it meets requirements) – not to exceed fifteen (15) minutes. Staff explanation – not to exceed fifteen (15) minutes. Individual testimony – pro, neutral and con – three (3) minutes per person (up to fifteen (15) minutes for spokesman in cases where spokesmen are pre-authorized by the chairman). Rebuttal by the applicant (no new evidence – only information from the record to rebut assertions by contrary testimony) – as needed.
- d. No person shall be permitted to testify or speak before the hearing agency at a public hearing unless such person has signed his name and written his contact address on sign-up sheets to be provided by the county. This requirement shall not apply to staff or technical witnesses directed by the chairperson to give evidence or information to the hearing agency.
- e. The presiding officer, or the Commission/Board, is authorized to revise the default time frames and order of proceedings so long as due process rights are maintained. In the event of disagreement by governing board members with procedural rulings by the chairman, the governing board may suspend or amend any one or more of these rules by majority vote of members of the governing board then in attendance, provided that due process rights are preserved.
- f. Anyone who intends to appear as a representative of a group at a hearing where spokesmen will be allowed pursuant to directive by the Chairman should contact the Planning Department at least five (5) days prior to the hearing. Staff may then apprise the representative of procedures for the hearing and any special limits or allowances concerning testimony.
- g. No person shall be permitted to speak before the Commission/Board at a public hearing until such person is recognized by the chairperson.
- h. Testimony should directly address the subject at hand.
- i. Testimony should not be repetitious with other entries into the record.
- j. Testimony should not be personally derogatory.
- k. Testimony should comply with time restrictions established by the hearing agency.
- l. If oral testimony fails to comply with the aforementioned standards, the chairperson may declare such testimony out of order and require it to cease.
- m. All public hearing proceedings shall be recorded electronically or stenographically and all persons speaking at such public hearings shall speak

before a microphone in such a manner as will assure that the recorded testimony or remarks will be complete.

Section 3. Order for Quasi-Judicial Public Hearing:

Quasi-judicial hearings involve site-specific decisions (such as considering a request to rezone specific property or consider a variance request) as opposed to legislative hearings which require decisions that have a broad application (such as a change in the text of a zoning or subdivision ordinance, which does not necessarily affect one specific parcel of land). Quasi-judicial Public hearings should follow the order of events set forth below:

- a. Brief introduction of the subject of the hearing by County staff.
- b. Presentation by applicant. (Decision makers should address their questions to the applicant at this time – if possible.)
- c. County staff report. (Decision makers should address their initial questions to staff at this time – if possible.)
- d. Open Public Hearing: Testimony from public in the following order: (Questions from the decision makers should be asked of the person testifying before they leave the podium whenever possible.)
 1. In favor of proposal
 2. Neutral respecting proposal
 3. Opposed to proposal
- e. Rebuttal testimony from applicant. Decision makers should ask any final questions. If new facts are elicited that have not been part of the record, the public must be given an opportunity to respond to the new facts – perhaps by reopening opposing testimony.
- f. Close Public Hearing
- g. Discussion of hearing subject among governing board members. Questions may also be directed to County staff during this period. Any procedural rules requiring a motion prior to discussion are hereby suspended for purposes of such discussion. Decision makers may table the matter until later in the meeting if other public hearings are pending or to a later meeting for deliberations.
- h. The final decision should include a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan for rezoning requests or upon relevant ordinance and statutory decision criteria for other requests, pertinent constitutional principles and factual information contained in the record. It is essential that all decision criteria be addressed in the final written decision, or finding of fact.
- i. After a final written decision is approved, a copy of the document shall be sent promptly by electronic mail, or by U.S. Mail if requested, to a permit or approval applicant. Applicants or affected property owners shall have no more than fifteen (15) days after a final decision is rendered to request reconsideration by the final decision-maker. Any such request must identify specific deficiencies in any final

decision. Failure to request reconsideration may invalidate a subsequent judicial appeal. After considering the identified deficiencies, the final decision shall be issued and distributed as above. If no decision is made within the sixty (60) day timeframe for reconsideration, notice of that fact shall be sent promptly by electronic mail, or by U.S. Mail if requested, to a permit or approval applicant.

Section 4. Standards for Written Testimony:

Written testimony and exhibits from the public to be admitted at a public hearing shall comply with the following standards:

- a. Written testimony and exhibits must be submitted at least seven (7) calendar days prior to the date of the pertinent public hearing. This provision may be varied through notice to potential hearing participants.
- b. Written testimony should include the signature and address of the submitter.
- c. Written testimony should address the issue at hand.
- d. Written testimony should not be personally derogatory.
- e. If written testimony or an exhibit fails to comply with the aforementioned standards, the chairperson or Commission/Board may declare such testimony inadmissible.

Section 5. Exhibits:

All exhibits, photographs, diagrams, maps, evidence and other material presented during the public hearing should be marked or otherwise identified and entered into the record. Exhibits from the Applicant must be submitted at least twenty (20) days prior to the hearing and shall be marked or identified prior to publication of any notice of public hearing. Original exhibits that are capable of duplication may be released to the presenting party if requested in writing, and if acceptable to the Planning Administrator and legal counsel. If original exhibits are released, photocopies or reproducible photos of the originals should be maintained in the record.

Section 6. Records Maintained:

Teton County should maintain records of all public meetings in the following manner:

- a. The Teton County Clerk has responsibility for records of meetings held before the Board of County Commissioners.
- b. The Planning and Zoning Department has responsibility for records of meetings held before the Planning and Zoning Commission.
- c. Records of meetings shall be in the following format:
 1. Transcribable verbatim recordings of the proceedings should be maintained in conformance with Idaho Code §67-6536 or its successor.
 2. Originals or accurate duplicates of written submittals to the hearing record and copies of applications should be maintained in conformance with policies adopted pursuant to Idaho Code §31-871 or its successor.
 3. Minutes which catalog the occurrences at the public hearing shall be maintained as required by applicable sections of the Idaho Code.

Section 7. Procedures for Legislative Public Hearings.

Public hearings on legislative matters brought pursuant to requirements established by the Local Land Use Planning Act should take place after notice has been provided as required by law. Prior to publishing notice of legislative public hearing a draft of the legislative proposal should be prepared and be available for public inspection no later than the day the notice of public hearing is published. Procedural limits on duration of testimony may be established by the chairman, subject to approval by the governing board. Legislative public hearings do not require final decisions in a manner comparable to those for quasi-judicial proceedings.

Section 8. Site Visits.

If the BOCC or PZC wish to conduct a site visit, as a quorum, a motion should be made during a public hearing to conduct a site visit on a date and time certain. In such a case, the site visit should be conducted in a manner similar to any other public meeting and an audio recording should be maintained of the site visit. BOCC or PZC members are encouraged to visit the site individually or with staff, as long as the date of the visit and who was in attendance is disclosed at the beginning of the public hearing.



FROM: Planning Staff, Jason Boal
TO: Board of County Commissioners
RE: River Rim Ranch PUD Division 2 Minor Plat Amendment
DATE: March 4, 2015
MEETING: March 9, 2015

In the December 16th meeting the BoCC approved a minor Plat amendment for River Rim Ranch PUD Division II. The amendment adjusted the roadway to accommodate a neighboring farming operation. (See Attached Documents)

Due to the adjusting of the roadway, the language (measurements and description) of the County easement for 9400 West needed to be adjusted as well. Attached is the proposed easement, which has also been reviewed by the County Prosecutor and the Public Works Director.

The Plat amendment has been reviewed and is ready for recording, as a side note.

Grantors:

GBCI: GBCI Other Real Estate, LLC
49 Commons Loop
Kalispell, Mt 59901

Teton River Farms: Teton River Farms, LLC
619 N Cascade Ave # 200
Colorado Springs, CO 80903

Upon at least ten (10) days' prior written notice, each party may change its address to any other address within the United States of America.

8. Entire Agreement. This Amended Easement (including exhibits attached) constitutes the entire agreement and understanding between the Parties with respect to the subject matter contained herein, and supersedes any prior agreement or understanding about the subject matter hereof. This Amended Easement may be modified or amended only by a written instrument executed by the Parties hereto.

9. Headings. The subject headings of the sections and paragraphs of this Amended Easement are included for the purposes of convenience only and shall not affect the construction or interpretation of any of its provisions.

10. Severability. If any term or provisions of this Amended Easement shall, to any extent, be held invalid or unenforceable, the remaining terms and provisions of this Amended Easement shall not be affected thereby, and each remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

11. Successors and Assigns. This Amended Easement shall run with the land and each covenant and condition contained in this Amended Easement shall inure to the benefit of and be binding on the Parties to this Amended Easement and their respective administrators, successors and assigns.

12. Recording. This Amended Easement shall be recorded in the office of the County Recorder of Teton County, Idaho.

13. The Governing Law. This Amended Easement shall be governed by and construed in accordance with the laws of the state of Idaho.

IN WITNESS WHEREOF, the undersigned have caused this Amended Easement to be executed the day and year first written above.

GBCI OTHER REAL ESTATE, LLC

By: _____
Don McCarthy, Manager

STATE OF _____)
County of _____)ss.
_____)

On the ____ day of _____, 2015, before me the undersigned, a notary public in and for said State, personally appeared Don McCarthy, known or identified to me to be a manager in the limited liability company of GBCI OTHER REAL ESTATE, LLC, and the manger who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such manager executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)

Notary Public for _____
Residing at _____
My Commission Expires: _____

TETON RIVER FARMS, LLC

By: _____
Name: _____
Title: _____

STATE OF _____)
County of _____)ss.
_____)

On the ____ day of _____, 2015, before me the undersigned, a notary public in and for said State, personally appeared _____, known or identified to me to be a _____ in the limited liability company of TETON RIVER FARMS, LLC, and the person who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such person executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)

Notary Public for _____
Residing at _____
My Commission Expires: _____

The foregoing Amended Easement is hereby accepted by Teton County, Idaho this _____ day of _____, 2015.

TETON COUNTY IDAHO:

TETON COUNTY IDAHO

By: _____
Its: Chairman

ATTEST:

By: _____
County Clerk

STATE OF IDAHO)
 :ss.
County of Teton)

The foregoing instrument was acknowledged before me by _____
as Chairman and County Clerk, respectively, of Teton County, Idaho, this _____ day of _____, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC FOR IDAHO
Residing at _____
My Commission Expires _____

EXHIBIT A

(Legal Description for Amended County Road 9400 West Easement)

EXHIBIT A

AMENDED EASEMENT FOR COUNTY ROAD 9400 WEST

An amended easement for County Road 9400 West being a strip of land 100.00 feet in width, located in River Rim Ranch Division II, Phase I, P.U.D as shown on River Rim Ranch P.U.D. Master Plan Amendment No. 3, Instrument No. 222435, River Rim P.U.D. Amendment No. 6, Instrument No. _____, that tract of land conveyed by warranty deed, Instrument No. 222480 and that tract of land conveyed by warranty deed, Instrument No. 224817 all as recorded in the Office of Clerk and Recorder, Teton County, Idaho, also situated in Sections 8, 17, 20 and 29, Township 6 North, Range 44 East, Boise Meridian, Teton County, Idaho. The sidelines of said strip of land being 32 feet westerly and northerly, and 68 feet easterly and southerly of the following described survey line:

Beginning at the Northwest corner of said River Rim Ranch Division II, Phase I, P.U.D, from which the South 1/4 Corner of said Section 8, bears S19°11'38"W, 2396.86 feet; said point being on the southerly Right-of-Way of State Highway 33 and the westerly boundary of said River Rim Ranch Division II, Phase I, P.U.D and the beginning of a non-tangent curve, concave southeasterly, having a radius of 400.00 feet;

Thence along said Westerly boundary for the following 58 courses:

Thence along said non-tangent curve, 372.29 feet, through a central angle of 53°19'35", the chord of which bears S06°13'28"W, 359.00 feet;

Thence S20°26'19"E, 239.33 feet to the beginning of a curve, concave northeasterly, having a radius of 1000.00 feet;

Thence along said curve 299.16 feet, through a central angle of 17°08'25", the chord of which bears S29°00'32"E, 298.04 feet;

Thence S37°34'45"E, 340.41 feet to the beginning of a curve, concave southwesterly, having a radius of 3101.20 feet;

Thence along said curve 342.03 feet, through a central angle of 06°19'09", the chord of which bears S34°25'10" E, 341.86 feet;

Thence S31°15'36"E, 932.67 feet to the beginning of a curve, concave southwesterly, having a radius of 450.52 feet;

Thence along said curve 373.88 feet, through a central angle of 47°32'59", the chord of which bears S07°29'06"E, 363.25 feet;

Thence S16°17'23"W, 324.50 feet to the beginning of a curve, concave northwesterly, having a radius of 1000.00 feet;

Thence along said curve 61.08 feet, through a central angle of 03°29'58", the chord of which bears S18°02'22"W, 61.07 feet;

Thence S19°47'22" W, 288.90 feet to the beginning of a curve, concave southeasterly, having a radius of 1000.00 feet;

Thence along said curve 505.70 feet, through a central angle of 28°58'28", the chord of which bears S34°16'36"W, 500.33 feet;

Thence S48°45'50"W, 43.42 feet to the beginning of a curve, concave southeasterly, having a radius of 700.00 feet;

Thence along said curve 399.89 feet, through a central angle of 32°43'53", the chord of which bears S32°23'54"W, 394.47 feet;

Thence S16°01'57"W, 140.69 feet to the beginning of a curve, concave northwesterly, having a radius of 500.00 feet;

Thence along said curve 220.68 feet, through a central angle of 25°17'19", the chord of which bears S28°40'37"W, 218.90 feet;

Thence S41°19'16"W, 125.55 feet to the beginning of a curve, concave southeasterly, having a radius

of 1000.00 feet;
Thence along said curve 325.86 feet, through a central angle of 18°40'14", the chord of which bears S31°59'09"W, 324.42 feet;
Thence S22°39'02"W, 491.09 feet to the beginning of a curve, concave southeasterly, having a radius of 750.00 feet;
Thence along said curve 323.52 feet, through a central angle of 24°42'54", the chord of which bears S10°17'35"W, 321.02 feet;
Thence S02°03'52"E, 224.43 feet to the beginning of a curve, concave westerly, having a radius of 1500.00 feet;
Thence along said curve 228.97 feet, through a central angle of 08°44'46", the chord of which bears S02°18'31"W, 228.75 feet;
Thence S06°40'54"W, 150.71 feet to the beginning of a curve, concave southeasterly, having a radius of 1500.00 feet;
Thence along said curve 127.72 feet, through a central angle of 04°52'42", the chord of which bears S04°14'33"W, 127.68 feet;
Thence S01°48'12"W, 205.03 feet to the beginning of a curve, concave northwesterly, having a radius of 1000.00 feet;
Thence along said curve 407.10 feet, through a central angle of 23°19'30", the chord of which bears S13°27'57"W, 404.29 feet;
Thence S25°07'42"W, 53.08 feet to the beginning of a curve, concave southeasterly, having a radius of 750.00 feet;
Thence along said curve 343.08 feet, through a central angle of 26°12'35", the chord of which bears S12°01'25"W, 340.10 feet;
Thence S01°04'53"E, 178.46 feet to the beginning of a curve, concave southeasterly, having a radius of 1500.00 feet;
Thence along said curve 63.52 feet, through a central angle of 02°25'34", the chord of which bears S00°07'54"W, 63.51 feet;
Thence S01°20'41"W, 485.56 feet to the beginning of a curve, concave northwesterly, having a radius of 975.79 feet;
Thence along said curve 504.71 feet, through a central angle of 29°38'06", the chord of which bears S16°09'44"W, 499.10 feet;
Thence S30°58'47"W, 340.62 feet to the beginning of a curve, concave southeasterly, having a radius of 1000.00 feet;
Thence along said curve 495.60 feet, through a central angle of 28°23'44", the chord of which bears S16°46'55"W, 490.54 feet;
Thence S02°35'03"W, 337.96 feet to the beginning of a curve, concave westerly, having a radius of 950.00 feet;
Thence along said curve 127.05 feet, through a central angle of 07°39'45", the chord of which bears S06°24'55"W, 126.95 feet;
Thence S10°14'48"W, 954.04 feet to the beginning of a curve, concave northwesterly, having a radius of 700.00 feet;
Thence along said curve 203.95 feet, through a central angle of 16°41'37", the chord of which bears S18°35'36"W, 203.23 feet;
Thence S26°56'25"W, 30.25 feet to the beginning of a curve, concave southeasterly, having a radius of 900.00 feet;
Thence along said curve 626.42 feet, through a central angle of 39°52'44", the chord of which bears S07°00'03"W, 613.85 feet;
Thence S12°56'19"E, 137.22 feet to the beginning of a curve, concave westerly, having a radius of 350.00 feet;
Thence along said curve 211.56 feet, through a central angle of 34°37'59", the chord of which bears S04°22'40"W, 208.35 feet;

Thence S21°41'39"W, 116.66 feet to the beginning of a curve, concave easterly, having a radius of 400.00 feet;
 Thence along said curve 247.59 feet, through a central angle of 35°27'50", the chord of which bears S03°57'44"W, 243.65 feet;
 Thence S13°46'11"E, 93.78 feet to the beginning of a curve, concave westerly, having a radius of 250.00 feet;
 Thence along said curve 146.16 feet, through a central angle of 33°29'49", the chord of which bears S02°58'43"W, 144.09 feet;
 Thence S19°43'38"W, 169.50 feet to the beginning of a curve, concave southeasterly, having a radius of 200.00 feet;
 Thence along said curve 86.93 feet, through a central angle of 24°54'17", the chord of which bears S07°16'29"W, 86.25 feet;
 Thence S05°10'40"E, 124.58 feet to the beginning of a curve, concave northwesterly, having a radius of 200.00 feet;
 Thence along said curve 106.53 feet, through a central angle of 30°31'09", the chord of which bears S10°04'55"W, 105.28 feet;
 Thence S25°20'30"W, 68.56 feet to the beginning of a curve, concave southeasterly, having a radius of 350.00 feet;
 Thence along said curve 171.23 feet, through a central angle of 28°01'50", the chord of which bears S11°19'34"W, 169.53 feet;
 Thence S02°41'21"E, 174.98 feet to the beginning of a curve, concave easterly, having a radius of 325.00 feet;
 Thence along said curve 93.66 feet, through a central angle of 16°30'40", the chord of which bears S10°56'41"E, 93.33 feet;
 Thence S19°12'00"E, 9.58 feet to the beginning of a curve, concave westerly, having a radius of 225.00 feet;
 Thence along said curve 124.10 feet, through a central angle of 31°36'08", the chord of which bears S03°23'56"E, 122.53 feet;
 Thence S12°24'08"W, 21.60 feet to the beginning of a curve, concave easterly, having a radius of 400.00 feet;
 Thence along said curve 120.41 feet, through a central angle of 17°14'50", the chord of which bears S03°46'43"W, 119.95 feet;
 Thence S04°50'42"E, 98.98 feet to the beginning of the relocated County Road 9400 West survey line;
 Thence leaving said Westerly boundary, along said relocated survey line the following 7 courses:
 Thence S04°50'42"E, 179.53 feet to the beginning of a curve, concave westerly, having a radius of 350.00 feet;
 Thence along said curve 190.51 feet, through a central angle of 31°11'13", the chord of which bears S10°44'54"W, 188.17 feet to the beginning of a curve, concave westerly having a radius of 258.69 feet;
 Thence along said curve 53.51 feet, through a central angle of 11°51'01", the chord of which bears S32°16'02"W, 53.41 feet;
 Thence S38°11'32"W 347.75 feet to the beginning of a curve, concave easterly having a radius of 523.88 feet,
 Thence along said curve 94.48 feet through a central angle of 10°20'00", the chord of which bears S33°01'33"W, 94.35 feet;
 Thence S27°51'32"W 200.38 feet to the beginning of a curve, concave westerly having a radius of 874.51 feet;
 Thence along the said curve 341.96 feet, through a central angle of 22°24'16", the chord of which bears S39°03'40"W, 339.79 feet to a point on said Westerly boundary of River Rim Division II Phase I;
 Thence leaving said relocated survey line, S50°15'49"W, 27.65 feet to the corner common to Lots 1, 2

and 3 of Block 10, River Rim Ranch, Division II, Phase I Amended;
Thence leaving said Westerly boundary and continuing along the line common to said Lots 2 and 3 for the following 3 courses:
Thence S50°15'49"W, 99.48 feet to the beginning of a curve, concave northwesterly, having a radius of 1000.00 feet;
Thence along said curve 230.06 feet, through a central angle of 13°10'53", the chord of which bears S56°51'15"W, 229.55 feet;
Thence S63°26'42"W, 149.69 feet to the beginning of a curve, concave northwesterly, having a radius of 1200.00 feet;
Thence along said curve 143.45 feet, through a central angle of 06°50'58", the chord of which bears S66°52'11"W, 143.37 feet to the corner common to Lots 2, 3, 4 and Open Space Tract R;
Thence along the line common to said Lot 4 and Open Space Tract R for the following 4 courses:
Thence continuing along said curve having a radius of 1200.00 feet, 143.46 feet, through a central angle of 06°50'58", the chord of which bears S73°43'09"W, 143.37 feet;
Thence S77°08'38"W, 239.69 feet to the beginning of a curve, concave northwesterly, having a radius of 1500.00 feet;
Thence along said curve 98.55 feet, through a central angle of 03°45'51", the chord of which bears S79°01'34"W, 98.53 feet;
Thence S80°54'29"W, 181.26 feet to the corner common to Lot 4 and Utility Easement for Water Supply Tract Z-1, being on the northwesterly line of said Open Space Tract R;
Thence along the line common to said Open Space Tract R and Utility Easement for Water Supply Tract Z-1, S80°54'29"W, 141.97 feet to the westerly boundary of said River Rim Ranch, Division II, Phase I Amended, from which the West 1/4 Corner of Section 29 and the southwest corner of said River Rim Ranch, Division II, Phase I P.U.D. bears N00°00'29"W, 146.78 feet.

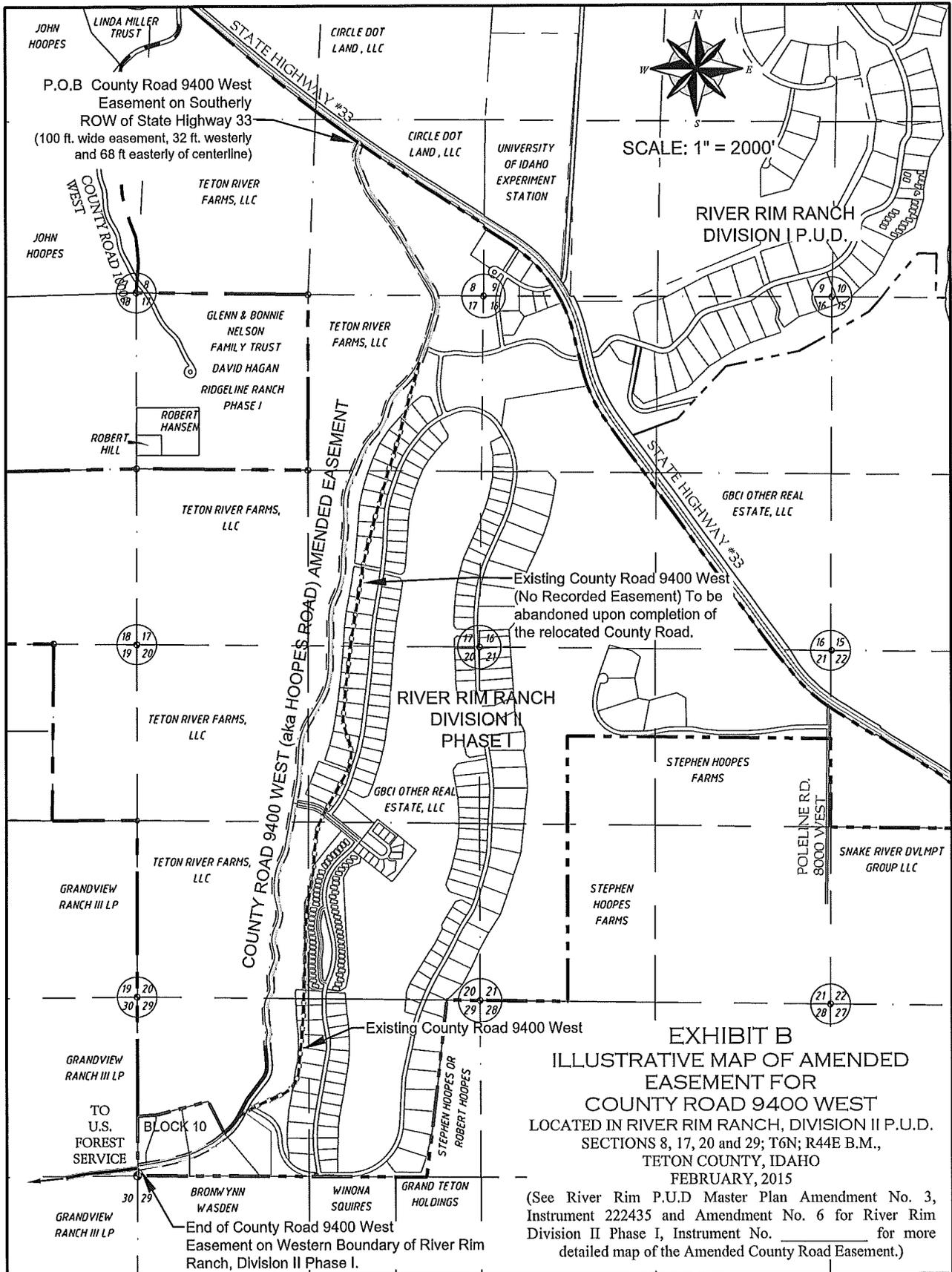
The above described parcel contains an area of **40.04** acres, more or less.

The sidelines of said easement to begin on said southerly Right-of-Way of State Highway 33 and end on the Westerly boundary of said River Rim Ranch, Division II, Phase I Amended.

The Basis of Bearing is N89°26'01"W 2660.05 feet along the South line of the Southeast quarter of said Section 8.

EXHIBIT B

(Illustrative map of Amended County Road 9400 West Amended Easement)



P.O.B County Road 9400 West
Easement on Southerly
ROW of State Highway 33
(100 ft. wide easement, 32 ft. westerly
and 68 ft. easterly of centerline)

SCALE: 1" = 2000'

Existing County Road 9400 West
(No Recorded Easement) To be
abandoned upon completion of
the relocated County Road.

EXHIBIT B
ILLUSTRATIVE MAP OF AMENDED
EASEMENT FOR
COUNTY ROAD 9400 WEST
LOCATED IN RIVER RIM RANCH, DIVISION II P.U.D.
SECTIONS 8, 17, 20 and 29; T6N; R44E B.M.,
TETON COUNTY, IDAHO
FEBRUARY, 2015

(See River Rim P.U.D Master Plan Amendment No. 3,
Instrument 222435 and Amendment No. 6 for River Rim
Division II Phase I, Instrument No. _____ for more
detailed map of the Amended County Road Easement.)

End of County Road 9400 West
Easement on Western Boundary of River Rim
Ranch, Division II Phase I.



A REQUEST FOR AN INSIGNIFICANT PLAT AMENMENT BY:

Big Sky Western Bank (Glacier Bancorp)

WHERE: River Rim Ranch PUD Division II

December 16, 2014

Big Sky Western Bank Insignificant Plat Amendment to River Rim Division II

§9-7-1 (B-4a) Insignificant Changes. Upon determining the application complete, and that the proposal is an insignificant change or vacation, the Planning Administrator shall recommend to the Board of County Commissioners approval, approval with conditions, or denial the application pursuant to the criteria and standards in the county regulations. The Board may review insignificant changes at a regularly scheduled public meeting.

Teton County Planning Administrator has determined that the application is complete and recommends approval by the Teton County Board of County Commissioners pursuant to Teton County regulations.

Findings of Fact:

- o Big Sky Western Bank -submitted an application to amend the Amended Plat for River Rim Division II Subdivision Final Plat (186667, 198983, 222435, 225470 and 231394- Previously amended plat).
- o The application is to relocate a portion of County Road 9400 West (Hoopes Rd), to provide additional room for an agricultural pivot on adjoining property.
- o Insignificant plat amendments are used for a minor right-of-way relocation.
- o **§9-7-1 (B-3a) Criteria for Approval:**
 - i. Any proposed changes to an easement, public right-of way, or Planned Unit Development, shall comply with all applicable criteria and standards of the county regulations, conditions of approval established in the previous approval, and the development agreement approved as part of the previous approval.
 - **A-2.5 Zoning. The County Public Works Director is reviewing the actual design of the realignment. I recommend conditioning the approval on his review and approval.**
 - ii. Insignificant changes to a recorded plat or master plan shall not reduce the area of designated open space or increase the number of lots or the overall amount of area of development.
 - **No reduction of open space & will not increase the number of lots.**
 - iii. Insignificant changes to a recorded plat, master plan, easement, or right -of-way shall not increase or create new and potentially substantial direct or indirect impacts on the neighborhood, vicinity of the subdivision or overall community.
 - **Relocating the right-of-way lot will not create any new impacts**

§9-7-1 (B-2a) Insignificant Changes / Vacations. – The proposed changes to the recorded land records have minimal direct impact on the immediate neighborhood, general vicinity of the subdivision or overall community. These include:

- iv. minor changes to the layout of roads, utilities or other facilities;

Jason Boal
Planning Administrator



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

**Public Works Department
MEMORANDUM**

150 Courthouse Drive
Driggs, ID 83422

February 2, 2015

TO: Jason Boal, Planning Administrator

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

SUBJECT: County Road 9400 West Re-Alignment

The purpose of this memorandum is to document the review and acceptance for the proposed re-alignment to County Road 9400 West as represented in the River Rim PUD Amendment No. 6.

The alignment as shown in the exhibit labeled Concept Realignment County Road 9400 West and Tract Q-1: 1.78 Acres, dated 1/14/2015 and submitted by Rendezvous Engineering P.C. is an acceptable horizontal road re-alignment configuration.

The designer, Rendezvous Engineering, has been made aware that no review of existing site conditions or anticipated surface drainage characteristics were investigated as part of the road re-alignment review and that they will need to use professional judgement when making any grading adjustments.

A handwritten signature in black ink, appearing to read "Darryl Johnson".

Darryl Johnson, PEPLS
Public Works Director

TETON COUNTY – CITY OF VICTOR INTERAGENCY AGREEMENT
FOR PROVISION OF PLAN REVIEW SERVICES
BY TETON COUNTY BUILDING OFFICIAL FOR
SIMMONS OFFICE/RESIDENCE MIXED USE PROJECT

This AGREEMENT FOR PROVISION OF PLAN REVIEW SERVICES BY TETON COUNTY BUILDING OFFICIAL FOR SIMMONS OFFICE/RESIDENCE MIXED USE PROJECT (the “Agreement”) is made and entered into this 25th day of January, 2015 by and between the **City of Victor, Idaho**, a municipal corporation (hereinafter referred to as “City”), and “**Teton County, Idaho**, a political subdivision of the State of Idaho (hereinafter referred to as “County”).

WITNESSETH:

WHEREAS, the City requires an independent certified building official to perform plan review services for Simmons Office/Residence Mixed Use Project , a construction project located on parcel # RPB0700000010 on which the City is the project owner, hereinafter referenced as the “Project”; and

WHEREAS, Teton County employs a properly certified building official who is capable of performing such plan review duties;

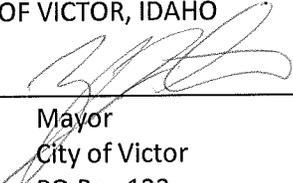
NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, the covenants and promises set forth herein, and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The Teton County Building Official will fulfill the plan review duties required by the Project.
2. The City of Victor will pay Teton County two hundred dollars (\$200) for the Project’s required plan review, upon execution of this agreement.
3. The City of Victor will provide for all other requirements of administering the Project’s building permit.
4. The parties agree that the relationship created by this Agreement is solely that of a County and City. Nothing in this agreement shall create the County or City as an agent, employer, employee, legal representative, partner or subsidiary of the other.
5. The Agreement may only be modified in writing and shall be executed by all parties hereto.
6. The failure of any party to insist upon the strict performance of any term of this Agreement shall not be considered a waiver of any term of this Agreement. All terms of this Agreement shall remain in full force and effect.
7. All notices in connection to this Agreement shall be in writing and shall be deemed delivered to the addresses when delivered in person on a business day at the address set forth under the signatures of this agreement below or on the same day as deposited in the United States Mail, postage prepaid, certified or registered mail, return receipt requested, addressed to the address set forth under the signatures of this agreement below.
8. This agreement shall be construed and enforced pursuant to the laws of the State of Idaho.

9. If any party shall bring suit against another party to enforce this Agreement, the Prevailing party shall be entitled to reasonable attorney fees and costs.
10. If any term of this Agreement is declared invalid, illegal, or unenforceable, the remainder of this Agreement shall remain operative and binding.
11. This Agreement shall be signed in duplicate originals. Each party shall receive one original of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

CITY OF VICTOR, IDAHO

By: 
Mayor
City of Victor
PO Box 122
32 Elm Street
Victor, ID 83455

Attest:


By: City Clerk

TETON COUNTY, IDAHO

By: _____
Chairman
Board of County Commissioners
150 Courthouse Drive
Driggs, ID 83422

Attest:

By: _____
City Clerk